

### 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 TRAPPERS LOOP WATER IMPROVEMENT DISTRICT, located in WEBER COUNTY, dated APRIL 29, 2022, complying with Section §67-1a-6.5, 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 the creation of TRAPPERS LOOP WATER IMPROVEMENT DISTRICT, located in WEBER COUNTY, State of Utah.

OF THE STREET OF

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 29<sup>th</sup> day of April, 2022 at Salt Lake City, Utah.

Studie M. Henderson

DEIDRE M. HENDERSON Lieutenant Governor

#### NOTICE OF AN IMPENDING BOUNDARY ACTION

#### To the Lieutenant Governor, State of Utah

Pursuant to the provisions of Utah Code Ann. §17B-1-215 and § 67-1a-6.5, Weber County ("County"), a body politic and political subdivision of the State of Utah, hereby gives notice to the Utah Lieutenant Governor that a petition—for which an election is not required pursuant to Utah Code Ann. § 17B-1-214(3)—has been submitted to the County to create a water improvement district which would be named the Trappers Loop Water Improvement District. The petition has been certified by the County clerk pursuant to the requirements of Subsection 17B-1-209, 17B-1-203(b), 17B-1-205(1), and 17B-1-208.

The County hereby certifies that all of the legal requirements necessary for the creation of the Trappers Loop Water Improvement District have been completed and respectfully requests the issuance of a Certificate of Creation pursuant to Utah Code Ann. § 67-1a-6.5.

Accompanying this Notice is a copy of the certified petition, a letter from the Utah State Retirement Office pursuant to Section 67-1a-6.5(3)(d), and a copy of an approved final local entity plat prepared and certified by a licensed surveyor and approved by the Weber County Surveyor consistent with Utah Code Ann. §17-23-20.

Dated this 19<sup>-7</sup>day of January 2022.

BOARD OF WEBER COUNTY

COMMISSIONERS

Scott Jenkins, Chair

ATTEST

Ricky Hatch, County Clerk

RECEIVED

OCT 28 2021

Weber County Clerk / Auditor

TO: Board of County Commissioners Weber County, Utah c/o Weber County Clerk/Auditor Weber Center, Suite 320 2380 Washington Blvd. Ogden, Utah 84401

## REQUEST FOR SERVICE

# PETITION FOR THE CREATION OF AN IMPROVEMENT DISTRICT TO BE KNOWN AS THE TRAPPERS LOOP WATER IMPROVEMENT DISTRICT

THE UNDERSIGNED OWNER ("Owner"), of that certain real property in Weber County, Utah, known as the Snow Basin Resort (the "Resort"), pursuant to and in conformance with the applicable provisions of the Limited Purpose Local Government Entities - Local Districts Act, specifically Section 17B-1-201 through 216, Utah Code Annotated, 1953 (the "Local Districts Act"), hereby submits to the Board of County Commissioners (the "Commission"), of Weber County, State of Utah (the "County"), the following:

#### I. REQUEST FOR WATER SERVICE

THIS FORMAL REQUEST for Water Service ("Request"), is submitted to the Commission for the purpose of requesting that the Commission provide the municipal services defined herein to the Resort. This Request is submitted in connection with and, as required by law, prior to the submittal of a Petition by the Owner for the creation of an improvement district (the "District"), to serve the existing Resort and phased expansions thereof, as provided for in the Utah Improvement District Act, Section 17B-2a-401 et seq. (the "Improvement District Act"). (The Local Districts Act and the Improvement District Act, are sometimes referred to herein collectively as the "Act.")

#### A. Ownership; Description of the Property Requested to be Served.

The Owner hereby represents and affirms that it is the Owner of 100% of the private real property, representing 100% of the value, of the real property (the "*Property*"), which the Owner hereby requests to be served by the County, or alternatively to be included within the boundaries of and be served by the District which is proposed to be created as provided below in the event the Commission declines to provide service. The Property, all of which is located in Weber County, Utah, is more particularly described as follows:

Affects Weber County Parcel No. 20-043-0005 (the "Overall Parcel") Owned by Snow Basin Resort Company 3925 East Snowbasin Road Huntsville, Utah 84317

The land contained wholly within the Overall Parcel as to which the request for service applies and which is to be included within the boundaries of the proposed District in the event the County

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declines to provide service as requested herein (the "District Property"), is more particularly described on EXHIBIT "A" attached hereto and incorporated by reference herein.

