

OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of creation for the JORDANELLE RIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2, located in HEBER CITY, dated May 23, 2022, complying with Section §17B-1-215, 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 creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the JORDANELLE RIDGE PUBLIC INFRASTRUCTURE DISTRICT No. 2, located in Wasatch County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 23rd day of May, 2022 at Salt Lake City, Utah.

Studie M. Henderson

DEIDRE M. HENDERSON Lieutenant Governor

NOTICE OF IMPENDING BOUNDARY ACTION

(District No. 2)

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of Heber City, Utah (the "Council"), acting in its capacity as the creating entity for the Jordanelle Ridge Public Infrastructure District No. 2 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on March 1, 2022 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, a true and correct copy of which is attached as <u>APPENDIX "A"</u> hereto and incorporated by this reference herein (the "Creation 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 Surveyor of Wasatch County, Utah, is attached as <u>APPENDIX "B"</u> hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this 15T day of March, 2022.

CITY COUNCIL, HEBER CITY, UTAH, acting in its capacity as the creating authority for the Jordanelle Ridge Public Infrastructure District No. 2,

By: Holdi Franco
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)

:ss.

COUNTY OF WASATCH)

SUBSCRIBED AND SWORN to before me this \ \ day of

March, 2022.

TRINAN. COOKE

NOTARY PUBLIC: STATE OF UTAH

COMMISSION# 701803

COMM. EXP. 08-21-2022

NOTARY PUBLIC

RESOLUTION 2022-03

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF THE CITY OF HEBER CITY, UTAH (THE "CITY"), PROVIDING FOR THE CREATION OF JORDANELLE RIDGE PUBLIC INFRASTRUCTURE DISTRICT NOS. 1, 2, 3, 4, AND 5 (COLLECTIVELY, THE "DISTRICTS") AS INDEPENDENT BODIES CORPORATE AND POLITIC; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT AND COOPERATION AGREEMENT; APPROVING OF AN ANNEXATION AREA; APPOINTING BOARDS OF TRUSTEES OF THE DISTRICTS; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the City requesting adoption by resolution the approval of the creation of five separate public infrastructure districts 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") within the boundaries of the City and approve an annexation area (the "Annexation Area") which any of the districts may annex into or withdrawal therefrom without further approval or hearings of the City or the Council, as further described in Governing Document Exhibits A and B (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the City may create one or more public infrastructure districts by adoption of a resolution of the Council and with consent of 100% of all surface property owners proposed to be included in each District (the "Property Owners"); and

WHEREAS, on February 1, 2022, a public hearing was held by the City to receive input from the public regarding the creation of the Districts and the Property Owners have waived the 60-day protest period pursuant to Section 17D-4-201 of the PID Act; and

WHEREAS, the hearing was held at the City Hall because there is no reasonable place to hold a public hearing within the Districts' boundaries, and the hearing at the City Hall was held as close to the applicable area as reasonably possible; and

WHEREAS, the City mailed or caused to be mailed prior notice of the hearing to each of the Property Owners in compliance with Section 17B-1-211(1)(b) of the Act; and

WHEREAS, the Petition, containing the consent of such Property Owners has been certified by the Recorder of the City pursuant to the Act and it is in the best interests of the Property Owners that the creation of the Districts be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, it is necessary to authorize the creation of the Districts under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, none of the Property Owners submitted a withdrawal of consent to the creation of the District before the date of this Resolution; and

March 1, 2022

The City Council (the "Council") of Heber City, Utah (the "City"), met in regular session (including by electronic means) on March 1, 2022, at its regular meeting place in Heber City, Utah at 6:00 p.m., with the following members of the Council being present:

Heidi Franco
Yvonne M. Barney
Mike Johnson
Rachel Kahler
D. Scott Phillips
Ryan PC Stack

Mayor
Council Member
Council Member
Council Member
Council Member

Also present:

Matt Brower City Manager
Trina Cooke City Recorder

Absent:

None

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this March 1, 2022, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, read in full and pursuant to motion duly made by Council Member Stack and seconded by Council Member Kahler adopted by the following vote:

AYE:

Council Member Yvonne Barney Council Member Mike Johnston Council Member Rachel Kahler Council Member Scott Phillips Council Member Ryan Stack

NAY: None

The resolution was later signed by the Mayor and recorded by the City Recorder in the official records of the City. The resolution is as follows:

WHEREAS, each board member appointed under this Resolution has previously filed with the City a disclosure of business relationships in compliance with Section 17D-4-202(9) of the PID Act; and

WHEREAS, according to attestations filed with the City, each board member appointed under this Resolution is registered to vote at their primary residence and is further eligible to serve as a board member of the Districts under Section 17D-4-202(3)(c) of the PID Act because they are agents of property owners within the District boundaries (as further set forth in the Petition); and

WHEREAS, the governance of the Districts shall be in accordance with the PID Act and the terms of a governing document (the "Governing Document") attached hereto as Exhibit B, for Districts No. 1 and No. 2 a Cooperation Agreement between the City, the Developer, and Districts No. 1 and No. 2, attached to the Governing Document as Governing Document Exhibit C and for Districts No. 3, No. 4, and No. 5 a form of a Cooperation Agreement between the City, the Developer, and Districts No. 3, No. 4, and No. 5, attached to the Governing Document as Governing Document Exhibit D; and

