

RESOLUTION NO. MRW 2018-09

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN
REGIONAL WATER SPECIAL SERVICE DISTRICT
(FRSTW-AM-F2-B)**

WHEREAS, the Summit County Council of Summit County, Utah (the “Council”), established a local district designated as the Mountain Regional Water Special Service District (the “District”), to provide water services within its boundaries; and

WHEREAS, Utah Code Ann. §17D-1-401 provides that additional land from that specified in the resolution establishing a local district may be annexed to the District in conformance with the applicable procedures; and

WHEREAS, §17D-1-203 and §17D-1-401(2) provide that the Council, may be petitioned to annex an area into the District; and

WHEREAS, there have been numerous annexations into the District since its establishment in 1987; and

WHEREAS, TS1, LLC, a Utah limited liability company (“TS1”), has petitioned the Council to annex its land into the District (the “Petition”). In the Petition, TS1 represented that it is the sole owner of FRSTW-AM-F2-B; and

WHEREAS, the Summit County Clerk has certified the Petition; and

WHEREAS, §17D-1-402 provides that the notice, hearing, and protest period do not apply if a petition for annexation of additional area is filed with the signatures of all of the owners of taxable real property;

WHEREAS, TS1 has signed the Petition for annexation.

NOW, A THEREFOR, BE IT RESOLVED by the Summit County Council as follows:

Section 1. **FINDINGS.** The Council finds and determines that public health, convenience, and necessity requires that certain land situated in Summit County, State of Utah, being generally described as parcel FRSTW-AM-F2-B located in Summit County, Utah (the “Property”) be annexed into the District.

Section 2. **ANNEXATION.** The Property is hereby annexed into the boundaries of Mountain Regional Water Special Service District. The property annexed shall be governed by and become an integral part of the District. Pursuant to this annexation, the owners of the Property shall be entitled, upon entering into a Water Service Agreement with the District, to receive the benefit of water services and facilities provided by the District, and shall be subject to the rights, powers and authority of the District, including, without limitation, the right, power and authority of the District to promulgate rules and regulations for the operation of the District, to levy ad valorem taxes on the Property, and to impose such fees and charges as shall be necessary to pay for all or part of the commodities, facilities and services to be provided by the District for the payment of the District’s bonds and other obligations.

Section 3. **Direction.** All officers and employees of the District are hereby directed to take such action as shall be necessary and appropriate to effectuate the provisions of this Resolution and the intent expressed herein.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon its approval and adoption by the Summit County Council.

APPROVED AND ADOPTED this _____ day of _____, 2018

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

Kim Carson
Chair

ATTEST:

Kent Jones
County Clerk

APPROVED AS TO FORM:

David L. Thomas
Chief Civil Deputy

The Hotel Ascent will be located at FRSTW-AM-F2-B in the Frostwood Master Development. It is located near Cooper land and Frostwood Drive. It is a Hotel Ascent with 110 Bed Hotel, 40 Seat Restaurant, Pool and Irrigation. Mountain Regional is both willing and able to provide water successfully to this project.

April 18, 2018

The Board of County Council
Summit County, Utah
60 N. Main Street
Coalville, UT 84017


**PETITION FOR ANNEXATION TO THE MOUNTAIN REGIONAL WATER SPECIAL
SERVICE DISTRICT**

1. Pursuant to the provisions of Utah Code Annotated (UCA), Section 17D-1-401, as amended, the undersigned petitioner requests that the Board of County Council of Summit County, Utah, annex the property (Property) described in Exhibit A, which is attached hereto and incorporated by reference, into the boundaries of Mountain Regional Water Special Service District (District).
2. The undersigned petitioner(s) own one hundred percent of the Property to be annexed. Therefore, the notice, hearing, and protest requirements of Sections UCA 17D-1-1205, 17D-1-206, and 17D-1-207 do not apply.
3. The undersigned petitioner is desirous of receiving water service from the District for the Property and is willing to abide by all lawful adopted rules and regulations of the District as a condition of receiving water service from the District.

The undersigned petitioner has read and knows the contents of the foregoing Petition, and the fact set forth are true, accurate, and complete to the best of the undersigned petitioner's knowledge and belief.

