

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF INCORPORATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office, a Notice of Impending Boundary Action complying with Section §10-2a-217, Utah Code Annotated, 1953, as amended, pertaining to the Incorporation known as LAKE POINT, located in TOOELE COUNTY, State of Utah,

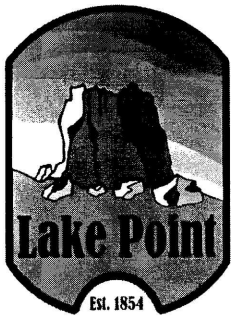
Now, therefore, pursuant to Section §10-2a-217, Utah Code Annotated, 1953, as amended, notice is hereby given to all whom it may concern, LAKE POINT is hereby incorporated as a CITY OF THE FIFTH CLASS, effective as of this date December 21, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21st day of December, 2022 at Salt Lake City, Utah.



A handwritten signature in black ink that reads 'Deidre M. Henderson'.

DEIDRE M. HENDERSON
Lieutenant Governor



December 8, 2022

Lake Point
Jonathan Garrard
City Council Chair/Acting Mayor
vote4garrard@yahoo.com

Utah Lieutenant Governor Diedre Henderson
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

RE: Lake Point Incorporation Materials

To whom it may concern:

Attached to this cover letter are 3 documents:

- Utah Retirement System Letter
- Notice of Impending Boundary Action
- Final Local Entity Plat for Lake Point

Please do not hesitate to contact our City Council Vice Chairman Ryan Zumwalt at (385-414-3935) with any questions or concerns. I have designated him to oversee this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Garrard". The signature is fluid and cursive, with a large loop at the end.

Jonathan Garrard

**UTAH LIEUTENANT GOVERNOR DIEDRE HENDERSON
NOTICE OF IMPENDING BOUNDARY ACTION
INCORPORATION OF LAKE POINT**

The undersigned as the duly elected City Council Chair (“Mayor”) of Lake Point, pursuant to Utah Code Sections 10-2a-217 and 67-1a-6.5(3), hereby submits to the Lieutenant Governor the following Notice of Impending Boundary Action for Lake Point. The type of boundary action for which an applicable certificate is sought is to incorporate Lake Point as a municipality, to establish the municipal boundaries of Lake Point, and obtain a certificate of incorporation.

SECTION ONE

The name of the City being incorporated shall be Lake Point

SECTION TWO

The initial corporate boundaries of Lake Point shall be as described on the attached approved Final Local Entity Plat.

SECTION THREE

The powers of a government shall be vested in a council consisting of five members of equal authority, one of which is a mayor, pursuant to Utah Code 10-3b-401.

SECTION FOUR

Pursuant to Utah Code Section 10-2-301 the initial classification for Lake Point based on its current population, shall be a city of the Fifth class.

SECTION FIVE

Pursuant to Utah Code Section 67-1a-6.5(3)(e), the mayor elect, by signing below, as approving authority certifies all requirements applicable to incorporation of Lake Point have been met.

SECTION SIX

The canvass of the final election of city officials was conducted on November 22, 2022.

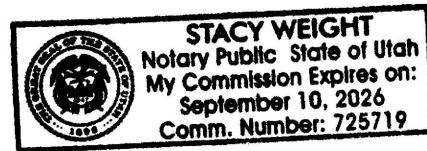
This Notice of Impending Boundary Action for the Incorporation of Lake Point is hereby signed and dated this 8th day of December, 2022.