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 for each District attached hereto as Exhibit C (the "Boundary Notice") and Final Entity Plats to be attached thereto as Boundary Notice Appendix B (or as shall be finalized in accordance with the boundaries approved hereunder) (the "Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, 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 Council and by officers of the Council directed toward the creation and establishment of the Districts, are hereby ratified, approved and confirmed.
- 2. The Districts are hereby created as separate entities from the City in accordance with the Governing Document and the Act. The boundaries of each District shall be as set forth in the Governing Document and the Plat.
- 3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation of any area within the Annexation Area Boundaries into any of the Districts without any further action of the Council or the City and further approves withdrawal of any area within the Initial District Boundaries (as defined in the Governing Document) or Annexation Area Boundaries from any District without any further action, hearings, or resolutions of the Council or the City, upon compliance with the terms of the PID Act and the Governing Document.
- 4. The Council does hereby authorize the Districts to provide services relating to the financing and construction of public infrastructure within the Annexation Area upon annexation thereof into the Districts without further request of the Districts to the City to provide such service under 17B-1-407, Utah Code Annotated 1953 or resolutions of the City under 17B-1-408, Utah Code Annotated 1953.

- 5. It is hereby found and determined by the Council that the creation of the Districts is appropriate to the general welfare, order and security of the City, and the organization of the District pursuant to the PID Act is hereby approved.
- 6. The Governing Document and the Cooperation Agreement in the form presented to this meeting and attached hereto as <u>Exhibits B</u> and <u>Governing Document Exhibit C</u> and the Form Cooperation Agreement between the City, the Developer, and Districts No. 3, No. 4, and No. 5, in the form presented to this meeting and attached hereto as <u>Governing Document Exhibit D</u>, are hereby authorized and approved and the Districts shall be governed by the terms thereof and applicable law.
 - 7. The Boards of the Districts are hereby appointed as follows:
 - (a) District No. 1
 - (1) Trustee 1 Cody Winterton for an initial six-year term.
 - (2) Trustee 2 Michael Bradshaw for an initial four-year term.
 - (3) Trustee 3 Patrick Parker for an initial six-year term.
 - (b) District No. 2
 - (1) Trustee 1 Cody Winterton for an initial six-year term.
 - (2) Trustee 2 Michael Bradshaw for an initial four-year term.
 - (3) Trustee 3 Patrick Parker for an initial six-year term.
 - (c) District No. 3
 - (1) Trustee 1 Cody Winterton for an initial six-year term.
 - (2) Trustee 2 Michael Bradshaw for an initial four-year term.
 - (3) Trustee 3 Patrick Parker for an initial six-year term.
 - (d) District No. 4
 - (1) Trustee 1 Cody Winterton for an initial six-year term.
 - (2) Trustee 2 Michael Bradshaw for an initial four-year term.
 - (3) Trustee 3 Patrick Parker for an initial six-year term.
 - (e) District No. 5
 - (1) Trustee 1 Cody Winterton for an initial six-year term.

- (2) Trustee 2 Michael Bradshaw for an initial four-year term.
- (3) Trustee 3 Patrick Parker for an initial six-year term.
- (f) Such terms shall commence on the date of issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah for the respective District.
- 8. The Council does hereby authorize the Mayor or a Council Member to execute the Boundary Notices in substantially the form attached as <u>Exhibit C</u> and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Council for submission to the Office of the Lieutenant Governor of the State of Utah.
- 9. Prior to certification of the creation of the Districts by the Office of the Lieutenant Governor of the State of Utah, the Council does hereby authorize the Mayor, a Council Member, or the City Manager to make any corrections, deletions, or additions to the Governing Document, the Cooperation Agreement, and 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 any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States (provided that the debt and mill levy limitations established therein may not be modified pursuant to this provision).
- 10. The Board of Trustees of each District (the "District Board") is hereby authorized and directed to record such Governing Document with the recorder of Wasatch County within 30 days of the issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.
- 11. 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.
- 12. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.
 - 13. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council of Heber City, Utah, this March 1, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Yvonne M. Barney	$\overline{\lambda}$		-	**************************************
Mike Johnston			-	:
Rachel Kahler	<u>X</u> _	-	***************************************	
D. Scott Phillips				
Ryan Stack	X	Accession of the Control of the Cont		

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HEBER CITY, UTAH

By: Heldi Franco

ATTEST:

By: VWV. // City Recorder

(Here follows other business not pertinent to the above.)

Pursuant to	motion duly	made and	seconded,	the	meeting	of t	he	Council	of	the	City
adjourned.	***************************************	2222									
	AND RECITION	AIE L			/						
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ATTEST:

By: Man Looke
City Recorder

STATE OF UTAH)		
	:ss.		
COUNTY OF WASATCH)		

I, Trina Cooke, the undersigned duly qualified and acting City Recorder of Heber City, Utah ("the City"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council (the "Council"), had and taken at a lawful meeting of the Council on March 1, 2022, commencing at the hour of 6:00 p.m., as recorded in the regular official book of the proceedings of the Council kept in my 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 Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this March 1, 2022.

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By:

City Recorde

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Trina Cooke, the undersigned City Recorder of Heber City, Utah (the "City"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the "Council") on March 1, 2022, 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) causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices 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
- (b) causing a copy of such Notice, in the form attached hereto as <u>Schedule 1</u>, 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 addition, the Notice of 2022 Annual Meeting Schedule for the Council of the City (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the City to be held during the year, by causing said Notice to be (i) posted on 2022, at the principal office of the City, (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the City on 2022 and (iii) published on the Utah Public Notice Website (http://pmn.utah.gov) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this March 1, 2022.

