

RESOLUTION  
1008

WHEREAS, it has been determined that the Box Elder County Service area no. 1 was created pursuant to enabling legislation (sections 17-29-1 et seq., Utah Code Annotated, 1953) which the Utah Supreme Court determined to be unconstitutional in Carter v. Beaver County Service Area No. one, 16 Utah 2d 280, 399 P.2d 440 (1965); and

WHEREAS, the Box Elder County Board of County Commissioners has determined that the public's interest will be served by creating a special service district pursuant to Utah Code Annotated §§ 11-23-1 et seq. to replace the Box Elder County Service Area No. 1.

NOW THEREFORE BE IT RESOLVED:

1. That the public health, convenience and necessity requires the establishment of a special service district.
2. That the service district provide the services of drainage, flood control, and to replace Box Elder County Service Area No. 1 and continue to manage, operate and maintain the facilities and together with the assets and obligations of the service area.
3. That the special service district shall have such other and additional powers as are authorized by 11-23-1 et. seq. Utah Code Annotated 1953, as amended.
4. That the boundaries of the proposed district be as follows:

Beg at a pt on the SE Cor of Sec 35, T 14 N, R 5 W, SLM, running th N 1-3/4 mi, th E 3/4 mi, th N 1 mi, th W 3/4 mi, th N 1/2 mi, to the NE Cor of the

SE 1/4 of the SE 1/2 of Sec 14, T 14 N, R 5 W, SLM, th N 1/4 mi, th W 1/4 mi, th N 1/2 mi, th W 3/4 mi to the NW Cor of Sec 14, T 14 N, R 5 W, SLM, th N 1/4 mi, th W 1-1/2 mi, th N 1/2 mi, th W 1 mi, th N 1/2 mi, th W 1/2 mi to the NE Cor of the SE 1/4 of the SE 1/4 of Sec 6, T 14 N, R 5 W, SLM, th W 1/4 mi, th N 1/4 mi, th W 1/2 mi, th N 1/2 mi to the NE Cor of the NW 1/4 of the NW 1/4 of said Sec 6, th N 3/4 mi, th W 1/2 mi, th S 1-3/4 mi, th W 1/4 mi, th S 1/4 mi, th W 1/4 mi, th S 1/4 mi, th W 3/4 mi, th S 1/2 mi to the NE Cor of the NW 1/4 of Sec 14, T 14 N, R 6 W, SLM, th W 2 mi, th N 3/4 mi, th W 3/4 mi, th S 1/2 mi, th W 1/2 mi, th S 1-1/4 mi, th E 3/4 mi to the SW Cor of Sec 16, T 14 N, R 6 W, SLM, th S 1/2 mi, th E 1 mi, th S 1-1/2 mi, th W 1/4 mi, th S 3 mi, th W 3/4 mi to the NW Cor of Sec 16, T 13 N, R 6 W, SLM, th S 3-1/2 mi, th E 1/4 mi to the NE Cor of the NW 1/4 of the SW 1/4 of Sec 33, T 13 N, R 6 W, SLM, th S 4-1/2 mi to the SE Cor of the SW 1/4 of the SW 1/4 of Sec 21, T 12 N, R 6 W, SLM, th W 1/4 mi, th S 1 mi, th W 1/2 mi, th S 1-1/2 mi to the center of Sec 5, T 11 N, R 6 W, SLM, th W 1/2 mi, th S 1/4 mi, th W 1/4 mi, th S 1/4 mi, th W 1/4 mi, th S 2 mi to the SE Cor of the SW 1/4 of Sec 18, T 11 N, R 6 W, SLM, th W 1/2 mi, th S 1/2 mi, th E 2 mi to the SE Cor of the NE 1/4 of Sec 20, T 11 N, R 6 W, SLM, th N 1/4 mi, th E 1/2 mi, th N 1/4 mi, th E 2-1/2 mi to the SE cor of Sec 14, T 11 N, R 6 W, SLM, th N 1/4 mi, th E 1 mi, th N 1/2 mi, th E 1/4 mi, th N 1/4 mi, th E 3/4 mi to the SE Cor of Sec 7, T 11 N, R 5 W, SLM, th N 1 mi, th E 1 mi, th S 1/4 mi, th E 1 mi, th N 1/4 mi, th E 1 mi to the SE Cor of Sec 3, T 11 N, R 5 W, SLM, th S 1/4 mi, th E 1/4 mi, th S 1-1/2 mi, th E 1/2 mi, th S 1/4 mi, th E 1/4 mi to the SW Cor of Sec 13, T 11 N, R 5 W, SLM, th S 1/4 mi, th E 3/4 mi, th N 1/4 mi, th E 1/4 mi, to the SE Cor of Sec 13, T 11 N, R 5 W, SLM, th N 1/4 mi, th E 3/4 mi, th N 3-3/4 mi to the NW Cor of the NE 1/4 of the NE 1/4 of Sec 31, T 12 N, R 4 W, SLM, th W 1/4 mi, th N 2 mi, th W 1/4 mi, th N 1/4 mi, th W 1/4 mi, th N 3/4 mi to the SE Cor of Sec 12, T 12 N, R 5 W, SLM, th E 1/2 mi, th N 1/2 mi, th W 1/4 mi, th N 1/2 mi, th W 1/4 mi to the NE Cor of said Sec 12, th N 3 mi to the NE Cor of Sec 25, T 13 N, R 5 W, SLM th W 1/4 mi, th N 1/4 mi, th W 1/4 mi, th N 3/4 mi, th W 1/2 mi to the NE Cor of Sec 23, T 13 N, R 5 W, SLM, th N 1/2 mi, th W 1/3 mi, th N 1/2 mi, th W 1/2 mi, th N 1-1/2 mi, th E 1/2 mi, th N 1/2 mi, th E 1/4 mi to the point of bag.

Within which boundaries the town of Howell is included.

5. That the name of the proposed special service district

be the Box Elder County Special Service District No. one.

6. Be it further resolved that upon passage of this resolution the County Clerk shall deliver a certified copy of this resolution to the town council of the Town of Howell for their acceptance or rejection and to the Board of Directors of the Box Elder Service Area No. 1 and that the County Clerk shall publish notice of the intention to create a Special Services District as required by the Utah Special Service District Act.

Resolved and passed this 10<sup>th</sup> day of July, 1979.

[Signature]

[Signature]

[Signature]  
Board of County Commissioners of  
Box Elder County  
Utah

ATTEST:

[Signature]  
County Clerk

K. B. Olsen, Clerk of the Board of County Commissioners, hereby certify that the above and foregoing is a full, true and correct record of an Ordinance of the Board of County Commissioners, Box Elder County, State of Utah, unanimously passed and approved this 10<sup>th</sup> day of July, 1979.

W. B. Peters

Subscribed and sworn to before me this 10 day of

July, 1979.

Shirley A. Mordue  
Notary Public

My Commission expires:

10-21-79

Residing at:

Big Horn City, Utah

Resolution 1008  
Box Elder County Special  
Service District No. 1  
To Replace  
Box Elder County Service Area  
No. 1  
10 July 79