Jonathan Garrard
Jonathan Garrard, Council Chair (Mayor Elect)

SUBSCRIBED AND SWORN to before me this 8th of December, 2022

Stacy K. Weight
Notary Public

My Commission expires: 09/10/2026



LAKE POINT FINAL LOCAL ENTITY PLAT

LOCATED IN SECTION 19, TOWNSHIP 1 SOUTH, RANGE 3 WEST & SECTIONS 24, 25, 26, 34, 35, 36,
TOWNSHIP 1 SOUTH, RANGE 4 WEST & AND SECTIONS 1, 2, 3, 10, 11, 12, TOWNSHIP 2 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY TOOELE COUNTY, UTAH
OCTOBER 31, 2022

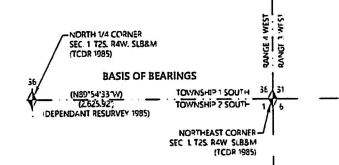
LEGEND:

	SECTION LINE
	1/4 SECTION LINE
	1/8 SECTION LINE
	PARCELS
	RAILROAD TRACKS
	LAKE POINT BOUNDARY
	MONUMENT

(TCOR 1998) TOOELE COUNTY DEPENDENT RESURVEY T2S RAW - 1998
ENTRY NO 123175

(TCOR 1995) TOOELE COUNTY DEPENDENT RESURVEY T2S RAW - 1995
ENTRY NO 35372

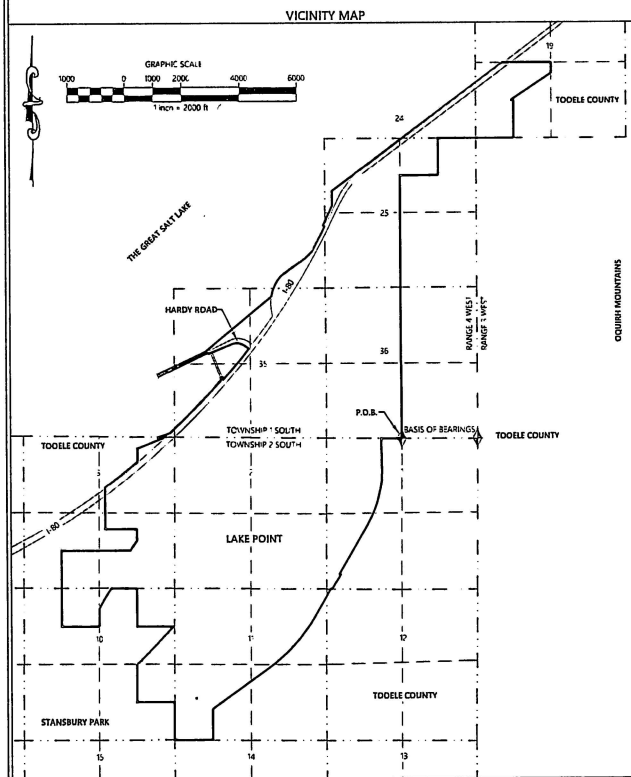
(B.L.M.) BUREAU OF LAND MANAGEMENT



BOUNDARY DESCRIPTION

A PARCEL OF LAND THAT INCLUDES THE AREA KNOWN AS LAKE POINT TOWNSHIP, BEING LOCATED IN TOWNSHIP 1 SOUTH, RANGE 4 WEST, AND TOWNSHIP 2 SOUTH, RANGE 4 WEST SALT LAKE BASE AND MERIDIAN, TOOELE COUNTY, STATE OF UTAH, BEING DESCRIBED AS THE FOLLOWING:

BEGINNINGS AT THE SOUTH QUARTER CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, TO THE EAST LINE OF THE UNION PACIFIC RAILROAD, THENCE SOUTH-SOUTHWESTERLY ALONG SAID EAST LINE TO THE EAST LINE OF THE SW 1/4 OF THE SW 1/4 OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SW 1/4 OF THE SW 1/4 OF SECTION 11, TO THE SOUTH-WEST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, TO THE SOUTH-WEST CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, AND THE EXTENSION THEREOF, TO THE NORTH-WESTERLY LINE OF CENTER STREET, THENCE NORTH-EASTERLY ALONG SAID NORTH-WESTERLY LINE OF CENTER STREET TO THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 10, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10 TO THE SOUTH-WEST CORNER OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10, THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10 TO THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 10, THENCE WESTERLY ALONG SAID NORTH LINE OF THE NE 1/4 OF SAID SECTION 10 TO THE EASTERN RIGHT-OF-WAY LINE OF SR-36, THENCE SOUTHWESTERLY ALONG SAID EASTERN RIGHT-OF-WAY LINE OF SR-36, TO THE EAST LINE OF THE NW 1/4 OF SAID SECTION 10, THENCE SOUTHERLY ALONG SAID EAST LINE OF THE NW 1/4 OF SECTION 10 TO THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 10, THENCE ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10, TO THE SW CORNER OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10, THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10, TO THE SW CORNER OF THE SE 1/4 OF THE SW 1/4 OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, THENCE CONTINUE NORTHERLY ALONG THE WEST LINE OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, TO THE NW CORNER OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, THENCE EASTERLY ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, TO THE NW CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 3, THENCE CONTINUE EASTERLY ALONG THE WEST LINE OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 3 TO THE SOUTHEAST CORNER OF THE LAKE POINT IMPROVEMENT DISTRICT PROPERTY (PARCEL# 05-021-0-0006), THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY, TO THE SOUTHWEST CORNER OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY, THENCE NORTHERLY ALONG THE WEST LINE OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY AND THE EXTENSION THEREOF TO THE NORTHERLY LINE OF THE I-89 FRONTAGE ROAD RIGHT-OF-WAY, THENCE NORTHERLY ALONG SAID NORTHERLY LINE OF I-89 FRONTAGE ROAD TO THE SOUTHWEST CORNER OF THE BROWNE CANYON RANCHING COMPANY PROPERTY, PARCEL# 05-071-0-0015, ENTRY NO. 189948, THENCE ALONG BROWNE CANYON RANCHING COMPANY PROPERTY THE FOLLOWING (2) CALLS: NORTHERLY ALONG THE WEST LINE TO THE NORTHWEST CORNER, THENCE EASTERLY ALONG THE NORTH LINE TO THE NORTH-EAST CORNER, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE CANNARY GARDNER & STEVEN C MILLOVIC LLC PROPERTY, PARCEL# 04-070-0-0065, ENTRY NO. 191241, THENCE ALONG SAID GARDNER & MILLOVIC PROPERTY THE FOLLOWING (2) CALLS: WESTERLY ALONG THE SOUTH LINE TO THE SOUTHWEST CORNER, THENCE NORTHERLY ALONG THE NORTHERLY LINE TO THE NORTH-EAST CORNER, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE I-89 FRONTAGE ROAD, THENCE NORTHEASTERLY ALONG SAID I-89 FRONTAGE ROAD TO THE SOUTHWESTERLY LINE OF HARDY ROAD, THENCE WESTERLY ALONG SAID HARDY ROAD TO THE END OF SAID HARDY ROAD, AND THE EAST LINE OF LAKE POINT LAND COMPANY LLC, PARCEL# 04-069-0-0008, ENTRY NO. 228626, THENCE NORTHERLY ALONG SAID EAST LINE TO THE NORTH-WESTERLY LINE OF SAID HARDY ROAD AND THE NORTH-EAST CORNER OF SAID PARCEL, THENCE EASTERLY ALONG SAID HARDY ROAD TO THE WEST CORNER OF THE SALT POINT LAND COMPANY LLC PROPERTY (PARCEL# 04-070-0-0087, ENTRY NO. 35054), THENCE NORTHEASTERLY ALONG THE WEST LINE OF SAID SALT POINT LAND COMPANY PROPERTY TO THE WESTERLY RIGHT-OF-WAY LINE OF THE I-89 OFF-RAMP, THENCE NORTHEASTERLY ALONG SAID I-89 RIGHT-OF-WAY LINE TO THE INTERSECTING EXTENSION OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE CENTER OF SAID SECTION 19, THENCE SOUTHERLY ALONG THE EASTERN LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 19, LESS AND EXCEPTING THE CENTER-CORNER UTAH COPPER CORP PROPERTY, PARCEL# 04-060-0-0005, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE NORTH-EAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, THENCE CONTINUE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 25 TO THE NORTH-EAST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 25, THENCE SOUTHERLY ALONG THE EAST LINE OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25 TO THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25 TO THE SOUTH-WEST CORNER OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25, THENCE SOUTHERLY ALONG THE SOUTH LINE OF SAID SECTION 25, THENCE SOUTHERLY ALONG THE NORTH-SOUTH CENTER QUARTER SECTION, LINES OF SECTIONS 25 AND 36 OF TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, TO THE SOUTH QUARTER CORNER OF SAID SECTION 36, SAID POINT ALSO BEING THE POINT OF BEGINNING, CONTAINS 2,882 ACRES.



