

RESOLUTION NO. 19-12

**A RESOLUTION OF THE CITY COUNCIL ANNEXING PROPERTY TO
THE TRAVERSE RIDGE SPECIAL SERVICE DISTRICT.**

WHEREAS, the Draper City Council, by Resolution 99-82 dated December 28, 1999, has previously established the Traverse Ridge Special Service District for the purpose of providing transportation, including snow removal, street lighting services, repairing and maintaining roads, and sweeping and disposal services; and

WHEREAS, the lieutenant governor has not issued a certificate of annexation; and

WHEREAS, Draper City has recently received an amended annexation petition from MREC DAI Edelweiss seeking to modify the area to be annexed into the Traverse Ridge Special Service District for the purpose of providing the same service provided by said District; and

WHEREAS, the Draper City Council, in accordance with Utah Code Ann. §17D, Chapter 1, Part 4, has held the required meetings to annex the property into the Traverse Ridge Special Service District; and

WHEREAS, the Draper City Council finds it is in the best interest of the city and the general health, safety and welfare of the public that Draper City and, specifically, the future citizens of the area covered by the petition, to annex said area to the Traverse Ridge Special Service District; and

WHEREAS, the petition complies with all requirements of Utah Code Ann. §§17D-1-401 and 402.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

SECTION 1. Annexation. That certain real property particularly described in Exhibits A and B attached hereto, is hereby annexed into the Traverse Ridge Special Service District.

SECTION 2. Waiver. The notice, hearing and protest requirements of UCA 17D-1-205, 17D-1-206 and 17D-1-207 are waived because all property owners owning property within the area to be annexed have signed the petition requesting annexation into the Traverse Ridge Special Service District in accordance with Utah Code Ann. §17D-1-402.

SECTION 3. Services to be Provided. Those improvements, purposes, and services identified in Resolution 99-82, establishing the Traverse Ridge Special Service District, shall be provided in the same manner to the annexed areas from the effective date of this resolution.

SECTION 4. Property Subject to Taxation. Dating from and after the approval and adoption of this Resolution, the territory annexed hereby and described in Section 1 above shall be an integral part of the Traverse Ridge Special Services District. The taxable property located

therein shall be subject to taxation for the purposes of the Traverse Ridge Special Service District, including the payment of any bonds and other obligations thereof now outstanding or hereafter authorized and issued. All properties and users of services in the Special Service District, as enlarged by this annexation, shall be subject to all of the laws, regulations, powers and authority of the District and Draper City Council as provided by law.

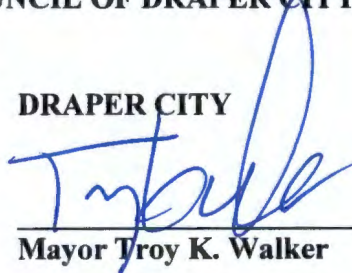
SECTION 5. Notice of Annexation. The City Council, as the governing authority of the Traverse Ridge Special Service District, shall cause a notice of annexation and a copy of this Resolution to be filed with the Utah State Tax Commission, Utah Lieutenant Governor's Office, the Utah and Salt Lake County Assessor, and the Utah and Salt Lake County Recorder as per Utah Code Ann. §17-D-403.

SECTION 6. Severability. If any section, part or provision of the Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of the Resolution, and all sections, parts and provisions of the Resolution shall be severable.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE 5TH DAY OF MARCH 2019.

DRAPER CITY



Mayor Troy K. Walker

ATTEST:



Laura Oscarson, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Green

✓

Councilmember Lowery

✓

Councilmember Summerhays

✓

Councilmember Vawdrey

✓

Councilmember Weeks

✓

Mayor Walker

January 31, 2019

Traverse Ridge Special Service District
Administrative Control Board
1020 E. Pioneer Road, Draper UT 84020

**PETITION FOR ANNEXATION TO THE TRAVERSE RIDGE
SPECIAL SERVICE DISTRICT**

1. Pursuant to the provisions of Utah Code Annotated (UCA), Section 17D-1-401, as amended, MREC DAI EDELWEISS LLC, a Delaware limited liability company (“MREC DAI Edelweiss”), hereby petitions the Traverse Ridge Special Service District (the “District”) to annex within its service area the property described in Exhibit A hereto (the “Property”) which is located generally at 2330 East Snowy Peak Drive. A map of the proposed area for annexation is attached hereto as Exhibit B.
2. This Property is contiguous to the existing service area of the District. It is owned solely by MREC DAI Edelweiss, and therefore, this petition is signed by 100% of the land owners of the proposed area for annexation which represents 100% of the value of the area proposed for annexation. Therefore the notice, hearing and protest requirements of Sections UCA 17D-1-205, 17D-1-206, and 17D-1-207 do not apply.
3. MREC DAI Edelweiss is the sole sponsor of this petition for the Property and is desirous of receiving services including snow removal, repair and maintenance of roads, street sweeping and disposal services from the District and is willing to abide by all lawful adopted rules and regulations of the District as a condition of receiving service from the District.