A map showing the boundaries of the District Property requested to be served by the County and proposed to be included within the boundaries of the District is attached as <u>EXHIBIT "B"</u> hereto and incorporated by reference herein.

#### B. Services proposed to be provided by the County or alternatively, the District.

The services which the Owner requests be provided by the County to the Resort, which would alternatively be authorized to be provided by the District, are the operation of systems as those terms are defined in the Act, for: (i) municipal water service (including, culinary, irrigation, commercial and industrial water service), (ii) storm water collection, control, and drainage service; and (iii) sanitary sewer collection, transmission and treatment service.

# II. PETITION FOR THE CREATION OF AN IMPROVEMENT DISTRICT TO BE KNOWN AS THE TRAPPERS LOOP WATER IMPROVEMENT DISTRICT

IN THE EVENT the Commission adopts a resolution declining the Owner's request to provide water services as set forth above, thereupon, in conformance with the requirements of the Act, this instrument shall, upon approval of said resolution by the Commissions, be effective and be deemed to constitute a Petition for the creation of an improvement district to be known as the Trappers Loop Water Improvement District (the "Petition"), filed by the undersigned who is the Owner of 100% of the District Property more particularly described above, acting as Petitioner herein, who hereby petitions the Commission for the establishment of an improvement district as defined and provided for in the Utah Improvement District Act.

#### A. Incorporation by Reference.

Sections I A. and IB. above are hereby incorporated into and made a part of this Petition by this reference.

#### B. Membership on the Governing Board of Trustees of the District.

It is proposed that the District's governing board of trustees, as initially constituted, shall consist of three (3) members, each of whom shall be qualified in conformance with the requirements of Section 17B-1-302, and appointed in conformance with the requirements of Section 17B-1-304, of the Local Districts Act.

#### C. Petition Sponsor.

Jim Hill is hereby designated, for and in behalf of the Petitioner, as the contact sponsor ("Contact Sponsor"), whose mailing address and phone number are as follows:

Address:

Jim Hill, Vice President Grand America Hotels and Resorts 555 South Main Street Salt Lake City, Utah 84111

{01934778-1 }

Email:

jim.hill@grandamerica.com

Phone:

(801) 640-8481

#### III. REQUEST FOR APPROVAL

It is respectfully requested that, in conformance with the requirements of the Local Districts Act, the County Clerk, with the assistance of other County officers, determine in good faith whether this Request and Petition comply with the requirements of Subsections 17B-1-204 through 17B-2-209 of said Act, and upon determination that the Request and Petition are in compliance, (i) that this Request and Petition be certified and delivered to the Commission; (ii) that written notification thereof be mailed or delivered to the Contact Sponsor named above; (iii) that a public hearing be scheduled pursuant to notice; and (iv) that the Commission adopt a resolution indicating whether or not the Commission will provide the services requested herein, in conformance with the requirements of the Act.

It is further requested that in the event the Commission determines that it shall not provide the requested services, that thereupon this instrument be deemed filed and effective as the Petition required to initiate proceedings to create the District in conformance with the Act.

DATED this 26 day of October, 2021.

SNOWBASIN RESORT COMPANY, a Wyoming Corporation

David Hirasawa

Home Address: 1335 E. Perry Ave. Salt Lake City, Utah 84103

ACKNOWLEDGEMENT OF RECEIPT OF REQUEST AND PETITION

The foregoing REQUEST AND PETITION FOR THE CREATION OF AN IMPROVEMENT DISTRICT TO BE KNOWN AS THE TRAPPERS LOOP WATER IMPROVEMENT DISTRICT was duly received by this office on behalf of the Board of County Commissioners of Weber County, Utah, this day of \_\_\_\_\_\_, 2021.

