

RESOLUTION NO. 25-96

**A RESOLUTION CREATING AND ESTABLISHING THE OGDEN VALLEY
NATURAL GAS IMPROVEMENT DISTRICT AND SETTING FORTH
THE IMPROVEMENTS TO BE PROVIDED BY THE DISTRICT;
PROVIDING THAT PAYMENT FOR THE SERVICES SHALL BE BY
A SERVICE CHARGE OR FEE; APPOINTING THE INITIAL BOARD OF
TRUSTEES AND PRESCRIBING OTHER DETAILS AS PROVIDED BY LAW**

WHEREAS, the present Board of County Commissioners of Weber County and previous Boards have considered the need for natural gas service for the Ogden Valley and certain parts of Morgan County; and

WHEREAS, during the past few years certain groups of citizens in the Ogden Valley have requested Weber County's aid in acquiring such gas service; and

WHEREAS, at various times public meetings have been held to provide information to Ogden Valley residents regarding the cost and methods for providing natural gas service to the area; and

WHEREAS, pursuant to discussions with the board of County Commissioners of Weber County, Mountain Fuel has conducted a door-to-door campaign within Ogden Valley to ascertain those persons and entities who would contract for natural gas services; and

WHEREAS, the results of that campaign demonstrated that over 80% of the volumetric users in the area desire natural gas service and have contracted for such service if it is provided; and

WHEREAS, a public hearing on the creation of the District was held on the 13th day of March, 1996, during the regularly scheduled County Commission Meeting starting 5 p.m., in the County Commission Chambers, at which all interested persons were heard either in support or in opposition to the creation of the district; and

WHEREAS, it was later discovered that notice of such public hearing had not been published three (3) times pursuant to the statutory requirement; and

WHEREAS, in order to correct that error, the Board of County Commissioners of Weber County scheduled another public hearing to be held on the 15th day of May, 1996, during the regular Commission Meeting starting at 9 a.m.; and

WHEREAS, notice of such public hearing was published in the Standard Examiner on the 22nd day of April, 1996, the 29th day of April, 1996, and the 6th day of May, 1996; and

WHEREAS, the Board of County Commissioners has fully considered the comments made at the hearing, both written and oral; and

WHEREAS, on the 23rd day of April, 1996, at the regular scheduled Commission Meeting the Board of County Commissioners of Morgan County, pursuant to the requirements of Section 17A-2-303, Utah Code Annotated, 1953 as amended, considered Resolution 6-96 of the Weber County Commission indicating its intent to create the District; and

WHEREAS, Morgan County, after fully considering that Resolution approved that Resolution thereby giving authority to the Board of County Commissioners of Weber County to include in the District's territory within Morgan County described in Resolution 6-96;

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DOUG CROFTS, WEBER COUNTY RECORDER
18-JUN-96 923 AM FEE \$1.00 DEP MH
REC FOR: WEBER.COUNTY.TREASURER

NOW THEREFORE, pursuant to and in accordance to the requirements of Section 17A-2-303, Utah Code Annotated, 1953 as amended, the Board of County Commissioners of Weber County does hereby resolve and declare that the public health, convenience and necessity require the creation of the Ogden Valley Natural Gas Improvement District (the "District") for the purpose of issuing bonds to construct a natural gas main line ("Improvements") which will make natural gas service accessible to the area more fully described in attachment A and illustrated in the attached map.

1. Pursuant to § 17-2-301 et seq., Utah Code Annotated 1953 as amended, a Special District is hereby created and shall include the area described in Attachment "A" and shall be known as the Ogden Valley Natural Gas Improvement District ("District").

