

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation for the PINE VIEW PUBLIC INFRASTRUCTURE DISTRICT NO. 1 located in WASHINGTON COUNTY, dated November 9, 2021, complying with Section 17-23-20, Utah Code Annotated, 1953, as amended.

Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to PINE VIEW PUBLIC INFRASTRUCTURE DISTRICT NO. 1, located in Washington County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 9th day of November, 2021 at Salt Lake City, Utah.



A handwritten signature in black ink that reads "Deidre M. Henderson". The signature is written in a cursive style with a long, sweeping tail.

DEIDRE M. HENDERSON
Lieutenant Governor

NOTICE OF IMPENDING BOUNDARY ACTION
Annexation
by
Pine View Public Infrastructure District No. 1

TO: The Lieutenant Governor, State of Utah

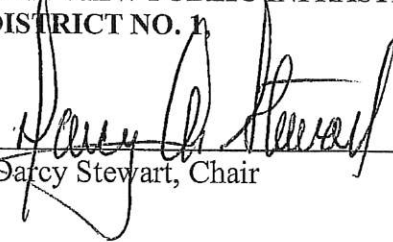
NOTICE IS HEREBY GIVEN that the Board of Trustees of Pine View Public Infrastructure District No. 1 (the "Board"), at a special meeting of the Board, duly convened pursuant to notice, on October 20, 2021, adopted a *Resolution to Annex Approximately 319 Acres*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Annexation Resolution").

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Washington County Surveyor, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the annexation by the District, as more particularly described in the Annexation Resolution, have been met. The annexation is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. § 67-1a-6.5.

DATED this ~~20th~~^{25th} day of October, 2021.

**PINE VIEW PUBLIC INFRASTRUCTURE
DISTRICT NO. 1**

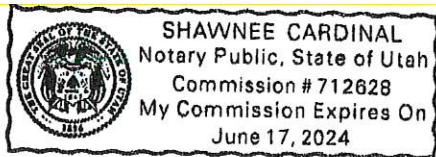


Darcy Stewart, Chair

VERIFICATION

STATE OF UTAH)
 :SS.
WASHINGTON COUNTY)

On the ~~20th~~^{25th} day of October, 2021, personally appeared before me Darcy Stewart, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this NOTICE OF IMPENDING BOUNDARY ACTION, and acknowledged that he executed the same voluntarily for its stated purpose on behalf of Pine View Public Infrastructure District No. 1 pursuant to his authority by law as its duly appointed member.





NOTARY PUBLIC

**EXHIBIT "A" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Copy of the Annexation Resolution

**EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(Annexation Plat)**

Final Local Entity Plat

RESOLUTION NO. 2021-05

A RESOLUTION OF THE BOARD OF TRUSTEES (THE "BOARD") OF PINE VIEW PUBLIC INFRASTRUCTURE DISTRICT NO. 1 (THE "DISTRICT") TO ANNEX APPROXIMATELY 319 ACRES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE PUBLICATION OF NOTICE OF THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, a petition (the "Petition") was filed with the District and Toquerville City requesting and consenting to the annexation of approximately 319 acres pursuant to the Public Infrastructure District Act, Title 17D, Chapter 4 Utah Code Annotated 1953, as amended (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Local Districts, Title 17B (together with the PID Act, the "Act"); and

WHEREAS, the Petition contains the consenting signatures of 100% of the surface property owners (hereafter the "Property Owners") within the area proposed to be annexed; and

WHEREAS, there are no registered voters within the area to be annexed;

WHEREAS, the area to be annexed under this resolution is particularly described in Exhibit A to this Resolution and is hereafter referred to as the "Property"; and

WHEREAS, with the filing of the Petition, the Act allows the District to annex the Property by adopting a resolution to annex the area, provided that the governing document of the District allows for the annexation; and

WHEREAS, the District's governing document (hereafter the "Governing Document") defines an annexation area within which the District may annex property without seeking further consent or approval from the District's creating entity; and

WHEREAS, the Property is within the allowable future annexation area as defined in the Governing Document; and

WHEREAS, pursuant to the requirement of the Governing Document, the consents of the Property Owners have been provided to the District's creating entity, Toquerville City;

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah a Notice of Boundary Action attached hereto as Exhibit B (the "Boundary Notice") and Final Local Entity Plat to be attached thereto upon finalization as Exhibit C (the "Annexation Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by officers of the Board directed toward the annexation of the Property, are hereby ratified, approved and confirmed.