WEBER COUNTY CLERK/AUDITOR

# EXHIBIT "A" Legal Description of the Property to be Included within the Boundaries of the District

### RECEIVED

OCT 28 2021

**SNOWBASIN TLSID** 

2021-10-19

Weber County Clerk / Auditor

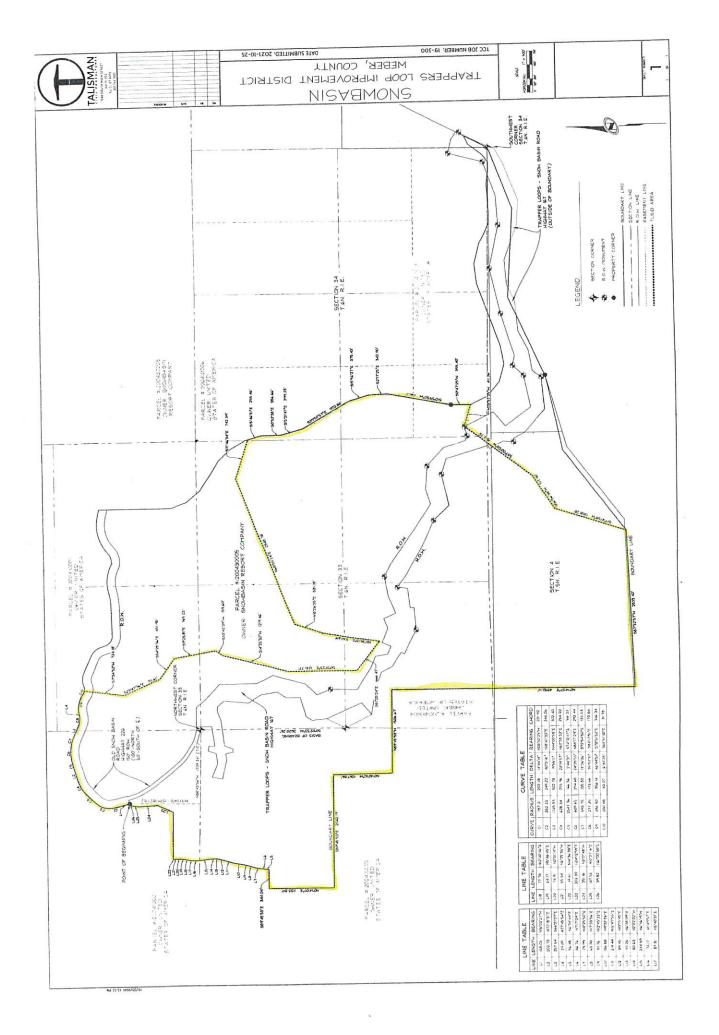
THE BASIS OF BEARING IS SOUTH 0°02'33" WEST 2620.26 FEET, MEASURED BETWEEN THE FOUND NORTHWEST CORNER AND CALCULATED WEST QUARTER CORNER SECTION 33, TOWNSHIP 6 NORTH RANGE 1 EAST, SLB&M, THIS BEARING WAS MEASURED IN UTAH STATE PLANES NORTH ZONE, US SURVEY FEET.

