

RESOLUTION MRW NO. 2020-21

**A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE MOUNTAIN
REGIONAL WATER SPECIAL SERVICE DISTRICT
(Parcel PP-102-A-2)**

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, the owner of Parcel PP-102-A-2 has petitioned the Council to annex its land into the District (the “Petition”). In the Petition, John Phillips, as President of Homepoint Realty, Inc., DBA Phillips Homes, represented that Homepoint Realty, Inc., DBA Phillips Homes is the sole owner of Parcel PP-102-A-2; 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, the sole owner of Parcel PP-102-A, Homepoint Realty, Inc., DBA Phillips Homes has signed the Petition for annexation.

NOW, THEREFORE, 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 PP-102-A-2, 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 _____, 2020

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

Doug Clyde
Chair

ATTEST:

Kent Jones
County Clerk

APPROVED AS TO FORM:

Blaine S. Thomas
Deputy County Attorney