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Resolution PAGE 1/14

RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 0.00 BY SUMMIT COUNTY CLERK



Resolution 2024-09

**RESOLUTION OF INTENT TO ANNEX TERRITORY TO
SUMMIT COUNTY SERVICE AREA #6
SUMMIT COUNTY, UTAH**

WHEREAS, Summit County Service Area #6 (“Service Area #6”) is a county service area established by Summit County, Utah pursuant to Utah law; and,

WHEREAS, Service Area #6 provides concentrated, urban-style road maintenance and snow removal services within subdivisions in the territory of the service area (the “Enhanced Road Maintenance Services”); and,

WHEREAS, in accordance with Utah Code §17B-1-403(1)(b), the County Council of Summit County, Utah (“County Council”), has determined that such services should be provided on an extended basis within the territory which is proposed to be annexed to Service Area #6 as more specifically provided in Exhibit A to this Resolution; and,

WHEREAS, in accordance with Utah Code §17B-1-409, a public hearing shall be held on the proposal to annex territory to the service area which shall be held within forty-five (45) days after the adoption of this Resolution and whereas all interested persons should be entitled to attend the public hearing, comment on or protest the annexation proposed in this Resolution; and,

WHEREAS, notice of the public hearing shall be provided to the owners of all territory within the areas proposed for annexation, as set forth in Exhibit B, as required by Utah Code §17B-1-410;

NOW, THEREFORE, be it hereby resolved by the County Council of Summit County, Utah as follows:

Section 1. Determination to Annex Property. The County Council hereby finds and determines that the public health, convenience, and necessity requires that certain territory

situated in Summit County, State of Utah, being generally described as the property situated within and more particularly described in Exhibit A (the "Proposed Annexation Area"), be annexed to Service Area #6, and that proceedings for the annexation of said territory should be commenced in conformance with Utah law.

Section 2. Summit County Declination of Service and Waiver of Notice. The County Council has determined that Summit County will not provide the Enhanced Road Maintenance Services to the Proposed Annexation Area. Further, the County Council waives all notice requirements as set forth in Utah Code §17B-1-406(2).

Section 3. Intention to Annex. The County Council, sitting as the Board of Trustees of Service Area #6, intends to annex all of the Proposed Annexation Area, or such part or parts as the County Council may determine to be equitable and necessary for the proposed annexation, subject to the filing of written protests in conformance with the provisions of Utah Code §17B-1-412 which may be sufficient to require an election.

Section 4. The boundaries of Service Area #6 shall include all previously established boundaries and the additional Proposed Annexation Area.

Section 5. The services which should be provided within the areas proposed for annexation to the service area are all of the services which are currently provided in Service Area #6 at the time and date of this Resolution of Intent to Annex; i.e.: to provide concentrated, urban-style road maintenance and snow removal services. Service Area #6 is empowered to collect service charges and/or levy taxes in order to fairly and equitably provide the services authorized. Service Area #6 is entitled to enact regulations to accomplish the lawful and legitimate purposes of the service area.

Section 6. The name of the service area, subsequent to annexation, shall continue to be designated as "Summit County Service Area #6."

Section 7. Public Hearing and Notice. A public hearing is directed to be held on the Proposed Annexation Area to Service Area #6 on the date and at the time and place specified in the Notice of Intention to Annex Territory to the Summit County Service Area #6 (the “Notice”), the form and content of which is set forth below. The Notice shall be mailed to each owner of private real property located within the Proposed Annexation Area, as shown upon the county assessment roll last equalized as of the previous December 31st, and shall be posted in at least four conspicuous places within the Proposed Annexation Area, no less than ten (10) and no more than thirty (30) days before the public hearing. The Notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

**NOTICE OF INTENTION TO ANNEX TERRITORY TO THE
SUMMIT COUNTY SERVICE AREA #6**

PUBLIC NOTICE is hereby given that the County Council of Summit County, Utah (the “County Council”), has found and declared, in conformance with the applicable provisions of the Utah Limited Purpose Local Government Entities – Local Districts, Utah Code §17B-1-401 *et seq.*, as amended, that the public health, convenience and necessity require the annexation of certain real property to the Summit County Service Area #6 (the “Service Area”), for the purpose of providing concentrated, urban-style road maintenance and snow removal services thereto, said property being generally described as the recorded subdivisions within the Snyderville Basin; to wit: Silver Creek Commerce Center Plat C 2nd Amended, Park City Business Center Plat B Subdivision, Park City Tech Center Subdivision, Park City Tech Center Building A Condo, Business Commons III Condo (together the “Proposed Annexation Area”).