The undersigned petitioner has read and knows the contents of the forgoing Petition and the facts set forth are true, accurate, and complete to the best of the undersigned petitioner’s knowledge and belief. The mailing address of the petitioner is:

MREC DAI Edelweiss LLC
c/o Nathan D. Shipp
14034 S 145 E, Suite 202
Draper, Utah 84020
(801) 495-3414

Dated this 31st day of January 2019.

MREC DAI EDELWEISS LLC a Delaware limited liability company

By: Edelweiss Draper, LLC, a Utah limited liability company, its Manager

By: DAI Managers, LLC, a Utah limited liability company, its Manager

By: _____
Name: Nathan D. Shipp
Its: Manager

EXHIBIT A

**LEGAL DESCRIPTION
PREPARED FOR
EDELWEISS PHASE 9
DRAPER CITY, UTAH
(May 10, 2018)
18-060**

BOUNDARY DESCRIPTION

All of the proposed Edelweiss Phase 9 subdivision being a portion of the SW1/4 of Section 10, Township 4 South, Range 1 East, Salt Lake Base & Meridian, located in Draper City, Utah, more particularly described as follows:

Beginning at a point on the current Traverse Ridge Special Service District (TRSSD) boundary at the Southwesterly corner of Lot 117, EDELWEISS, PHASE 1B Subdivision, according to the Official Plat thereof recorded August 23, 2017 in Book 2017P at Page 232 in the Office of the Salt Lake County Recorder, located N00°07'17"W along the Section line 1,326.67 feet and East 1,071.19 feet from the Southwest Corner of Section 10, T4S, R1E, SLB&M; thence along said current TRSSD boundary the following 6 (six) courses: 1) N53°12'52"E along the boundary of said Phase 1B Subdivision 159.19 feet; 2) N12°29'27"E along the boundary of said Phase 1B Subdivision 411.53 feet to the Southeasterly corner of Lot 201, EDELWEISS, PHASE 2 Subdivision, according to the Official Plat thereof recorded January 29, 2018 in Book 2018P at Page 045 in the Office of the Salt Lake County Recorder; 3) Northeasterly along the boundary of said Phase 2 Subdivision and along the arc of a tangent curve to the left with a radius of 13.82 feet a distance of 10.33 feet through a central angle of 42°49'39" Chord: N08°55'22"W 10.10 feet; 4) N30°20'11"W along the boundary of said Phase 2 Subdivision 169.35 feet; 5) Northeasterly along the boundary of said Phase 2 Subdivision and along the arc of a non-tangent curve to the right having a radius of 100.00 feet (radius bears: S53°12'26"E) a distance of 25.00 feet through a central angle of 14°19'19" Chord: N43°57'14"E 24.93 feet to the Northwesterly corner of Lot 315, EDELWEISS, PHASE 3 Subdivision, according to the Official Plat thereof recorded January 29, 2018 in Book 2018P at Page 046 in the Office of the Salt Lake County Recorder; 6) S30°20'11"E along the boundary of said Phase 3 Subdivision 447.98 feet; thence leaving said current TRSSD boundary, S07°56'12"W 287.99 feet to the Northerly line of STONELEIGH HEIGHTS AT SUNCREST P.U.D. PHASE 3A, according to the Official Plat thereof recorded as Entry No 137305:2007 in the Office of the Utah County Recorder and a point on said current TRSSD boundary; thence N89°53'02"W along said current TRSSD boundary, said Phase 3 P.U.D. and STONELEIGH HEIGHTS AT SUNCREST P.U.D. PHASE 2A, according to the Official Plat thereof recorded in Book 2005P at Page 169 in the Office of the Salt Lake County Recorder 333.20 feet to the point of beginning.

Contains: 2.21 acres+/-