TS1, LLC
555 S State St Suite 300
Orem, UT 8458

Darwin Fielding
Manager/Owner

X  April 18, 2018

[Attach Exhibit A that includes the property's TAX ID numbers, and legal property description, and map of the boundaries satisfactory to the County Recorder]

Recording Requested by:
First American Title Insurance Company
1750 Sun Peak Drive, Suite 150
Park City, UT 84098
(435)615-0404

01089613 B: 2457 P: 1327

Page 1 of 4

Mary Ann Trussell, Summit County Utah Recorder
04/12/2018 03:57:36 PM Fee \$18.00

By FIRST AMERICAN - SUN PEAK
Electronically Recorded

Mail Tax Notices to and
AFTER RECORDING RETURN TO:
T S 1, L.L.C.

555 South State Ste 300
Orem, UT 84058

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

SPECIAL WARRANTY DEED

Escrow No: **385-5882827** (klc)
A.P.N.: **FPCMD-F2-B**

Park West Associates, L.L.C., a Utah limited liability company, Plumb Investment, L.C., a Utah limited liability company who erroneously took title as Plumb Investments, L.L.C. and Ronald A. Ferrin, each as their interest may appear, Grantor, of Park City, Summit County, State of UT, hereby CONVEYS AND WARRANTS only as against all claiming by, through or under it to

T S 1, L.L.C., a Utah limited liability company, Grantee, of Park City, Summit County, State of UT, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Summit County, State of Utah:

Parcel F2-B, FROSTWOOD PLANNED COMMUNITY MASTER DEVELOPMENT AMENDMENT TO PARCEL F2-B, according to the official plat thereof as recorded in the office of the Summit County Recorder on January 8, 2018 as Entry No. 1084630.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year **2018** and thereafter.

Witness, the hand(s) of said Grantor(s), this April 9, 2018.

Recording Requested by:
First American Title Insurance Company
1750 Sun Peak Drive, Suite 150
Park City, UT 84098
(435)615-0404

Mail Tax Notices to and
AFTER RECORDING RETURN TO:
T S 1, L.L.C.

555 South State Ste 300
Orem, UT 84058

THIS DOCUMENT HAS BEEN RECORDED ELECTRONICALLY

ENTRY# 61089613 DATE 4/12/18

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

RESPA

SPECIAL WARRANTY DEED

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Witness, the hand(s) of said Grantor(s), this **April 9**, **2018**.

Park West Associates, L.L.C., a Utah limited liability company

Plumb Investment, L.C.

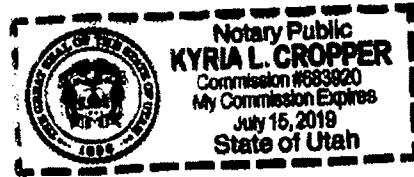
By: [Signature]
Name: Walter J. Plumb III
Title: Manager

By: [Signature]
Name: Walter J. Plumb III
Title: Manager

By: [Signature]
Name: Richard Frost
Title: Manager

By: [Signature]
Name: Ronald A. Ferrin
Title: Manager
[Signature]
Ronald A. Ferrin

STATE OF Utah)
County of Summit)ss.



On 4-9-18, before me, the undersigned Notary Public, personally appeared **Walter J. Plumb III, Manager, Park West Associates, L.L.C.**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 7-15-19

[Signature]
Notary Public

A.P.N.:

Special Warranty Deed - continued

File No.: 385-5882827 (klc)

STATE OF UT)
County of Summit)ss.



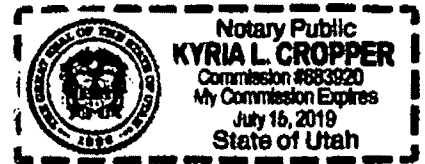
On 4-9-18, before me, the undersigned Notary Public, personally appeared **Richard Frost, Manager, Park West Associates, L.L.C.**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 7-15-19

Notary Public

STATE OF UT)
County of Summit)ss.



On 4-9-18, before me, the undersigned Notary Public, personally appeared **Roanld A. Ferrin, Manager, Park West Associates, L.L.C.**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 7-15-19

Notary Public

STATE OF UT)
County of Summit)ss.



On 4-9-18, before me, the undersigned Notary Public, personally appeared **Walter J. Plumb III, Manager, Plumb Investment, L.C.**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 7-15-19

Notary Public

A.P.N.:

Special Warranty Deed - continued

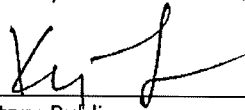
File No.: **385-5882827 (kic)**

STATE OF UT)
County of Summit)ss.