City Recorder

PETITION REQUESTING THE CREATION OF PUBLIC INFRASTRUCTURE DISTRICTS IN HEBER CITY, UTAH

JORDANELLE RIDGE PUBLIC INFRASTRUCTURE DISTRICTS

February 28, 2022

Heber City 75 North Main Street Heber City, Utah 84032

The undersigned (the "Petitioners") hereby request Heber City, Utah (the "City") create public infrastructure districts (the "Districts") pursuant to the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953 (collectively, the "Act"). The Petitioners request the districts be named <u>Jordanelle Ridge Public Infrastructure Districts 1-5</u>. The Petitioners request the Districts in order to assist in the financing of public infrastructure relating to the construction of the Jordanelle Ridge Master Plan Community (the "Development"). For additional information regarding the District and this request, please see the Letter of Intent dated August 21, 2021.

I. Petitioners and Sponsor Contact:

Petitioners / Owners:

RE Investment Holdings, LLC

Jordanelle Ridge REF Acquisition LLC

AG EHC II (LEN) MULTI STATE 2, LLC

Sponsor Contact:

Cody Winterton 10421 S Jordan Gateway Suite 200 South Jordan, Utah 84095

Each Owner constitutes a sponsor, with Cody Winterton designated as the contact sponsor. The Property Owners constitute the owners of 100% of the total land, constituting 100% of the value of the properties. There are no registered voters residing within the District Boundaries.

II. Proposed District Boundaries

The Petitioners request the District be initially comprised of the respective properties described in Exhibit A (the "District Boundaries"). Additionally, in accordance Section 17D-4-201(3) of the Act, the Petitioners request the City approve the District to annex or withdraw all or any portion of the District Boundaries into or from the District at the discretion of the District and upon compliance with the provisions of the Act (the "Annexation Area"). The Petitioners are requesting the ability to annex or withdraw property into or from the District in order to match ultimate District Boundaries with development plans. A map of the District Boundaries is attached hereto as Exhibit B.

III. Requested Service

The Petitioners request the District be created for the purpose of financing the construction of public infrastructure relating to the Development, as permitted under the Act and the approved Governing Document for the District.

IV. Board of Trustees

The Petitioners propose that the Board of Trustees for each District be initially composed of 3 members appointed by the City Council and comprising of property owners, their agents, or officers, as follows:

- (a) Cody Winterton, as Chair;
- (b) Michael Bradshaw, as Vice-Chair and Treasurer; and
- (c) Patrick Parker, as Secretary;

V. Petitioner Representations

The Petitioners hereby represent and warrant that:

- (a) Cody Winterton, Charles Anderson, Michael Bradshaw and Steven Benson are authorized to sign on behalf of the Petitioners;
- (b) The Petitioners are the sole owners of the real property included within the District Boundaries;
- (c) This Petition is signed by 100% of the surface property owners of real property within the District Boundaries;
- (d) The Petitioners will not include any portion of the Annexation Area into the Districts without the consent of 100% of the surface property owners thereof and registered voters, if any, residing within such area;
- (e) There are no registered voters residing within the District Boundaries; and
- (f) The proposed Trustees listed above are registered voters at their primary residence and are either a property owner or the agent or officer of a property owner.

VI. Petitioner Consent

The Petitioners hereby consent to:

- (a) Cody Winterton serving as the Contact Sponsor for the Petitioners;
- (b) The creation of a public infrastructure district within the District Boundaries;
- (c) The annexation of the Annexation Area into the Districts upon the conveyance, if any, of any portion of such area;
- (d) A waiver of the residency requirement for members of the Board of Trustees of the Districts as permitted under Section 17D-4-202(3)(a) of the Act;
- (e) A waiver of the entirety of the protest period described in Section 17B-1-213 of the Act pursuant to Section 17D-4-201(2)(b) of the Act;
- (f) A waiver of the mailed notice requirements described in Section 17B-1-211(1)(b) of the Act;
- (g) The Districts levying a property tax of up to 0.0050 per dollar of taxable value of taxable property within the District (5 mills), and acknowledge that the properties of the Petitioners will be subject to such tax; and
- (h) The issuance by the Districts of bonds, subject to the Property Owners signing the Property Owners Consent to Bonds pursuant to Section 17D-4-301 of the Act, as amended.

VII. Electronic Means; Counterparts

This Petition may be conducted by electronic means and executed in several counterparts, including by electronic signature, all or any of which may be treated for all purposes as an original and shall constitute and be one and the same instrument.

[This Space Left Intentionally Blank]

IN WITNESS WHEREOF, the Petitioners and property owners have each executed this Petition as of the date indicated above.

JORI	DANELLE RIDGE REF ACQUISITION LLC
By:_	Dr. Wafer
Print:	Cody Winterton
Title:_	Authorized Agent
	NVESTMENT HOLDINGS, L.L.C., a Utah d liability company
	E Management, LLC, a Utah limited liability ompany, its Manager
Ву:	Ch wat
C	Charles W. Anderson, its Manager
	HC II (LEN) MULTI STATE 2, LLC, a Delaware
limite	d liability company
By:	Essential Housing Asset Management,
-	LLC, an Arizona limited liability company,
	its Authorized Agent
By:	
avenue de la companya	Steven S. Benson, its Manager

IN WITNESS WHEREOF, the Petitioners and property owners have each executed this Petition as of the date indicated above.