2. The District shall be a separate political entity from the County and shall have the authority as provided by law to finance the improvements for which the District is created. The District is created to assist in financing the construction of a high pressure natural gas pipeline and related improvements. The proposed section of natural gas pipeline that will be paid in part by the District will include a high pressure eight inch pipeline beginning at a point on the southern boundary of the District located approximately 1400 feet north of the Mountain Green intersection of the Mountain Green highway and Trappers Loop Road and continue along Trappers Loop Road to the intersection of Trappers Loop Road and SR39; continuing with a six inch high pressure pipeline on SR39, 7800 East and Highway 162 and continuing on to the end of the high pressure pipeline located approximately at the intersection of Highway 162 and River Drive in Eden.

3. The governing body of the District shall be a Board of Trustees initially consisting of three (3) members who shall supervise and control all activities of the District. Pursuant to the authority granted in Section 17A-1-303(6), the Board of County Commissioners of Weber County hereby appoints all three members of its Board to the Governing Board of the District. The name of the initial Trustees are as follows:

Bruce H. Anderson
Joe H. Ritchie
Spencer F. Stokes

Weber County Commissioner
Weber County Commissioner
Weber County Commissioner

4. Pursuant to UCA 17A-2-305(4)(a)(i), the town of Huntsville may exercise its authority to appoint an additional member of the Board of Trustees. If Huntsville exercises its right to appoint a Trustee, the Board of Trustees will consist of four (4) members.

5. The officers and employees of Weber County are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this resolutions.

RESOLVED this 15 day of May, 1996.

BOARD OF COUNTY COMMISSIONERS

By Bruce H. Anderson
Bruce H. Anderson, Chair

Commissioner Anderson voted
Commissioner Ritchie voted
Commissioner Stokes voted

AW
AR
AS

ATTEST:

Linda G. Lundeford
Linda G. Lundeford, Weber County Clerk

NATGAS.RES

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ATTACHMENT "A"

Being a portion of Township's 7 and 8 North, Range 1 West, Township's 5, 6 and 7 North, Range 1 East, and Township's 6 and 7 North, Range 2 East, Salt Lake Base and Meridian.

Beginning at the Southwest Corner of Section 5, Township 5 North, Range 1 East;

Thence Northerly along the west section line to the Northwest Corner of said Section 5, being the Southwest Corner of Section 32, Township 6 North, Range 1 East;

Thence Northerly along the west section line of Section's 32, 29, 20, 17, 8 and 5, to the Northwest Corner of Section 5, Township 6 North, Range 1 East, being the Southeast Corner of Section 31, Township 7 North, Range 1 East;

Thence Westerly along the south section line of said Section 31 to the South Quarter Corner of said Section 31;

Thence Northerly along the quarter section line to the North Quarter Section Corner of said Section 31, being the South Quarter Section Corner of Section 30 of said township and range;

Thence Westerly along the south section line to the Southwest Corner of said Section 30;

Thence Northerly along the range line to the Northwest Corner of Section 30, Township 7 North, Range 1 East, being the Southeast Corner of Section 24, Township 7 North, Range 1 West;

Thence Westerly along the south section line of said Section 24, to the East Sixteenth Corner between Section's 24 and 25, said corner being the Southwest Corner of the East one-half of the East one-half of Section 24 of said township and range;

Thence Northerly along the sixteenth section lines running thru Section's 24 and 13 to the East Sixteenth Corner between Section's 12 and 13, said corner being the Northwest Corner of the East Half of the East Half of Section 13 of said township and range;

Thence Westerly along the south section lines of said Section's 12 and 11 to the South Quarter Corner of Section 11, Township 7 North, Range 1 West;

Thence Northerly along the quarter section lines of Section's 11 and 2 to the North Quarter Corner of Section 2, Township 7 North, Range 1 West, being the South Quarter Corner of Section 35, Township 8 North, Range 1 West;

Thence Northerly along the quarter section line to the North Quarter Corner of said Section 35;

Thence Easterly along the north section lines of Section's 35 and 36 to the Northeast Corner of Section 36 of said township and range;

Thence Southerly along the range line to the Southeast Corner of Section 36, Township 8 North, Range 1 West, being the Northwest Corner of Section 6, Township 7 North, Range 1 East;

Thence Easterly along the north section line to the Northeast Corner of said Section 6;