2. The Property, which is particularly described and shown on the Annexation Plat, is hereby annexed into the District.

3. Notice of this Resolution may be published in substantially the following form:

NOTICE OF DISTRICT ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to Section 313, Chapter 1, Title 17B, Utah Code Annotated 1953, that on October 20, 2021, the Board of Trustees (the "Board") of Pine View Public Infrastructure District No. 1 (the "District") adopted a resolution to annex the following particularly described property in Washington County, State of Utah:

Beginning the Southwest Corner of Section 3, Township 41 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North 00°12'11" West 2,655.97 feet along the section line to the West quarter corner of said section 3;

thence North 00°06'28" East 1,279.85 feet along the section line;

thence South 88°18'17" East 776.25 feet;

thence South 01°41'43" West 20.54 feet;

thence South 327.04 feet along an arc of a 419.00 foot radius curve to the left (center bears South 88°18'17" East, long chord bears South 20°39'55" East 318.80 feet with a central angle of 44°43'15");

thence South 43°01'32" East 354.12 feet;

thence Southeast 138.25 feet along an arc of a 419.00 foot radius curve to the right (center bears South 46°58'28" West, long chord bears South 33°34'23" East 137.63 feet with a central angle of 18°54'20");

thence South 24°07'13" East 181.99 feet;

thence Southeast 341.41 feet along an arc of a 399.00 foot radius curve to the left (center bears North 65°52'47" East, long chord bears South 48°38'01" East 331.09 feet with a central angle of 49°01'35");

thence Southeast 282.21 feet along an arc of a 439.00 foot radius curve to the right (center bears South 16°51'12" West, long chord bears South 54°43'50" East 277.38 feet with a central angle of 36°49'57");

thence South 36°18'52" East 97.24 feet;

thence Southeast 183.57 feet along an arc of a 404.00 foot radius curve to the left (center bears North 53°41'08" East, long chord bears South 49°19'53" East 182.00 feet with a central angle of 26°02'04");

thence Southeast 168.07 feet along an arc of a 419.00 foot radius curve to the right (center bears South 27°39'05" West, long chord bears South 50°51'28" East 166.94 feet with a central angle of 22°58'55");

thence South 39°22'00" East 237.85 feet;
 thence East 530.02 feet along an arc of a 730.00 foot radius curve to the right (center bears South 39°22'00" East, long chord bears North 71°26'00" East 518.46 feet with a central angle of 41°36'01");
 thence South 87°45'59" East 315.33 feet;
 thence South 695.10 feet along an arc of a 1,260.00 foot radius curve to the left (center bears South 88°06'50" East, long chord bears South 13°55'04" East 686.32 feet with a central angle of 31°36'29");
 thence South 29°43'20" East 38.11 feet;
 thence South 37°43'55" West 545.52 feet;
 thence South 548.41 feet along an arc of a 787.29 foot radius curve to the left (center bears South 52°16'05" East, long chord bears South 17°46'35" West 537.39 feet with a central angle of 39°54'41");
 thence South 340.24 feet along an arc of a 549.00 foot radius curve to the left (center bears North 87°49'15" East, long chord bears South 19°56'01" East 334.82 feet with a central angle of 35°30'31");
 thence South 37°41'16" East 266.54 feet;
 thence South 33°40'39" East 164.01 feet;
 thence South 32°25'25" East 35.97 feet;
 thence South 32°25'25" East 103.11 feet;
 thence South 28°11'17" East 160.53 feet;
 thence South 74°41'48" East 114.60 feet;
 thence South 127.74 feet along an arc of a 1,410.00 foot radius curve to the left (center bears South 73°03'45" East, long chord bears South 14°20'31" West 127.70 feet with a central angle of 05°11'27");
 thence South 215.19 feet along an arc of a 1,560.00 feet radius curve to the left (center bears South 70°37'35" East, long chord bears South 15°25'18" West 215.02 feet with a central angle of 07°54'13");
 thence South 11°28'12" West 89.09 feet;
 thence South 70°25'53" West 674.66 feet;
 thence South 37°02'14" East 109.31 feet;
 thence South 458.31 feet along an arc of a 730.00 foot radius curve to the right (center bears South 52°57'48" West, long chord bears South 19°03'04" East 450.82 feet with a central angle of 35°58'16");
 thence South 01°03'56" East 109.42 feet;
 thence West 270.18 feet along an arc of a 1,500.00 foot radius curve to the right (center bears North 01°03'56" West, long chord bears North 85°54'19" West 269.81 feet with a central angle of 10°19'12");
 thence North 80°44'43" West 99.49 feet;
 thence West 942.54 feet along an arc of a 1,500.00 foot radius curve to the left (center bears South 09°15'17" West, long chord bears South 81°15'12" West 927.11 feet with a central angle of 36°00'08");
 thence South 63°15'08" West 100.42 feet;
 thence West 871.59 feet along an arc of a 1,500.00 foot radius curve to the right (center bears North 26°44'52" West, long chord bears South 79°53'54" West 859.38 feet with a central angle of 33°17'32");

thence North 83°27'20" West 616.94 feet to the section line;
thence North 00°27'36" East 1,750.24 feet along said section line to the Point of
Beginning.

