

**RESOLUTION NO. 19-10**

**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.

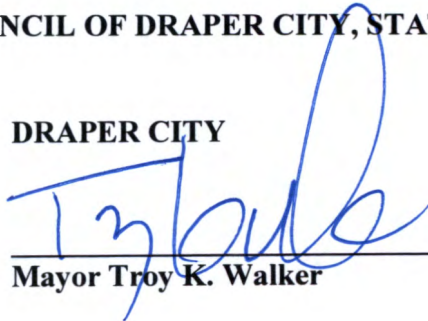
**SECTION 5. Notice of Annexation.** The City Council, as the governing authority of the Traverse Ridge Special Service District, shall cause a notice of annexation and a copy of this Resolution to be filed with the Utah State Tax Commission, Utah Lieutenant Governor's Office, the Utah and Salt Lake 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 5<sup>th</sup> 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 21<sup>st</sup> 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 7*  
DRAPER CITY, UTAH  
(January 31, 2019)  
18-197**

**EDELWEISS 7 FLEP BOUNDARY**

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 limits of the Traverse Ridge Special Service District, per the Final Local Entity Plat for EDELWEISS, PHASE 4B, recorded August 9, 2018 as Book 2018P Page 278 in the Office of the Salt Lake County Recorder, said point also lying on the Easterly line of Lands of the Metropolitan Water District, located N00°07'17"W along the Section line (Basis of Bearing) 1,653.87 feet and East 1,786.03 feet from the Southwest Corner of Section 10, T4S, R1E, SLB&M; thence N30°20'11"W along said lands 350.00 feet; thence N59°39'49"E 166.00 feet; thence N30°20'11"W 14.63 feet; thence N59°39'49"E 120.00 feet; thence S30°20'11"E 9.34 feet; thence N59°39'49"E 196.00 feet; thence N30°20'11"W 8.53 feet; thence N59°39'49"E 150.00 feet; thence East 188.69 feet to the 1/16<sup>th</sup> (40 acre) line; thence S00°12'20"W along the 1/16<sup>th</sup> (40 acre) line 776.71 feet to the existing Northerly limits of the Traverse Ridge Special Service District per said plat; thence along said limits of the Traverse Ridge Special Service District the following 9 (nine) courses: 1) N89°50'22"W 129.36 feet; 2) N60°20'17"W 45.37 feet; 3) N30°20'11"W 189.99 feet; 4) N41°56'17"W 46.00 feet; 5) N47°08'28"E 29.96 feet; 6) N30°20'11"W 68.57 feet; 7) S59°39'49"W 166.00 feet; 8) S30°20'11"E 14.63 feet; 9) S59°39'49"W 120.00 feet to the point of beginning.

Contains: 8.00 acres+/-

**EXHIBIT B**