PREPARED BY
RIDGELINE ENGINEERING & SURVEYING
1942 WEST 5400 SOUTH
TAYLORSVILLE, UTAH 84129
(801) 474-6466

UNDER THE DIRECTION OF
JOHN L. RIDDLE, P.L.S.
DRAWN BY **JULIA E. WAYNE**

TOOELE COUNTY SURVEYOR

APPROVED THIS 11 DAY OF November
A.D. 20 22 AS A FINAL LOCAL ENTITY PLAT BY TOOELE COUNTY SURVEYOR

[Signature]
TOOELE COUNTY SURVEYOR

LAKE POINT MAYOR

APPROVED THIS 8th DAY OF December
A.D. 20 22 BY LAKE POINT MAYOR

[Signature]
MAYOR LAKE POINT

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FILE # _____ DEPUTY, TOOELE COUNTY RECORDER

SURVEYOR'S CERTIFICATE:

I, JOHN L. RIDDLE, A LICENSED PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58 CHAPTER 22, AND HOLDING LICENSE NO. 537143 DO HEREBY CERTIFY THAT THIS INCORPORATION PLAT OF THE CITY OF LAKE POINT HAS BEEN MADE UNDER MY DIRECTION AND IN ACCORDANCE WITH SECTION 19-2-3(2) AND HAS BEEN CORRECTLY SHOWN TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF SAID INCORPORATION PLAT

[Signature]
JOHN L. RIDDLE, PLS #537143
DATE: NOVEMBER 3, 2022

ACCEPTANCE BY LEGISLATIVE BODY:

THIS IS TO CERTIFY THAT LAKE POINT CITY COUNCIL, TOOELE COUNTY, UTAH REQUESTED THAT SAID AREAS BE INCORPORATED AS TO CITY OF LAKE POINT, TOOELE COUNTY, UTAH AND THAT A COPY OF THE ORDINANCE OR RESOLUTION HAS BEEN PREPARED FOR FILING HERE WITHIN ACCORDANCE WITH THE PROVISIONS OF UTAH CODE, AND THAT THE SAME HAS BEEN APPROVED AND ACCEPTED THIS INCORPORATION OF THE AREAS AS SHOWN HEREON AS SAID CITY.