JORDANELLE RIDGE REF ACQUISITION LLC By:_____ Print: Cody Winterton Title: Authorized Agent RE INVESTMENT HOLDINGS, LLC By:_____ Print: Charles Anderson Title: AG EHC II (LEN) MULTI STATE 2, LLC, a Delaware limited liability company By: Essential Housing Asset Management, LLC, an Arizona limited liability company, its Authorized Agent Steve Benson By: --- 5267235E778A4E5...

Steven S. Benson, its Manager

Overall Jordanelle Ridge Boundary

A description of a tract of land completely contained within Township 3 South, Range 5 East, Salt Lake and Base and Meridian. All sections called to and along within this description are within said Township and Range.

Beginning at the Northwest Corner of Section 5, and running

thence North 89°34'39" East 2,680.75 feet along the section line to the North Quarter Corner of Section 5;

thence North 89°34'05" East 2,842.06 feet along the section line to the Northeast Corner of Section 5;

thence North 89°29'04" East 2,614.28 feet along the section line to the North Quarter Corner of Section 4:

thence South 00°07'19" West 5,538.37 feet along the North-South Quarter section line of said Section 4 to the South Quarter of said Section 4;

thence North 89°29'18" East 2,620.41 feet along the section line to the Southeast Corner of said Section 4;

thence South 89°56'06" East 1,323.33 feet along the North section line of Section 10 to the Northeast Corner of the West Half of the Northwest Quarter of said Section 10;

thence South 00°22'38" East 3,955.94 feet along the East line of the West Half of the Northwest Quarter to and along the East line of the Northwest Quarter of the Southwest Quarter to the Southeast Corner of the Northwest Quarter of the Southwest Quarter of said Section 10;

thence North 89°17'14" East 1,319.09 feet along the North line of the Southeast Quarter of the Southwest Quarter to the Northeast Corner of the Southeast Quarter of the Southwest Quarter of said Section 10:

thence South 00°18'55" East 1,310.26 feet along the North-South Quarter section line to the South Quarter Corner of said Section 10;

thence South 89°35'46" East 1,323.95 feet along the South section line to the Southwest Corner of the East Half of the Southeast Quarter of said Section 10;

thence North 00°24'46" West 2,633.94 feet along the West line of the East Half of the Southeast Quarter to the Northwest Corner of the East Half of the Southeast Quarter of said Section 10;

thence North 89°49'27" East 1,319.37 feet along the East-West Quarter section line to the East Quarter Corner of said Section 10;

thence North 00°10'14" West 594.23 feet along the section line to the Southwest Corner of Wasatch County Parcel Number 00-0020-6354 found at Entry Number 348891;

thence along said Parcel Number 00-0020-6354 the following five (5) calls:

- (1) South 82°54'51" East 51.76 feet;
- (2) North 66°53'46" East 556.65 feet;
- (3) North 39°42'57" West 163.14 feet;
- (4) North 11°19'05" East 35.86 feet;
- (5) North 40°03'22" West 14.38 feet to the South line of Wasatch County Parcel Number 00-0016-2649 found at Entry Number 447486;

thence North 89°59'33" East 804.43 feet along said Parcel Number 00-0016-2649 to the Northwest Corner of Wasatch County Parcel Number 00-0020-6353 found at Entry Number 348891; thence along said Parcel Number 00-0020-6353 the following twelve (12) calls:

- (1) South 45°06'07" East 163.25 feet;
- (2) South 55°35'04" East 218.94 feet;
- (3) North 59°53'53" East 171.00 feet;

- (4) South 79°11'02" East 97.68 feet;
- (5) South 60°06'07" East 206.92 feet;
- (6) South 35°12'52" East 206.28 feet;
- (7) South 56°29'12" East 386.38 feet;
- (8) North 78°45'11" East 274.65 feet;
- (9) South 88°35'50" East 277.57 feet;
- (10) North 66°35'25" East 155.27 feet;
- (11) North 54°35'23" East 155.27 feet;
- (12) North 11°08'56" West 467.18 feet to the South line of said Parcel Number 00-0016-2649 found at Entry Number 447486;

thence North 89°59'33" East 389.90 feet to the Northwest Corner of Wasatch County Parcel Number 00-0020-6349 found at Entry Number 348891;

thence along said Parcel Number 00-0020-6349 the following twenty-one (21) calls:

- (1) South 19°40'44" East 330.80 feet;
- (2) North 69°14'18" East 225.77 feet;
- (3) South 20°45'41" East 117.56 feet;
- (4) Southeasterly 250.20 feet along the arc of a 300.00 foot radius curve to the left (center bears North 69°14'20" East and the chord bears South 44°39'12" East 243.01 feet with a central angle of 47°47'03");
 - (5) South 21°27'16" West 242.40 feet;
 - (6) South 82°08'12" East 270.06 feet;
 - (7) North 07°16'18" West 246.15 feet;
- (8) Northeasterly 141.44 feet along the arc of a 300.00 foot radius curve to the left (center bears North 07°16'18" West and the chord bears North 69°13'20" East 140.13 feet with a central angle of 27°00'45");
 - (9) North 55°42'57" East 103.10 feet;
- (10) Northeasterly 110.54 feet along the arc of a 175.00 foot radius curve to the right (center bears South 34°17'03" East and the chord bears North 73°48'41" East 108.71 feet with a central angle of 36°11'27");
 - (11) South 88°05'36" East 77.25 feet;
 - (12) South 00°48'32" East 239.69 feet;
 - (13) South 79°50'16" East 241.94 feet;
 - (14) South 64°14'42" East 207.88 feet;
 - (15) North 39°43'13" East 99.60 feet;
 - (16) North 04°09'49" West 220.13 feet;
 - (17) North 20°25'27" West 244.89 feet;
 - (18) South 89°53'53" West 178.02 feet;
- (19) Northwesterly 190.03 feet along the arc of a 185.00 foot radius curve to the left (center bears North 80°12'58" West and the chord bears North 19°38'36" West 181.79 feet with a central angle of 58°51'16");
 - (20) North 49°04'14" West 21.04 feet;
- (21) North 46°51'43" East 87.20 feet to the South line of Wasatch County Parcel Number 00-0020-6260 found at Entry Number 447486;

thence North 89°59'33" East 464.92 feet along the South line of said Parcel Number 00-0020-6260 to the East section line of Section 11;

thence North 00°06'39" West 1,650.00 feet along the section line to the Northwest Corner of Section 12;

thence South 89°51'50" East 2,654.37 feet along the section line to the North Quarter Corner of Section 12;

thence South 89°51'53" East 2,783.89 feet along the section line to the Northeast Corner of Section 12;

thence South 00°01'11" East 2,609.87 feet along the section line to the East Quarter Corner of Section 12;

thence South 00°21'01" East 2,696.62 feet along the section line to the Southeast Corner of Section 12;

thence North 89°07'56" West 1,571.17 feet along the section line to the Northwest Corner of Lot 1, Section 13;

thence South 00°15'21" East 2,663.15 feet along the West lines of Lots 1 and 2 to the Southwest Corner of Lot 2 and the East-West Quarter section line of Section 13;

thence North 89°40'48" West 1,320.00 feet along the East-West Quarter section line to the Center of Section 13;

thence North 89°40'48" West 2,563.52 feet along the East-West Quarter section line to the West Quarter Corner of Section 13;

thence North 89°38'01" West 2,624.28 feet along the East-West Quarter section line to the Center of Section 14;

thence South 00°20'05" West 2,647.93 feet along the North-South Quarter section line to the South Quarter Corner of Section 14;

thence South 00°03'37" West 5,270.65 feet along the North-South Quarter section line to the South Quarter Corner of Section 23;

thence South 89°21'35" West 2,216.83 feet along the section line to the Southeast Corner of Wasatch County Parcel Number 00-0021-5057 found at Entry Number 306111;

thence along said Parcel Number 00-0020-6349 the following three (3) calls:

- (1) North 30°22'10" West 5,350.74 feet;
- (2) West 360.03 feet:
- (3) South 00°20'20" East 4,630.94 feet to the South Quarter Corner of Section 22;

thence South 89°46'38" West 1,480.00 feet along the section line to the Southeast Corner of Wasatch County Parcel Number 00-0021-5100 found at Entry Number 355558;

thence along said Parcel Number 00-0021-5100 the following two (2) calls:

- (1) North 10°19'44" East 735.00 feet;
- (2) North 89°16'49" West 1,275.27 feet;

thence South 00°09'12" East 2.71 feet to the Northeast Corner of Wasatch County Parcel Number 00-0021-5051 found at Entry Number 355558;

thence along said Parcel Number 00-0021-5051 the following two (2) calls:

- (1) South 89°14'34" West 4,190.34 feet;
- (2) South 00°46'51" West 697.33 feet;

thence North 89°36'20" West 82.51 feet:

thence South 00°56'33" East 1,322.25 feet;

thence South 88°58'53" West 1,148.61 feet;

thence West 42.95 feet;

thence North 00°47'55" West 20.57 feet;

thence South 89°49'39" West 210.60 feet;

thence South 00°10'21" East 19.93 feet to the Northeast Corner of Cove Estates Phase 2 as recorded in the Wasatch County Recorder's Office as Entry Number 294870 in Book 820 at Pages 176-185;

thence West 1,112.50 feet along the North line of said Cove Estates Phase 2, to and along the Northerly line of Cove Estates Phase 1 as recorded in the Wasatch County Recorder's Office as Entry Number 294869 in Book 820 at Pages 166-175;

thence South 00°10'21" East 26.98 feet;

thence South 49°09'39" West 1,056.00 feet;

thence South 89°49'39" West 512.35 feet to the North-South Quarter section line of Section 29; thence North 00°41'38" West 2,067.73 feet along the North-South Quarter section line to the North Quarter Corner of Section 29;

thence North 00°00'09" East 3,971.09 feet along the North-South Quarter section line to the Southeast Corner of the North Half of the Northwest Quarter of Section 20;

thence North 89°55'50" West 1,528.21 feet along the South line of the North Half of the Northwest Quarter of Section 20 to the center line of the Timpanogos Canal;

thence along the center line of the Timpanogos Canal the following thirty-four (34) calls:

- (1) Northwesterly 277.03 feet along the arc of a 3,029.45 foot radius curve to the right (center bears North 48°59'56" East and the chord bears North 38°22'52" West 276.93 feet with a central angle of 05°14'22");
 - (2) North 35°45'41" West 156.57 feet;
- (3) Northwesterly 144.24 feet along the arc of a 217.15 foot radius curve to the right (center bears North 54°14'19" East and the chord bears North 16°43'57" West 141.61 feet with a central angle of 38°03'30"):
- (4) Northeasterly 61.47 feet along the arc of a 147.36 foot radius curve to the right (center bears South 87°42'13" East and the chord bears North 14°14'50" East 61.03 feet with a central angle of 23°54'05"):
- (5) Northwesterly 52.05 feet along the arc of a 36.82 foot radius curve to the left (center bears North 63°48'08" West and the chord bears North 14°17'56" West 47.83 feet with a central angle of 80°59'37");
 - (6) North 54°47'45" West 27.30 feet;
- (7) Northwesterly 57.77 feet along the arc of a 418.00 foot radius curve to the left (center bears South 35°12'15" West and the chord bears North 58°45'18" West 57.72 feet with a central angle of 07°55'07");
 - (8) North 62°42'52" West 61.07 feet;
- (9) Northwesterly 45.57 feet along the arc of a 98.33 foot radius curve to the right (center bears North 27°17'08" East and the chord bears North 49°26'18" West 45.16 feet with a central angle of 26°33'08");
 - (10) North 36°09'44" West 189.75 feet;
- (11) Northwesterly 88.91 feet along the arc of a 277.42 foot radius curve to the right (center bears North 53°50'16" East and the chord bears North 26°58'53" West 88.53 feet with a central angle of 18°21'42");
 - (12) North 17°48'02" West 55.58 feet;
- (13) Northwesterly 126.47 feet along the arc of a 102.07 foot radius curve to the left (center bears South 72°11'58" West and the chord bears North 53°17'50" West 118.53 feet with a central angle of 70°59'37");
 - (14) North 88°47'39" West 60.52 feet;
- (15) Northwesterly 80.59 feet along the arc of a 86.61 foot radius curve to the right (center bears North 01°12'21" East and the chord bears North 62°08'18" West 77.71 feet with a central angle of 53°18'41");

- (16) Northwesterly 109.17 feet along the arc of a 447.63 foot radius curve to the left (center bears South 56°04'26" West and the chord bears North 40°54'47" West 108.90 feet with a central angle of 13°58'25");
 - (17) North 48°06'38" West 178.00 feet;
- (18) Northwesterly 119.16 feet along the arc of a 1,064.17 foot radius curve to the left (center bears South 41°53'22" West and the chord bears North 51°19'06" West 119.10 feet with a central angle of 06°24'56");
- (19) Northwesterly 201.48 feet along the arc of a 1,331.77 foot radius curve to the right (center bears North 35°28'26" East and the chord bears North 50°11'32" West 201.29 feet with a central angle of 08°40'05");
- (20) Northwesterly 357.92 feet along the arc of a 660.73 foot radius curve to the right (center bears North 44°08'31" East and the chord bears North 30°20'21" West 353.56 feet with a central angle of 31°02'16");
 - (21) North 14°49'13" West 142.18 feet;
- (22) Northwesterly 80.21 feet along the arc of a 134.67 foot radius curve to the left (center bears South 75°10'47" West and the chord bears North 31°52'57" West 79.03 feet with a central angle of 34°07'27");
 - (23) North 48°56'41" West 159.35 feet;
- (24) Northwesterly 206.88 feet along the arc of a 351.28 foot radius curve to the right (center bears North 41°03'19" East and the chord bears North 32°04'22" West 203.90 feet with a central angle of 33°44'36");
 - (25) North 15°12'04" West 77.45 feet;
- (26) Northwesterly 71.72 feet along the arc of a 216.78 foot radius curve to the left (center bears South 74°47'56" West and the chord bears North 24°40'44" West 71.39 feet with a central angle of 18°57'20");
 - (27) North 34°09'24" West 34.78 feet;
- (28) Northwesterly 67.17 feet along the arc of a 44.16 foot radius curve to the left (center bears South 55°50'36" West and the chord bears North 77°44'20" West 60.88 feet with a central angle of 87°09'51");
 - (29) South 58°40'45" West 78.71 feet;
- (30) Southwesterly 37.75 feet along the arc of a 90.97 foot radius curve to the left (center bears South 31°19'15" East and the chord bears South 46°47'31" West 37.48 feet with a central angle of 23°46'27");
- (31) Southwesterly 37.88 feet along the arc of a 104.38 foot radius curve to the right (center bears North 55°05'41" West and the chord bears South 45°18'03" West 37.67 feet with a central angle of 20°47'27");
 - (32) South 55°41'46" West 51.76 feet;
- (33) Southwesterly 219.84 feet along the arc of a 245.08 foot radius curve to the right (center bears North 34°18'14" West and the chord bears South 81°23'38" West 212.54 feet with a central angle of 51°23'43");
- (34) North 72°54'31" West 59.84 feet to a point on the Easterly line of Wasatch County Parcel Number 00-0007-7664 found at Entry Number 385533 as surveyed and monumented by UESI Engineering filed as Number OWC-035-018-4-0842 for John Williams;

thence also said Parcel Number 00-0007-7664 the following thirteen (13) calls:

- (1) North 04°04'00" East 78.68 feet;
- (2) North 89°52'28" West 66.86 feet;
- (3) North 40°52'28" West 500.67 feet;
- (4) North 26°22'28" West 447.97 feet;