Thence Southerly along the east section line to the East Quarter Corner of said Section 6, being the West Quarter Corner of Section 5 of said township and range;

Thence Easterly along quarter section line to the East Quarter Corner of said Section 5;

Thence Southerly along the east section line to the Southeast Corner of said Section 5, being the Northwest Corner of Section 9 of said township and range;

Thence Easterly along the north section line to the Northeast Corner of said Section 9;

Thence Southerly along the east section line to the Southeast Corner of said Section 9, being the Northwest Corner of Section 15 of said township and range;

Thence Easterly along the north section line to the Northeast Corner of said Section 15;

Thence Southerly along the east section line to the Southeast Corner of said Section 15, being the Northwest Corner of Section 23 of said township and range;

Thence Easterly along the north section lines of Section's 23 and 24 to the Northeast Corner of Section 24 of said township and range;

Thence Southerly along the range line to the Southeast Corner of Section 24, Township 7 North, Range 1 East, being the Northwest Corner of Section 30, Township 7 North, Range 2 East;

Thence Easterly along the north section line to the Northeast Corner of said Section 30;

Thence Southerly along the east section line to the Southeast Corner of said Section 30;

Thence Easterly along the north section line the Northeast Corner of Section 32 of said township and range;

Thence Southerly along the east section line to the Southeast Corner of Section 32 of Township 7 North, Range 2 East, being the Northwest Corner of Section 4, Township 6 North, Range 2 East;

Thence Easterly along the north section line to the Northeast Corner of Section 4, Township 6 North, Range 2 East;

Thence Southerly along the east section line to the Southeast Corner of said Section 4, Township 6 North, Range 2 East;

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Thence Easterly along the north section line of Section's 10 and 11 to the Northeast Corner of Section 11 of said township and range;
Thence Southerly along the east section line of Section's 11, 14, 23 and 26 to the Southeast Corner of Section 26 of said township and range;
Thence Westerly along the south section line of Section's 26, 27, 28 and 29 to the Southwest Corner of Section 29, being the Northeast Corner of Section 31 of said township and range;
Thence Southerly along the east section line to the Southeast Corner of said Section 31;
Thence Westerly along the township line to the Southwest Corner of Section 31, Township 6 North, Range 2 East, being the Southeast Corner of Section 36, Township 6 North, Range 1 East;
Thence Westerly along township line to the South Quarter Corner of Section 36, Township 6 North, Range 1 East, being the North Quarter Corner of Section 1, Township 5 North, Range 1 East;
Thence Southerly along the quarter section line of Section's 1, 12, 13 and 24 to the South Quarter Corner of Section 24 of said township and range;
Thence Westerly along the south section line of Section's 24 and 23 to the East Sixteenth Corner between Section's 23 and 26, said corner being the Southwest Corner of the East Half of the East Half of Section 23 of said township and range;
Thence Northerly along the sixteenth section line to the Center-Center East Sixteenth Corner of said Section 23, said corner being the southeast corner of the southwest quarter of the northeast quarter of said section 23;
Thence Westerly along quarter section line to the Center Quarter Corner (center of section) of said Section 23;
Thence Northerly along the quarter section lines of Section's 23 and 14 of said township and range to the Center-Center South Sixteenth Corner of Section 14 of said township and range, said corner being the southeast corner of the northeast quarter of the southwest quarter of said section 14;
Thence Westerly along the sixteenth section line to the South Sixteenth Corner between Section's 14 and 15 of said township and range, being the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 14;
Thence Northerly along the west section line to the Northwest Corner of said Section 14, being the Southeast Corner of Section 10 of said township and range;
Thence Westerly along the south section line of Section's 10 and 9 to the Southwest Corner of Section 9 of said township and range;
Thence Northerly along the west section line to the Northwest Corner of said Section 9, being the Southeast Corner of Section 5, Township 5 North, Range 1 East;
Thence Westerly along the south section line of said Section 5 to the point of beginning.

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