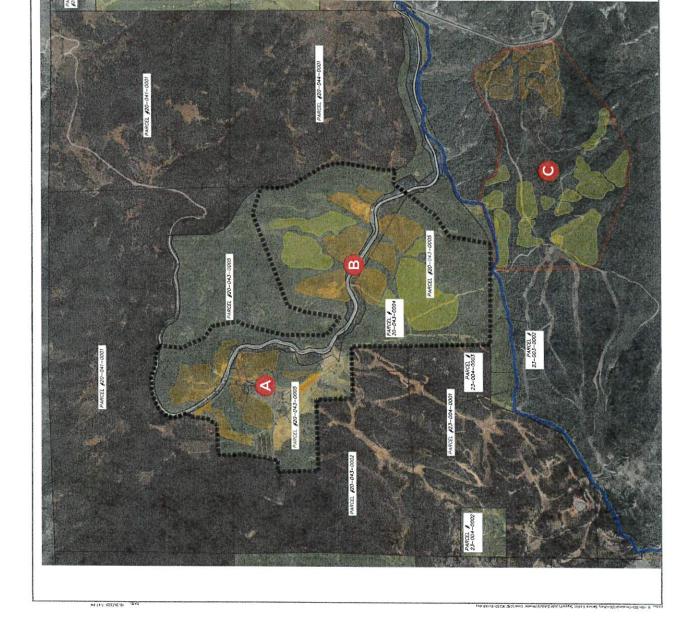
BEGINNING AT A POINT ON THE NORTHERN ROW LINE OF OLD SNOWBASIN ROAD, HIGHWAY 226, SAID POINT BEING A 3-1/4" AL. CAP SET BY THE DEPT. OF AGRICULTURE-US FOREST SERVICE, (STAMPED 100-ROW), SAID POINT BEING NORTH 88°42'56" WEST 1399.34 FEET ALONG THE SECTION LINE, AND NORTH 1°17'04" EAST 1279.18 FEET FROM THE FOUND NORTHWEST CORNER OF SAID SECTION 33, AND RUNNING THENCE ALONG SAID NORTHER ROW FOLLOWING FOURTEEN (14) COURSES, 1) N16° 03' 27"W 168.06 FEET, 2) THENCE ALONG A 787.21 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (CHORD BEARS NO8° 50' 25"W 201.92 FEET) THROUGH A CENTRAL ANGLE OF 14°44'14", FOR AN ARC DISTANCE OF 202.48 FEET, 3) THENCE ALONG A 352.33 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N18° 47' 32"E 244.06 FEET) THROUGH A CENTRAL ANGLE OF 40°31'41", FOR AN ARC DISTANCE OF 249.22 FEET, 4) THENCE ALONG A 1748.83 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N44° 00' 58"E 302.40 FEET) THROUGH A CENTRAL ANGLE OF 09°55'11", FOR AN ARC DISTANCE OF 302.78 FEET, 5) THENCE ALONG A 628.54 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N60° 38' 32"E 254.20 FEET) THROUGH A CENTRAL ANGLE OF 23°19'57", FOR AN ARC DISTANCE OF 255.96 FEET, 6) THENCE N72° 18' 31"E 202.73 FEET, 7) THENCE ALONG A 2547.36 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N74° 10' 46"E 166.33 FEET) THROUGH A CENTRAL ANGLE OF 03°44'31", FOR AN ARC DISTANCE OF 166.36 FEET, 8) THENCE ALONG A 689.65 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS N88° 17' 29"E 292.44 FEET) THROUGH A CENTRAL ANGLE OF 24°28'55 FOR AN ARC DISTANCE OF 294.68 FEET, 9) THENCE ALONG A 593.75 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS S72° 54' 50"E 135.53 FEET) THROUGH A CENTRAL ANGLE OF 13°06'26", FOR AN ARC DISTANCE OF 135.83 FEET, 10) THENCE S66° 21' 37"E 257.54 FEET, 11) THENCE ALONG A 277.35 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS S84° 17' 51"E 170.84 FEET) THROUGH A CENTRAL ANGLE OF 35°52'31", FOR AN ARC DISTANCE OF 173.66 FEET, 12) THENCE N77° 45' 54"E 29.09 FEET, 13) THENCE ALONG A 436.50 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS \$78° 51' 52"E 346.34 FEET) THROUGH A CENTRAL ANGLE OF 46°44'51", FOR AN ARC DISTANCE OF 356.14 FEET, 14) THENCE ALONG A 280.88 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS S63° 51' 40"E 81.78 FEET) THROUGH A CENTRAL ANGLE OF 16°44'28", FOR AN ARC DISTANCE OF 82.07 FEET; THENCE LEAVING SAID ROW S07°34'52" W 724.18 FEET; THENCE S23°47'36"E 711.62 FEET; THENCE S54°28'36"E 451.98 FEET; THENCE S9°28'01"E 765.03 FEET; THENCE S33°42'29"W 159.60 FEET; THENCE S14°35'30"W 1219.46 FEET; THENCE S00°01'23" E 1241.77 FEET; THENCE S51°28'34" E 666.47 FEET; THENCE N08°35'13" E 530.69 FEET; THENCE N09°35'14"E 511.38 FEET; THENCE N18°26'35" E 531.18 FEET; THENCE N68°55'24" E 2848.78 FEET; THENCE S71°46'34" E 742.39 FEET TO A POINT ON THE EASTERN LINE OF THE SNOWBASIN PARCEL 200430005; THENCE ALONG SAID EASTERN LINE FOLLOWING EIGHT (8) COURSES; 1) S15° 46' 51"E 255.46 FEET, 2) THENCE S00° 52' 38"E 356.66 FEET, 3) THENCE S15° 21' 47"E 399.23 FEET, 4) THENCE S29° 50' 57"E 970.88 FEET, 5) THENCE S15° 56' 27"E 375.43 FEET, 6) THENCE S02° 17' 25"E 342.90 FEET, 7) THENCE S10° 59' 50"W 1161.11 FEET, 8) THENCE S00° 47' 25"W 355.40 FEET, THENCE N73°57'25" W