A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF RECORDED RESIDENTIAL SUBDIVISIONS WITHIN THE SNYDERVILLE BASIN TO THE SERVICE AREA IS HEREBY CALLED AND SET FOR WEDNESDAY, THE 17TH DAY OF JULY, 2024, AT 6:00 P.M., AT THE SHELDON D. RICHINS BUILDING, AUDITORIUM, 1885 W. UTE BLVD., PARK CITY, UTAH, AT WHICH TIME ALL INTERESTED PERSONS MAY APPEAR BEFORE THE COUNTY COUNCIL, SITTING AS THE BOARD OF TRUSTEES OF THE SERVICE AREA, AND BE HEARD WITH RESPECT TO THE PROPOSED ANNEXATION.

In conformance with the provisions of Utah Code §§17B-1-409 through 17B-1-412, any interested person may protest the annexation orally or in writing at the hearing, in writing any time prior to the hearing, or in writing within thirty (30) days after the conclusion of the hearing. If the owners of private real property that is located within the Proposed Annexation Area covers at least 10% of the total private land area within the entire Proposed Annexation Area and within each subdivision and is equal in assessed value to at least 10% of the assessed value of all private real property within the entire Proposed Annexation Area and within each subdivision, or registered voters residing within the entire Proposed Annexation Area and within each subdivision equal in number to at least 10% of the number of votes cast within the entire Proposed Annexation Area and within each subdivision, respectively, for the office of governor at the last regular general election before the adoption of the Resolution of Intent to Annex, file written protests to the annexation of the Proposed Annexation Area, the Board of Trustees shall either hold an election on the proposed annexation or abandon the proposed annexation. Voter registration records of Summit County shall be considered by the Board of Trustees as conclusive evidence of residency. Any protest made by the owners of the taxable property proposed to be annexed, signed on behalf of a corporation owning such property, shall be sufficient if it is signed by the president, vice-president, or any duly authorized agent of the corporation. Where title to any property is held in the name of more than one person, all of the persons holding title to it must join in the signing of the protest.

After the conclusion of the public hearing and after the time for filing protests has expired, the Board of Trustees shall adopt a resolution either annexing the Proposed Annexation Area, determining that the proposal to annex the Proposed Annexation Area shall be subject to an election, or determining that the proposal to annex the Proposed Annexation Area shall be abandoned. Such resolution may contain any changes from the Resolution of Intent to Annex as the Board of Trustees determines to be appropriate, including a reduction in the amount of the property to be annexed; but the amount of the property to be annexed may not be increased without the giving of a new notice of intention and the holding of a new public hearing.

After the adoption of the resolution annexing the Proposed Annexation Area to the Service Area, the boundaries of the Service Area shall be modified to include the Proposed Annexation Area, whereupon the Proposed Annexation Area will become an integral part of the Service Area and the owners thereof shall be entitled to receive the benefit of all services provided by the Service Area.

Upon annexation of the Proposed Annexation Area to the Service Area, all properties therein shall be subject to an annually levied ad valorem tax which on an average home of \$706,900 shall be approximately \$89.42 for a primary residence and \$162.59 for a secondary residence. No additional fees and charges are imposed on the Proposed Annexation Area at the present time. However, fees and charges may be applied in the future to pay for all or part of the services to be provided by the Service Area and for the payment of bonds and other obligations of the Service Area.

Additional information about the proposed annexation may be obtained by calling the Summit County Public Works Director at (435) 336-3972.

This Notice is given pursuant to and in accordance with the provisions of Utah Code §17B-1-410. This Notice together with the Resolution of Intent to Annex, are on file and may be seen at the office of the Summit County Clerk, Summit County Courthouse, 60 North Main Street, Coalville, Utah.

Given and ordered published this _____ day of _____, 2024.

SUMMIT COUNTY SERVICE AREA #6
BOARD OF TRUSTEES

ATTEST

Evelyn Furse
County Clerk

Malena Stevens
Chair

(End of Notice)

Section 8. Direction. All officers and employees of Summit County are hereby directed to take such actions as shall be necessary and appropriate to effectuate the provisions of this Resolution of Intent to Annex and the intent expressed herein.

Section 9. Effective Date. This Resolution of Intent to Annex shall take effect immediately upon its approval and adoption by the County Council. A copy of this Resolution

of Intent to Annex shall be delivered to the Board of Trustees within five (5) of the Effective Date.