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(5) North 10°22'28" West 343.54 feet;
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- (6) thence North 12°22'32" East 206.91 feet;
- (7) North 40°52'27" West 334.76 feet;
- (8) North 42°08'03" West 160.49 feet;
- (9) North 10°38'05" West 178.53 feet;
- (10) North 18°51'55" East 761.62 feet;
- (11) North 46°38'05" West 166.19 feet;
- (12) North 11°08'05" West 194.68 feet;
- (13) North 89°40'17" West 380.84 feet;

thence North 15°25'24" East 339.00 feet;

thence North 20°10'13" East 31.82 feet;

thence South 74°40'22" East 476.91 feet;

thence North 61°17'28" East 686.04 feet;

thence North 14°02'40" East 755.94 feet to the North section line of Section 18;

thence North 89°42'16" East 1,141.58 feet along the section line to the Northeast Corner of Section 18;

thence North $00^{\circ}00'49"$ West 2,644.89 feet along the section line to the West Quarter Corner of Section 8;

thence North $00^{\circ}09'33''$ West 2,629.71 feet along the section line to the Northwest Corner of Section 8;

thence North $00^{\circ}27'06''$ West 2,772.15 feet along the section line to the West Quarter Corner of Section 5;

thence North 00°27'12" West 2,726.27 feet along the section line to the point of beginning.

Contains 365,051,195 Square Feet or 8,380.422 Acres

Less and Excepting any portion within Utah State Highway 32, said parcel being more particularly described as follows:

Beginning at a point being South 00°27′12″ East 359.94 feet along the section line from the Northwest Corner of Section 5, and running

thence North 71°59'30" East 85.01 feet;

thence North 48°00'02" East 228.24 feet;

thence South 86°59'54" East 428.57 feet;

thence Northeasterly 634.00 feet along the arc of a 2,019.66 foot radius curve to the right (center bears South 12°57'33" East and the chord bears North 86°02'02" East 631.40 feet with a central angle of 17°59'09");

thence South 82°51'55" East 972.24 feet;

thence South 82°47'13" East 1,125.40 feet;

thence North 58°35'20" East 384.19 feet;

thence South 31°24'17" East 320.16 feet;

thence South 89°10'16" East 805.07 feet;

thence South 75°21'42" East 544.48 feet;

thence South 81°16'35" East 208.31 feet;

thence South 74°59'55" East 105.72 feet;

thence South 67°36'41" East 355.01 feet;

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thence South 53°30'32" East 397.11 feet;
        thence South 56°49'27" East 401.13 feet;
        thence South 65°26'29" East 366.68 feet;
        thence South 64°36'52" East 355.31 feet:
        thence South 73°05'03" East 350.80 feet:
        thence South 80°46'38" East 322.83 feet;
        thence South 81°38'41" East 317.29 feet;
        thence South 00°07'19" West 198.78 feet;
        thence North 81°50'17" West 316.33 feet;
        thence North 80°46'59" West 322.83 feet:
        thence North 73°04'50" West 350.84 feet:
        thence North 64°37'10" West 355.29 feet;
        thence North 65°26'21" West 366.65 feet:
        thence North 56°49'18" West 401.11 feet;
        thence North 53°30'38" West 397.18 feet;
        thence North 70°36'48" West 346.98 feet:
        thence South 00°19'42" East 279.65 feet;
        thence North 70°50'04" West 140.26 feet;
        thence North 81°04'53" West 179.00 feet;
        thence North 65°21'18" West 566.07 feet:
        thence North 82°49'20" West 850.59 feet;
        thence South 63°55'33" West 430.11 feet;
        thence North 18°04'30" West 282.98 feet;
        thence North 82°49'29" West 1,000.00 feet;
        thence North 82°49'25" West 943.36 feet;
        thence Southwesterly 713.84 feet along the arc of a 2,099.16 foot radius curve to the left
(center bears South 09°22'49" West and the chord bears South 89°38'18" West 710.40 feet with a
central angle of 19°29'02");
        thence South 78°56'33" West 142.14 feet;
        thence South 87°55'28" West 261.36 feet;
        thence South 72°42'37" West 360.12 feet to the section line;
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Contains 2,418,554 Square Feet or 55.522 Acres

Less and Excepting any portion of Parcel Number 00-0021-5012 found at Entry Number 338597 being more particularly described as follows:

thence North 00°27'12" West 252.12 feet along the section line to the point of beginning.

All of a certain parcel of land, designated as Jordanelle Overlook Pump Station site, said parcel located in the North West quarter of Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at the South quarter corner of Section 32, T2S, R5E, SLB&M (Basis of Bearing South 89°34′30″ West – 2680.56 feet between said South Quarter corner and the North West corner of said Section 5, T3S, R5E, SLB&M); thence South 89°34′30″ West along the North line of said section for 172.65 feet; thence South for 224.74 feet to the POINT OF BEGINNING; thence South 07°14′05″ West for 90.00 feet to the Right-of-Way line of Highway 32; thence North 82°45′55″ West for 101.66 feet to a

Highway 32 Right of Way marker marking station 170+00; thence North 82°45′55″ West 68.34 feet; thence North 07°14′05″ East for 90.00 feet; thence South 82°45′55″ East for 170.00 feet to the POINT OF BEGINNING. Area 0.35124 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5016 found at Entry Number 509336 being more particularly described as follows:

Beginning at a point which is 1664.0 feet North and 2045.0 feet West of the Southeast Corner of Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence South 539.0 feet; thence West 404.0 feet; thence North 539.0 feet; thence East 404.0 feet to the place of beginning. Area 5.00 Acres, more or less.