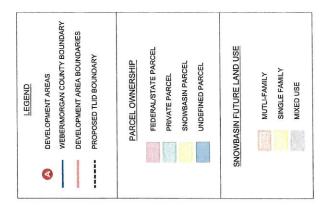
411.26 FEET, THENCE S37°00'03" W 1512.73 FEET; THENCE S56°56'38" W 717.90 FEET; THENCE S17°41′58" W 1358.28 FEET TO A POINT ON THE SOUTHERN LINE OF SAID PARCEL; THENCE ALONG SAID SOUTHERN LINE S87° 32' 57"W 2833.40 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE ALONG SAID WESTERN LINE OF PARCEL FOLLOWING TWENTY-NINE (29) COURSES N00° 14' 07"E 4392.10 FEET; 1) THENCE N89° 45' 53"W 1506.67 FEET, 2) THENCE N00° 40' 10"W 1067.86 FEET, 3) THENCE N89° 45' 53"W 2042.19 FEET, 4) THENCE NO0° 14' 07"E 1183.89 FEET, 5) THENCE S89° 45' 53"E 344.04 FEET, 6) THENCE NO6° 34' 44"E 56.48 FEET, 7) THENCE NO7° 17' 09"E 86.76 FEET, 8) THENCE N10° 25' 50"E 79.99 FEET, 9) THENCE N14° 59' 32"E 71.55 FEET, 10) THENCE N17° 33' 56"E 65.90 FEET, 11) THENCE N12° 45' 32"E 111.76 FEET, 12) THENCE N09° 32' 26"E 156.88 FEET, 13) THENCE N15° 47' 55"E 214.44 FEET, 14) THENCE N13° 15' 45"E 89.45 FEET, 15) THENCE N06° 38' 09"E 55.26 FEET, 16) THENCE N02° 02' 02"W 80.63 FEET, 17) THENCE NO6° 46' 19"W 244.59 FEET, 18) THENCE NO1° 49' 57"E 74.17 FEET, 19) THENCE NO5° 40' 31"E 87.81 FEET, 20) THENCE N12° 40' 46"E 77.78 FEET, 21) THENCE N05° 46' 45"E 64.17 FEET, 22) THENCE NO0° 01' 14"W 74.91 FEET, 23) THENCE N06° 25' 35"W 55.54 FEET, 24) THENCE N14° 36' 38"E 14.61 FEET, 25) THENCE S89° 43' 52"E 856.83 FEET, 26) THENCE N24° 12' 58"E 302.00 FEET, 7) THENCE NO3° 01' 48"W 351.16 FEET, 28) THENCE N10° 27' 16"E 137.56 FEET, 29) THENCE N61° 00' 58"E 39.82' FEET TO THE POINT OF BEGINNING

CONTAINING 44,076,407.21 SQ. FT. OR 1,011.855 ACRES

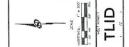
# EXHIBIT "B" Map of the Property to be Included within the Boundaries of the District











DATE: 10.06.2021	00.005-61 (Wagmen 605.33)
DATE. 10 06 2021	TCC JOB NUMBER; 19-300-06
YSIN BESOBT	SNOWB
TRAPPERS LOOP IMPROVEMENT DISTRICT	



Ricky D. Hatch, CPA Clerk/Auditor

To:

Jim Hill, Vice President

Grand America Hotels and Resorts

555 South Main Street Salt Lake City, UT 84111 David Hirasawa 1335 E. Perry Ave. Salt Lake City, UT 84103

Dear Jim Hill and David Hirasawa,

The Weber County Clerk/Auditor's Office has received a petition for the creation of a local improvement district, pursuant to Utah Code Ann. § 17B-1-203, for the provision of water services in the Snowbasin Resort area of unincorporated Weber County, which area is more particularly described in the petition. The petition was signed by 100% of the owners of property located within the proposed district boundary. I hereby certify that the petition complies with the requirements of Utah Code Ann. §§ 17B-1-203(1)(a), -205(1), and -208. A copy of this certification will be delivered to the Weber County Commission and the contact sponsor.