APPROVED AND ADOPTED this 26th day of June, 2024

COUNTY COUNCIL
SUMMIT COUNTY, UTAH

ATTEST:

Evelyn Furse
Evelyn Furse
County Clerk

Malena Stevens
Malena Stevens
Chair

APPROVED AS TO FORM:

David L. Thomas
David L. Thomas
Chief Civil Deputy



CERTIFICATE

The County Council of Summit County, Utah, (the "County"), met in regular public session at the regular meeting place of the County Council in Kimball Junction, Park City, Utah, on _____.

On roll call, the following members of the County Council were determined to be present:

- | | |
|-------------------------|---------------|
| Malena Stevens | Chair |
| Tonja Hanson | Vice Chair |
| Roger Armstrong | Councilmember |
| Canice Harte | Councilmember |
| Christopher F. Robinson | Councilmember |

There were also present:

- | | |
|--------------|------------------------------------|
| Evelyn Furse | County Clerk |
| David Thomas | Chief Civil Deputy County Attorney |

After the meeting had been duly called to order, the County Clerk presented evidence to the County Council of the giving of not less than twenty-four (24) hours public notice of the agenda, date, time and place of the meeting in compliance with the requirements of Utah Code §52-4-202, as amended, by (1) posting written notice of the meeting at the principal office of the County Council, (2) posting notice on the Utah Public Notice Website, and (3) providing notice

to at least one newspaper of general circulation within the geographic jurisdiction of the County, or to a local media correspondent. The affidavit was ordered recorded in the minutes of the meeting and is as set forth in ATTACHMENT "I" hereto.

I hereby certify that after the conduct of other business, the above resolution was introduced in written form by Councilmember _____, was read and discussed, and pursuant to motion made by Councilmember _____, and seconded by Councilmember _____, was adopted by the following vote:

Aye:

Nay:

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed the official seal of Summit County, Utah, this ____ day of _____, 2024.

[SEAL]

Evelyn Furse, County Clerk
Summit County, Utah

ATTACHMENT I

STATE OF UTAH)

. ss.

County of Summit)

AFFIDAVIT

I, the undersigned, the duly qualified and acting County Clerk of Summit County, Utah, do hereby certify, according to the records of the County Council in my possession, and upon my own knowledge and belief, that in accordance with the requirements of Utah Code §52-4-202, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the _____, 2024, public meeting held by the County Council of Summit County, Utah, by:

(a) causing a Notice of Public Meeting to be posted at the principal office of the County Council at Coalville, Utah, on or before _____, 2024, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as ATTACHMENT II, said Notice of Public Meeting having continuously remained so posted and available for public inspection for the regular office hours of the County Council until the convening of the meeting; and

(b) causing a copy of the Notice of Public Meeting in a form attached hereto as ATTACHMENT II to be provided on or before _____, 2024, at least twenty-four (24) hours before the convening of the meeting, to the Utah Public Notice Website.

(c) causing a copy of the Notice of Public Meeting in a form attached hereto as ATTACHMENT II to be provided on or before _____, 2024, at least twenty-four (24) hours before the convening of the meeting, to The Park Record, a newspaper of general circulation, within the geographical jurisdiction of Summit County, and to any other local media, correspondent, newspaper, radio station or television station which has requested notification of meetings of the County Council.

IN WITNESS WHEREOF, I have hereunto subscribed by official signature and impressed the official seal of Summit County, Utah, this ____ day of _____, 2024.

[SEAL]

Evelyn Furse, County Clerk
Summit County, Utah

ATTACHMENT II

ATTACH COPY OF AGENDA (Notice of Public Meeting)

