

13-047-0020 thru 0023, 0025 thru 0029

14-029-0014, 0027, 0031, 0033 2289965

14-030-0023, 0024, 0027 BK 4328 PG 590

14-038-0064, 0068, 0073, 0074

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
07/19/2007 12:12 PM
FEE \$0.00 Pgs: 4
DEP RTT REC'D FOR CLINTON CITY

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**CLINTON CITY
SANITARY SEWER SPECIAL SERVICE DISTRICT
RESOLUTION NO. 07 - 02SSD**

**AMENDING THE SCOPE OF SERVICES TO INCLUDE DRAINAGE OF
SURFACE AND GROUND WATER**

WHEREAS: the Clinton City Council has established the Clinton City Sanitary Sewer Special Service District; and

WHEREAS: the Board of Directors declaring that the public health, convenience and necessity requires that the additional services be provided to the area of the District in the form of land drains and land drain pumps; and

WHEREAS: the potential for added services above those provided to other areas of the city related to surface drainage exists;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CLINTON CITY SANITARY SEWER SPECIAL SERVICE DISTRICT, CLINTON CITY, COUNTY OF DAVIS, STATE OF UTAH, AS FOLLOWS:

SECTION 1: That the Clinton City Sanitary Sewer Special Service District does hereby amend its enabling resolution and the scope of services to include the following: [*§17A-2-1305.(1)*]

1. The Clinton City Council shall act in the capacity of the Board of Directors and shall be the governing authority having supervisory authority over all activities of the District.
2. The Board Chairman shall be the elected Mayor of Clinton City, the board members the elected Councilpersons of Clinton City.
3. In conjunction with the sanitary sewer lift station(s), the district shall operate and maintain one or more land drain pump systems, or equivalent, as necessary to lift ground water from a central point of collection into the storm drain system or other point of discharge as approved by the Board.
4. Maintenance of all land drain mains and trunk lines within the right-of-way in the District specifically approved and accepted by the Board of Directors.
5. If deemed necessary by the Board of Directors and upon a request from Clinton City, based upon evidence of a disproportionate cost of service within the District compared with areas of the city not in the District, the Board will take over maintenance of the surface water drainage system within the right-of-way and applicable easements within the District.

6. All facilities being accepted by the District shall be specifically mapped, approved and accepted by the Board of Directors.
7. Establish and administer fees associated with the operation and maintenance of the land drain and storm drain infrastructure within the District and assess appropriate fees against properties within the District.
8. Contract with Clinton City Corporation or otherwise provide all administration, materials, machinery, and labor necessary to carry out the functions associated with the services outlined herein.
 - a. Administrative services associated with regulation, book keeping, financial obligations, auditing and other associated functions of the District.
 - b. Development and maintenance of a separate enterprise fund(s) within the Clinton City Budget for the administration of fees collected and appropriate management and operation of the District.

SECTION 2: That the Board of Directors delegates administrative control over the operation of the District as the Chief Executive Officer to the Office of City Manager of Clinton City as outlined in the Clinton City Code of Revised Ordinances. [§17A-2-1313.(2)]

SECTION 3: That the Board of Directors directs the Chief Executive Officer to have an official seal developed for the District and that the Seal shall be used on all appropriate documents.

SECTION 4: That the Board of Directors of the District maintains all rights, duties, and obligations as outlined in Utah State Code Title 17A, Chapter 2, Part 13.

SECTION 6: That this Resolution should be recorded against all property within the District at the Davis County Recorder's Office. That the District is described as being all properties contained within the following legal description:

A part of the Southwest Quarter of Section 20, the Southeast Quarter of Section 20, the Northwest Quarter of Section 29, Northeast Quarter of Section 29 and the Northeast Quarter of Section 30, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point South 0°04'13" West 1322.39 Feet along the Quarter Section line from the Southeast corner of the Southwest ¼ of said Section 20 said point being the existing West Point City Corporate limits; Running Thence North 89°59'31" West 2594.94 Feet along said Corporate limits; Thence North 0°00'52" East 73.25 Feet; Thence North 89°59'08" West 1354.99 Feet; Thence northeasterly along the arc of a 2635.30 foot radius curve to the right a distance of 1194.64 Feet (Long Chord bears North 13°00'24" East 1184.44 Feet); Thence North 25°59'16" East 104.94 Feet to the North line of said Section 30; Thence East 1012.36 Feet to the Southeast corner of said Section 19; Thence North 0°04'59" West 2040.70 Feet to the County line; Thence South

89°54'41" East 5279.20 Feet along said County line to the West line of the Southeast Quarter of said Section 20; Thence South 702.90 Feet along said section line, more or less to the Northeast corner of lot 30 Gentry Farms Phase No. 3 a PRUD; Thence North 89°45'16" West 796.13 along the North boundary of said Gentry Farms Phase No. 3; Thence South 333.91 Feet; Thence West 140.09 Feet; Thence South 380.00 Feet to the north boundary of lot 16 Gentry Farms Phase No. 2; Thence West 66.00 Feet to the Northwest corner of said lot 16; Thence South 264.00 Feet; Thence West 330.00 Feet; Thence North 7.00 Feet; Thence West 308.52 Feet to the Northwest corner of lot 24 of Gentry Farms Subdivision Phase No. 2; Thence South 370.00 Feet to the South boundary of said Section 20; Thence East 312.71 Feet to the extended West property line of lot 10 Gentry Farms Phase No. 1 a PRUD; Thence South 1127.77 to the Southwest corner of said lot 10; Thence Southwesterly along the boundary of the Layton Canal 131.80 Feet more or less to the south boundary of property owned by Davis County Corporation serving as a storm channel; Thence West 1225.00 more or less to the Point of Beginning.

Contains 365.168 acres

Passed, effective, and adopted; and ordered posted by the City Council of the City of Clinton, Utah, this 26th day of June, 2007.

L. Mitch Adams
CHAIRMAN L. MITCH ADAMS

ATTEST
Dennis W. Cluff
DENNIS W. CLUFF, CEO

June 27, 2007
DATE POSTED

**THIS PAGE WAS BLANK
OR NOT FILLED IN AT
TIME OF RECORDING
RICHARD T. MAUGHAN
Davis County Recorder**