Sincerely,

A Ricky Hatch, CPA

Weber County Clerk Auditor



## **Utah Retirement Systems**

#### **Retirement Office**

560 East 200 South | Salt Lake City, UT 84102-2021 801-366-7700 | 800-365-8772 | Fax: 801-366-7734 www.urs.org

Daniel D. Andersen Executive Director

#### **PEHP Health & Benefits**

560 East 200 South | Salt Lake City, UT 84102-2004 801-366-7500 | 800-365-8772 | Fax: 801-366-7596 www.pehp.org

R. Chet Loftis
Managing Director

January 3, 2022

Sent Via Email to: bquinney@co.weber.ut.us

Trappers Loop Water Improvement District c/o Brandan K. Quinney 2380 Washington Blvd., Suite 230 Ogden, UT 84401

RE: Eligibility for Participation of a Newly Created Entity in the Utah State Retirement Systems

Dear Mr. Quinney:

When a governmental entity is being incorporated or created, Utah law requires the Utah State Retirement Office ("Office") to provide a letter to that entity identifying the potential provisions under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act ("Retirement Act"), with which it shall comply. See Utah Code Ann. § 67-1a-6.5(3)(d). This letter serves as the official notice for Trappers Loop Water Improvement District, a newly created improvement district.

Based upon the information provided, the Office has determined that Trappers Loop Water Improvement District is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as an improvement district. Accordingly, Trappers Loop Water Improvement District must comply with the participation requirements of the Retirement Act.

This does not mean that Trappers Loop Water Improvement District must provide retirement benefits to its employees. However, at the present time and throughout the future, Trappers Loop Water Improvement District is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.

Trappers Loop Water Improvement District may not currently have employees or may have not yet elected to provide a retirement benefit to its employees. Please be aware, it is not the obligation of the Office to monitor the activities of Trappers Loop Water Improvement District. By law, it is Trappers Loop Water Improvement District's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.

Once Trappers Loop Water Improvement District begins participation with URS, its public employees will be covered under either the Tier 1 or Tier 2 public employee retirement systems, as described in the Retirement Act. If Trappers Loop Water Improvement District employs public safety or firefighter service employees, those employees will be covered under the separate Tier 1 or Tier 2 systems for public safety and/or firefighter service employees described in the Retirement Act.

In addition, Participating Employers of URS are required by Utah Code Ann. § 49-11-606 to "cover all employees eligible for service credit under this title." As such, once admitted as a participating employer, Trappers Loop Water Improvement District will be required to cover all eligible employees, pursuant to the eligibility rules found in the Retirement Act.

Please note that the above-referenced laws are those used to determine eligibility for participation and are not the only laws with which a participating employer must comply. Participating employers are required to "inform themselves of their rights and obligations" under Title 49 and should become familiar with all provisions of the Retirement Act. Once Trappers Loop Water Improvement District is admitted into the system, URS provides education about the requirements with which Trappers Loop Water Improvement District must comply as a participating employer.

Additionally, please be aware that should Trappers Loop Water Improvement District fail to participate with URS while offering another retirement benefit to its employees, Trappers Loop Water Improvement District's employees may have a claim against it for service credit under the Retirement Act, which the Office is required to enforce. Under the Retirement Act, such a claim would include all past employer contributions, interest, and in some cases, penalties. See Utah Code Ann. § 49-11-601(3).

Please do not hesitate to contact me if you have any questions.

Sincerely,

/s/ Daniel D. Andersen

Daniel D. Andersen Executive Director Utah State Retirement Office

cc: Dee Larsen, URS General Counsel James D. Hammer, URS Employer Services Director