EXHIBIT A

**AREAS TO BE ANNEXED TO
SUMMIT COUNTY SERVICE AREA #6
(Map Included)**

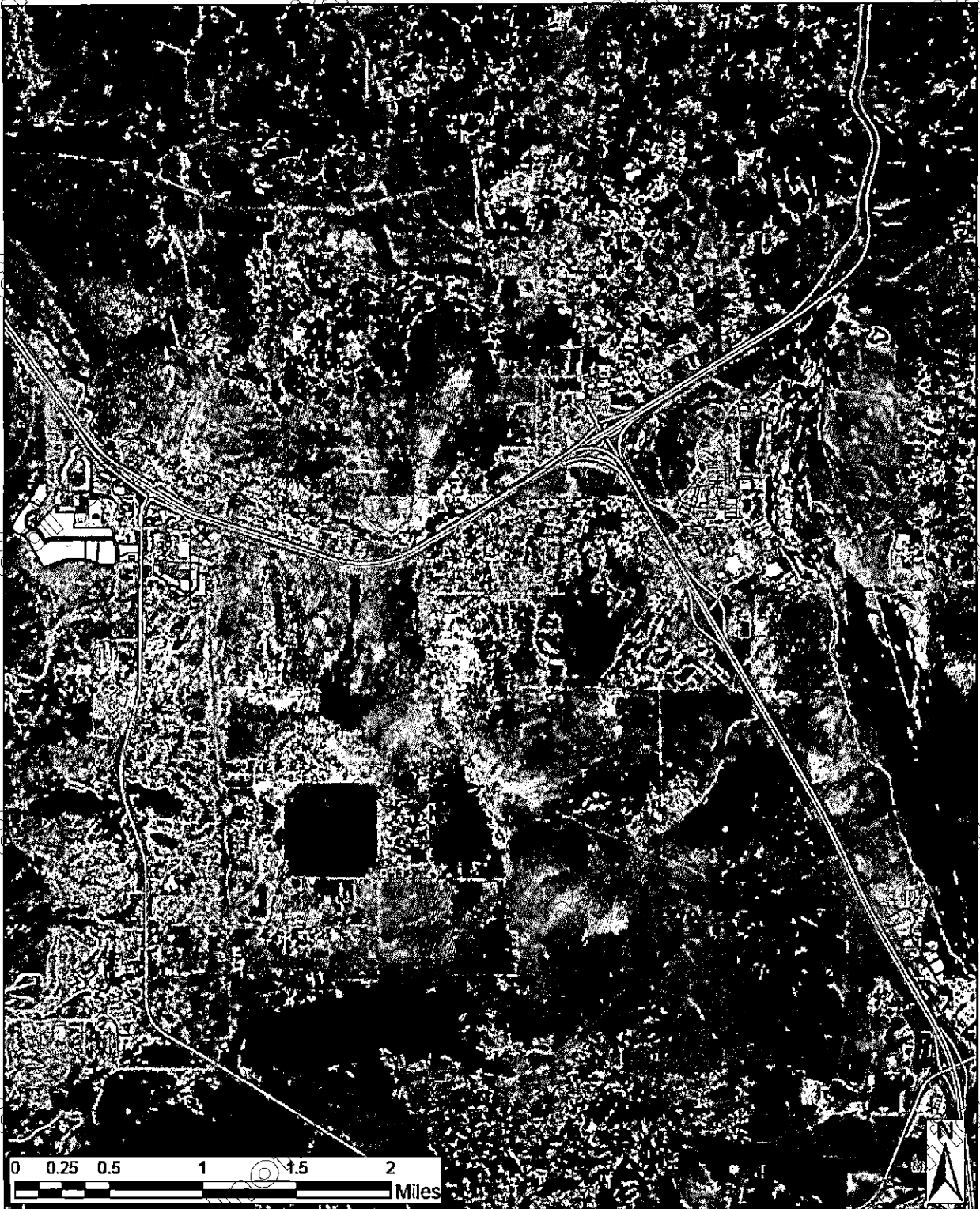
Silver Creek Commerce Center Plat C 2nd Amended

Park City Business Center Plat B Subdivision

Park City Tech Center Subdivision

Park City Tech Center Building A Condo

Business Commons III Condo



SA6 Annexation

B

EXHIBIT B

**PROPERTIES IN AREA PROPOSED FOR ANNEXATION
TO SUMMIT COUNTY SERVICE AREA #6**

Silver Creek Commerce Center Plat C 2nd Amended
SCO-C-ROW1-2AM-X

Park City Business Center Plat B Subdivision
PCBC-B-1

Park City Tech Center Subdivision

PCTC-1
PCTC-2
PCTC-5B-AM
PCTC-401-AM
PCTC-402-AM
PCTC-403-AM
PCTC-404-AM

Park City Tech Center Building A Condo

PCTCC-A-1
PCTCC-A-2
PCTCC-A-3
PCTCC-A-4

Business Commons III Condo

BCOM-III-1
BCOM-III-2
BCOM-III-3
BCOM-III-4
BCOM-III-5
BCOM-III-6
BCOM-III-7
BCOM-III-8
BCOM-III-9
BCOM-III-10
BCOM-III-11
BCOM-III-12
BCOM-III-A
BCOM-III-B
BCOM-III-C
BCOM-III-D
BCOM-III-E
BCOM-III-F

c

BCOM-III-G
BCOM-III-GAR-1
BCOM-III-GAR-2
BCOM-III-H
BCOM-III-I
BCOM-III-J
BCOM-III-K
BCOM-III-STG-1
BCOM-III-STG-2
BCOM-III-STG-3
BCOM-III-STG-4
BCOM-III-STG-5
BCOM-III-STG-6

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