On 4-9-18, before me, the undersigned Notary Public, personally appeared **Ronald A. Ferrin**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

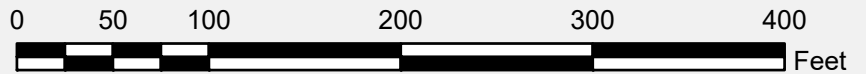
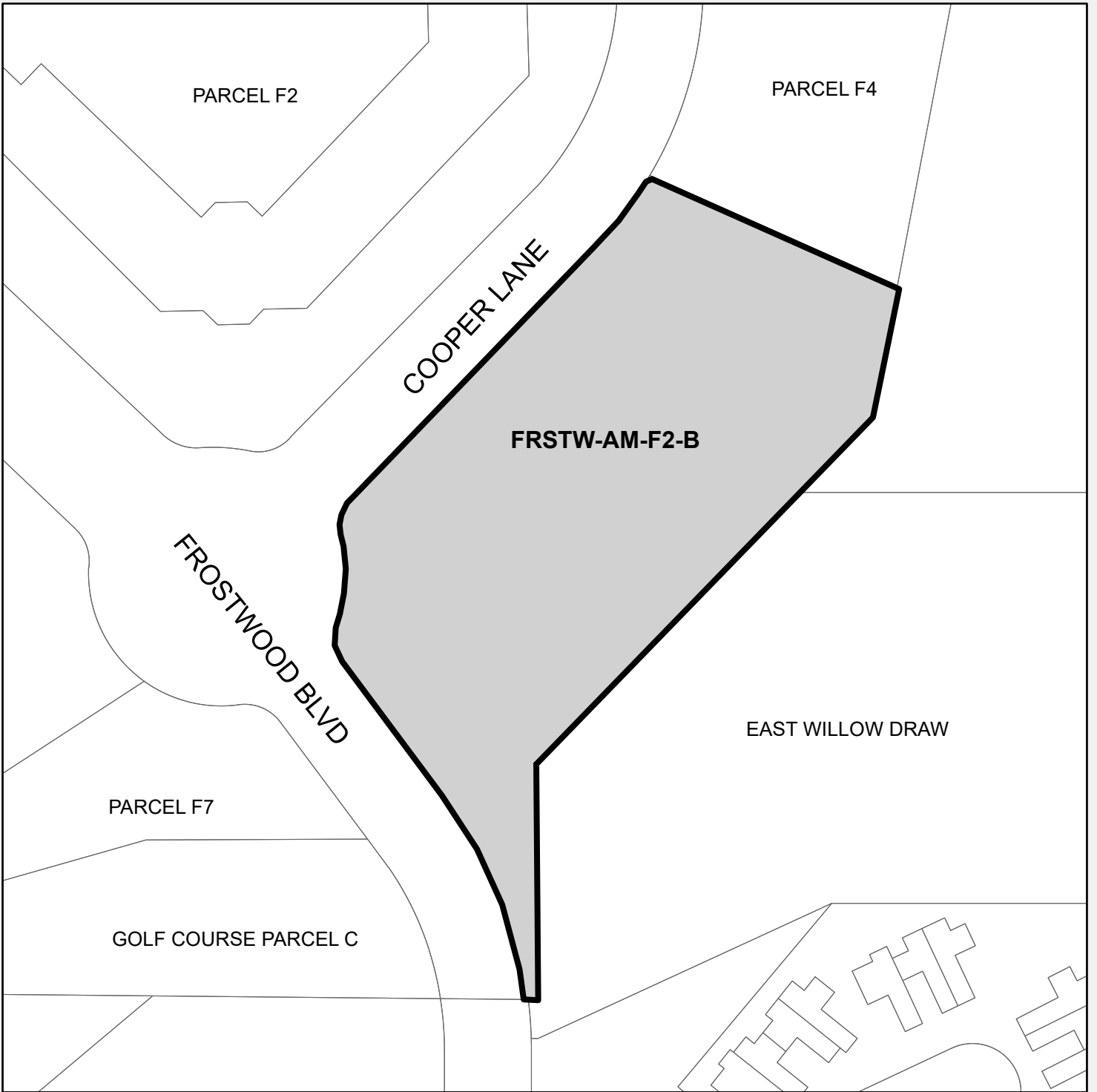
WITNESS my hand and official seal.

My Commission Expires: 7-15-19



Notary Public





1 inch = 100 feet

By C. Braun
Date: 4/24/2018

ANNEXATION EXHIBIT MAP

PARCEL FRSTW-AM-F2-B