

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. 1, 16 Utah 2d 280, 399 p. 2d 440 (1965); and

WHEREAS, on July 10, 1979, the Box Elder County Board of Commissioners passed a resolution of intent to create a special service district to replace the Box Elder County Service Area No. 1; and

WHEREAS, on July 16, 1979, the Town Board of Howell, that is included within the area proposed for the special service district, has also adopted said resolution; and

WHEREAS, the Box Elder County Board of Commissioners caused a notice of this intention to create a special service district to be published once a week for three consecutive weeks in a newspaper having general circulation in Box Elder County; and

WHEREAS, the published notice of intent to create a special service district designated a time and a place for a public hearing on the establishment of the service district which was 1:30 p.m. on Tuesday, the 14th day of August, 1979 in the County Commission Chambers in the County Courthouse in Brigham City, Utah; and

WHEREAS, the public hearing has now been held as designated in the published notice of intent to create a special service district and all protests, either written or oral, have been considered by the Board of County Commissioners; and

WHEREAS, the Box Elder County Board of County Commissioners

RECORDER NO: 98568H  
 RECORDED: JUN 10 1963  
 FEE NO. FEE. TIME 9:00am. BOOK 272 PAGE 475  
 Marie G. Korth Box Elder Co. Recorder *M. G. Korth*

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 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 to 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, the E 3/4 mi, the N 1 mi, th W 3/4 mi, th N 1/2 mi, to the NE Cor of the SE1/4 of the SE1/4 of Sec 14, T 14 N, R 5 W, SLM, th N 1/4 mi, the W 1/4 mi, th N 1/2 mi, the 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 SE1/4 of the SE1/4 of Sec 6, T 14 N, R 5 W, SLM, th W 1/4 mi, the N 1/4 mi, th W 1/2 mi, th N 1/2 mi to the NE Cor of the NW1/4 of the NW1/4 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 NW1/4 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 NW1/4 of the SW1/4 of Sec 33, T 13 N, R 6 W, SLM, th S 4-1/2 mi to the SE Cor of the SW1/4 of the SW1/4 of Sec 21, T 12 N, R 6 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 1/4 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 beg.

Within which boundaries the town of Howell is included.

5. That the name of the special service district shall be the Box Elder County Special Service District No. 1.
6. That taxes may be annually levied upon all taxable property within the special services district and that fees and charges may be imposed to pay for all or part of the services to be provided by the service district.
7. That all the obligation, debts and assets of the Box Elder County Service Area No. 1 be transferred to the Box Elder County Special Service District No. 1.

BE IT FURTHER RESOLVED:

8. That the Box Elder County Special Service District No. 1

shall be governed by an administrative control board consisting of four persons plus a representative of the Town of Howell and Commissioner Don E. Chase as an ex-officio member. The initial administrative control board shall be appointed by the Box Elder County Board of Commissioners, and shall have the power to be the governing authority of the Box Elder County Special Service District No. 1 and to exercise all of the powers provided for in Section 11-23-13, 11-23-15, 11-23-18, 11-23-19 and 11-23-20 of the Utah Code Annotated (1953, as amended).

Resolved and passed this 14th day of August, 1979.

Don E. Chase  
Norman W. Hyde  
Al Conner  
 Board of County Commissioners of  
 Box Elder County  
 Utah

ATTEST:

K. B. Olsen  
 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 a resolution of the Board of County Commissioners, Box Elder County, State of Utah, unanimously passed and approved this 14th day of August, 1979.

785 6374  
19 415

*K. B. Olsen*

Aug 14 79

K. B. Olsen, County Clerk  
Box Elder County

Dated this 15<sup>th</sup> day of August, 1979.

ABSTD. IN BOOK One OF Sec PAGE 189, 191, 212, 374, 377, 379, 385

4 of sec pg, 123, 206, 211, 353, 355, 452, 475, 480, 555,

3 of sec 6-11-4, 7-11-4, 18-11-4

6 of sec 7-12-4, 18-12-4, 19-12-4, 30-12-4, 31-12-4.

10 of sec 2, 4, 6-5, 10, 11, 14-1, 15, 18-2, 30, 90, 92, 93, 80-2, 86-3,  
88-4, 131, 136-4, 290-12, 292-1, 296-5, 300-8, 303, 308-13,  
326, 330-3, 414, 416-1, 663,

11 of sec pg 5, 8, 90, 102, 124, 140, 142, 46-2, 205, 298, 436-1, 444-1,  
450, 451, 453, 460-1, 462

12 of sec pg 102-1, 140-1, 149, 160, 281, 285, 298, 340, 374-2, 392

13 of sec pg 86, 93, 97, 124, 153-A, 170-2, 198, 126, 226, 312, 316,  
330-1, 334, 354, 370, 464

14 of sec pg 2, 10, 278, 280, 300, 492-3, 501

15 of sec pg 4, 6-1, 14, 12, 93, 95, 34-2, 100, 113, 118-1, 159, 168, 171, 292,  
288, 293, 296, 313, 324, 352, 359, 361, 363, 365, 367,

16 of sec pg 39, 215, 213, 217, 521, 570

17 of sec pg 91, 111, 225, 247, 549, 577, 579, 581, 587, 589, 595, 599

18 of sec pg 25, 63, 205, 315, 319, 321, 323, 349, 367, 467, 469, 475

19 of sec 109, 315, 519, 523.

2 of sec pg 171, 283

K of sec pg 86

T of sec pg 345, 445, 449, 452, 491,

X of sec pg 3, 240, 242, 397, 435, 442

V of sec pg 169, 171, 172, 175, 236, 239, 502.

W of sec pg 110, 217, 278, 282

X of sec pg 12, 16, 61, 78, 91, 114, 187, 227, 388, 439,

Y of sec pg 21, 99, 128, 299, 302, 303, 392, 467, 453, 513, 517

3 of sec pg  
25, 113, 353  
478, 496  
Rednote ✓

Resolution  
Creating B. E. County Special  
Service District No. 1  
14 Aug. 79