Containing 13,910,462 square feet or 319.34 acres.

NOTICE IS FURTHER GIVEN that any person in interest may file an action in district court to contest the regularity, formality, or legality of the Resolution within 30 days after the first date of publication (hereafter the "30-Day Contest Period"). If the Resolution is not contested by filing an action in district court within the 30-Day Contest Period, no person may contest the regularity, formality, or legality of the Resolution after the expiration of the 30-Day-Contest Period.

4. The Board does hereby authorize the Chair to execute the Boundary Notice in substantially the form attached as Exhibit C, the Annexation Plat, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.

5. Prior to certification of the annexation of the Property by the Office of the Lieutenant Governor of the State of Utah, the Board does hereby authorize any Board Member or the District General Counsel to make any corrections, deletions, or additions to the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah or the United States.

6. The Board chair is authorized to sign and record an amended notice of district creation against the Property.

7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

8. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

9. This Resolution shall take effect immediately.

STATE OF UTAH)
 : ss.
PINE VIEW PUBLIC
INFRASTRUCTURE DISTRICT
NO. 1)

I, Colleen Stewart, the undersigned duly qualified and acting clerk of Pine View Public Infrastructure District No. 1 (“the District”), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the Board of Trustees (the “Board”), had and taken at a lawful meeting of the Board on October 20, 2021, commencing at the hour of 11:30 am, as recorded in the regular official book of the proceedings of the Board kept in the District office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Board were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, on October 20, 2021.

By: Colleen Stewart
Clerk

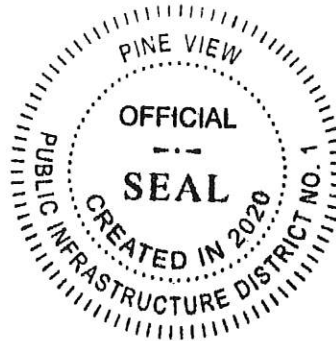


EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Colleen Stewart, the undersigned clerk of Pine View Public Infrastructure District No. 1 (the "the District"), do hereby certify that I gave written public notice of the agenda, date, time and place of the special meeting held by the Board of Trustees of the District (the "Board") on October 20, 2021, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this October 20, 2021.

By: Colleen Stewart
Clerk



SCHEDULE 1

NOTICE OF MEETING AND AGENDA

PUBLIC NOTICE AND AGENDA
Pine View Public Infrastructure District No. 1
Special Meeting

NOTICE IS HEREBY GIVEN THAT THE BOARD OF TRUSTEES OF PINE VIEW PUBLIC INFRASTRUCTURE DISTRICT NO. 1 WILL HOLD A SPECIAL MEETING ON OCTOBER 20, 2021, AT THE OFFICE OF SUNRIVER COMMUNITIES, 1404 W. SUNRIVER PARKWAY, SUITE 200, ST. GEORGE, UTAH 84790
AT 11:30 A.M.

A. Call to Order

B. Preliminary Action Items

1. None.

C. Action Items

1. Consider approval of revised engagement agreement for legal services between the District and Snow Jensen & Reece, PC.
2. Consider approval of Agreement for Municipal Advisory Services between the District and Zions Public Finance.
3. Consider approval of tentative District budget for 2021 prepared by CLA; setting a date for a public hearing and adoption of a final budget.
4. Consider approval of a Funding and Reimbursement Agreement between the District and developer SRC Land Holdings, LLC.
5. Consider approval of an Infrastructure Acquisition and Reimbursement Agreement between the District and developer SRC Land Holdings, LLC.
6. Ratification of Resolution 2021-05: A resolution of the board of trustees of PID to annex approximately 319 acres to the District boundaries, following receipt of petition for annexation signed by property owners; authorizing the plat and other documents in connection therewith; authorizing the publication of notice of this resolution; and related matters.
7. Approve the minutes of the Board meeting held on September 15, 2021.

D. Administrative Non-Action Items

1. None.

E. Adjourn

The District complies with the Americans with Disabilities Act by providing reasonable accommodations for those in need of assistance. Persons requesting accommodations for public meetings should call Natasha Asmus at 435-628-3688 at least one full business day before the meeting.

EXHIBIT B

NOTICE OF BOUNDARY ACTION