Less and Excepting any portion of Parcel Number 00-0021-5017 found at Entry Number 390725 being more particularly described as follows:

Beginning at the Southeast Corner of Lot 11, Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian; and running thence West 404 feet; thence North 539 feet; thence East 404 feet; thence South 539 feet to the point of beginning. Area 5.00 Acres, more or less

Less and Excepting any portion of Parcel Number 00-0021-5018 found at Entry Number 159309 being more particularly described as follows:

Beginning at a point 1010 feet West of the Southeast Corner of Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence North 538 feet; thence East 202 feet; thence South 538 feet; thence West 202 feet to the point of beginning. Area 2.49 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5020 found at Entry Number 154578 being more particularly described as follows:

Beginning at a point 1414 feet West of the Southeast Corner of Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence North 538 feet; thence East 202 feet; thence South 538 feet; thence West 202 feet to the point of beginning. Area 2.49 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5021 found at Entry Number 325237 being more particularly described as follows:

Beginning at a point 1616 feet West of the Southeast Corner of Section 5, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence North 538 feet; thence East 202 feet; thence South 538 feet; thence West 202 feet to the point of beginning. Area 2.49 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5022 found at Entry Number 415156 being more particularly described as follows:

Beginning at the Southwest Corner of Section 4, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence North 538 feet; thence East 404 feet; thence South 538 feet; thence West 404 feet, more or less to the place of beginning. (Known as Lot 6, Hailstone Mountain West Estates, an unrecorded plat) Area 5.00 Acres.

Subject to and together with a right of way, more particularly described as follows: Beginning at a point which is 513 feet North of the Southwest Corner of said Section 4; and running thence North 50 feet; thence East 404 feet; thence South 50 feet; thence West 404 feet to the place of beginning.

Less and Excepting any portion of Parcel Number 00-0021-5023 found at Entry Number 418032 being more particularly described as follows:

Beginning at a point 404 feet East of the Southwest Corner of Section 4, Township 3 South, Range 5 East, Salt Lake Base and Meridian; running thence East 404 feet; thence North 538 feet; thence West 404 feet; thence South 538 feet to the place of beginning. Area 5.00 Acres, more or less.

Less and Excepting any portion of Parcel Number 00-0021-5027 found at Entry Number 325868 being more particularly described as follows:

All of a certain parcel of land, designated as 7500 Tank site, said parcel located in the north half of Section 8, Township 3 South, Range 5 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at northwest corner of above mentioned Section 8 (Basis of Bearing South 00°05′16″ East – 5274.624 feet between the Northwest corner and the Southwest corner of said Section 8); thence South 00°05′16″ East along the west line of said section for 1911.63 feet; thence North 89°54′44″ East, perpendicular to said west line for 3420.79 feet to the POINT OF BEGINNING; thence North 71°50′36″ East for 212.92 feet; thence South 57°43′44″ East for 426.27 feet; thence South 07°18′22″ West for 153.61 feet; thence South 65°43′58″ West for 425.04 feet to a point on the east edge of a dirt road; thence along the east edge of said dirt road with a non-tangent curve to the right having a radius of 874.56 feet, whose center bears North 55°16′22″ East, a central angle of 34°04′41″ (chord bearing and distance of North 17°41′18″ West – 512.53 feet) for an arc distance of 520.16 feet to the POINT OF BEGINNING. Said parcel contains 4.6098 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5048 found at Entry Number 325869 being more particularly described as follows:

All of a certain parcel of land, designated as Wasatch Commons Tank site, said parcel located in the north half of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at the East corner of above mentioned Section 20 (Basis of Bearing South 00°42′24" West – 2663.75 feet between the East quarter corner and the South east corner of said Section 20); thence South 00°42′24" West along the east line of said section for 103.13 feet; thence North 89°17′36" West

perpendicular to said east line for 331.83 feet to the POINT OF BEGINNING; thence South 88°55'25" West for 468.50 feet; North 13°06'56" East for 644.72 feet; South 84°07'24" East for 343.15 feet; South 01°53'10" West for 584.28 feet to the POINT OF BEGINNING. Contains 246,241 sq.ft or 5.66 Acres.

Less and Excepting any portion of Parcel Number 00-0021-5050 found at Entry Number 325866 being more particularly described as follows:

All of a certain parcel of land, designated as Red Ledges Tank site, said parcel located in the South half of Section 21, Township 3 South, Range 5 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at the Southwest corner of above mentioned Section 21 (Basis of Bearing North 00°42′24″ East – 2663.75 feet between the Southwest corner and the West quarter corner of said Section 21); thence North 00°42′24″ East along the west line of said section for 1395.32 feet; thence South 89°17′36″ East perpendicular to said west line for 2567.46 feet to the POINT OF BEGINNING; thence North 57°19′26″ East for 403.78 feet; South 32°52′07″ East for 364.68 feet; South 59°37′10″ West for 430.34 feet; North 28°33′40″ West for 348.34 feet to the POINT OF BEGINNING. Contains 148,541 sq.ft. or 3.41 acres.

Net Area Contains 360,825,508 Square Feet or 8,283.414 Acres