WITNESS AND OFFICIAL SEAL THE 8th DAY OF DEC 20 22

APPROVED: *[Signature]*
CITY CLERK

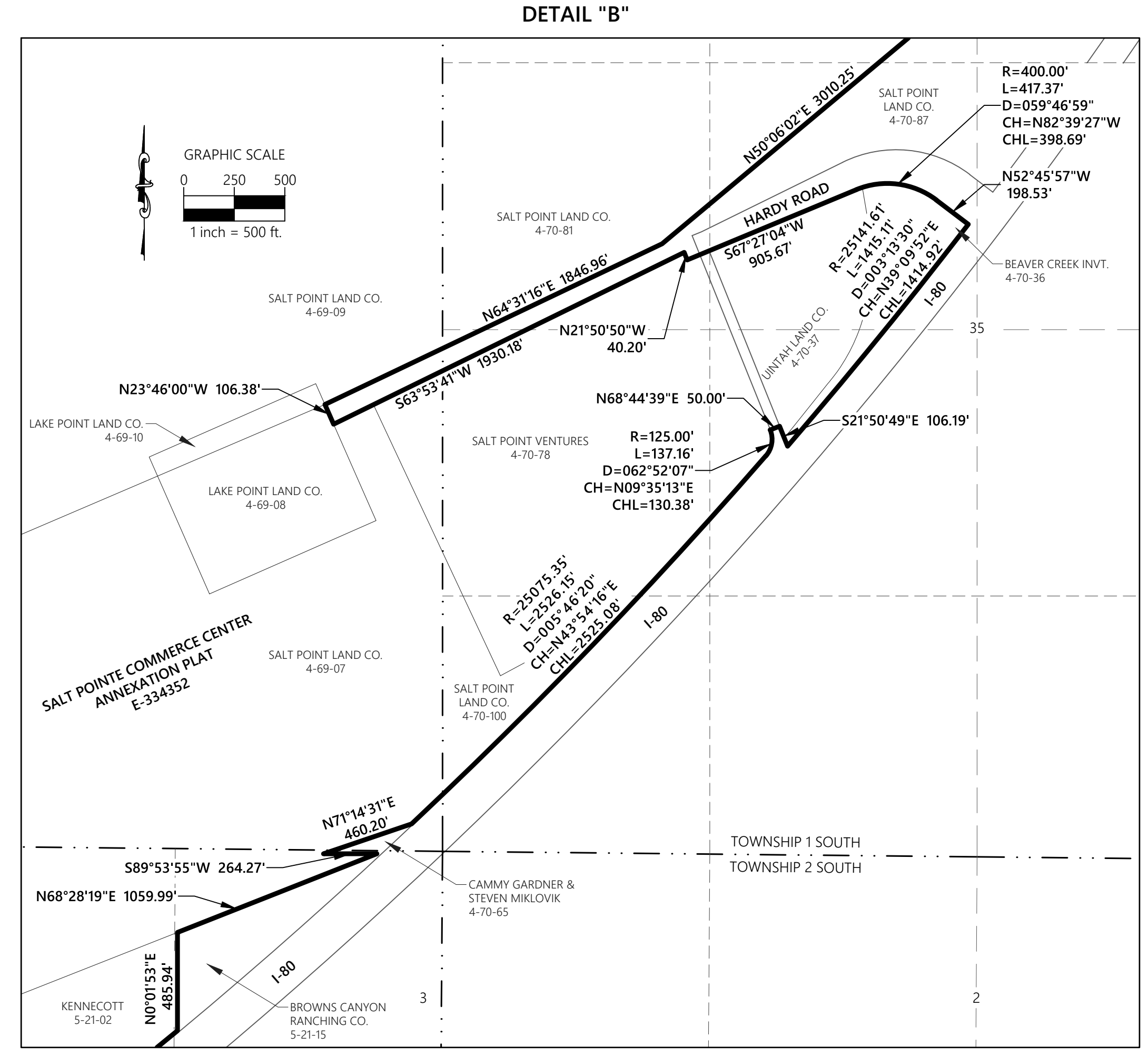
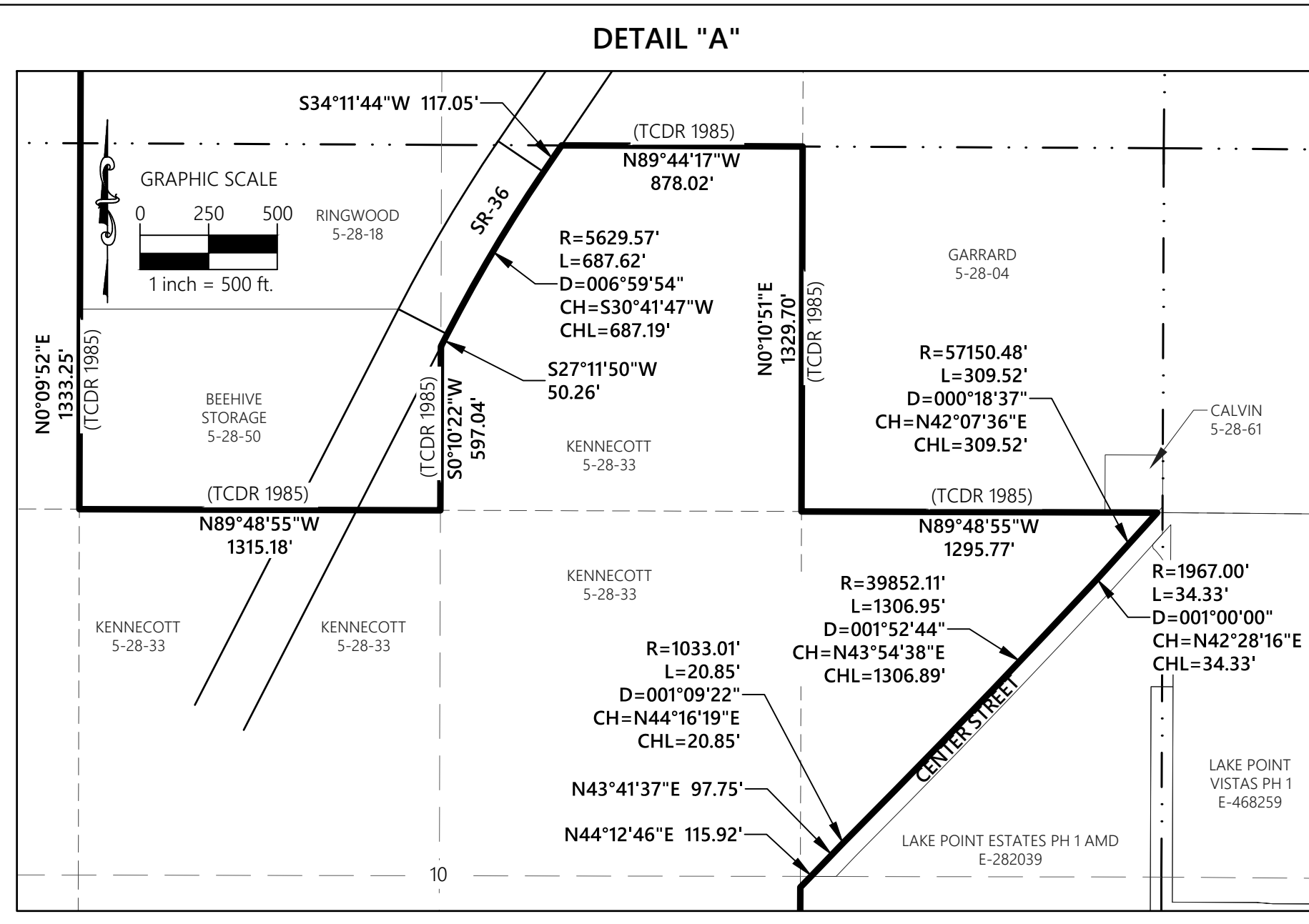
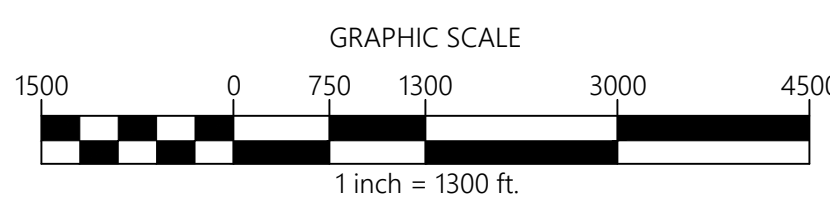
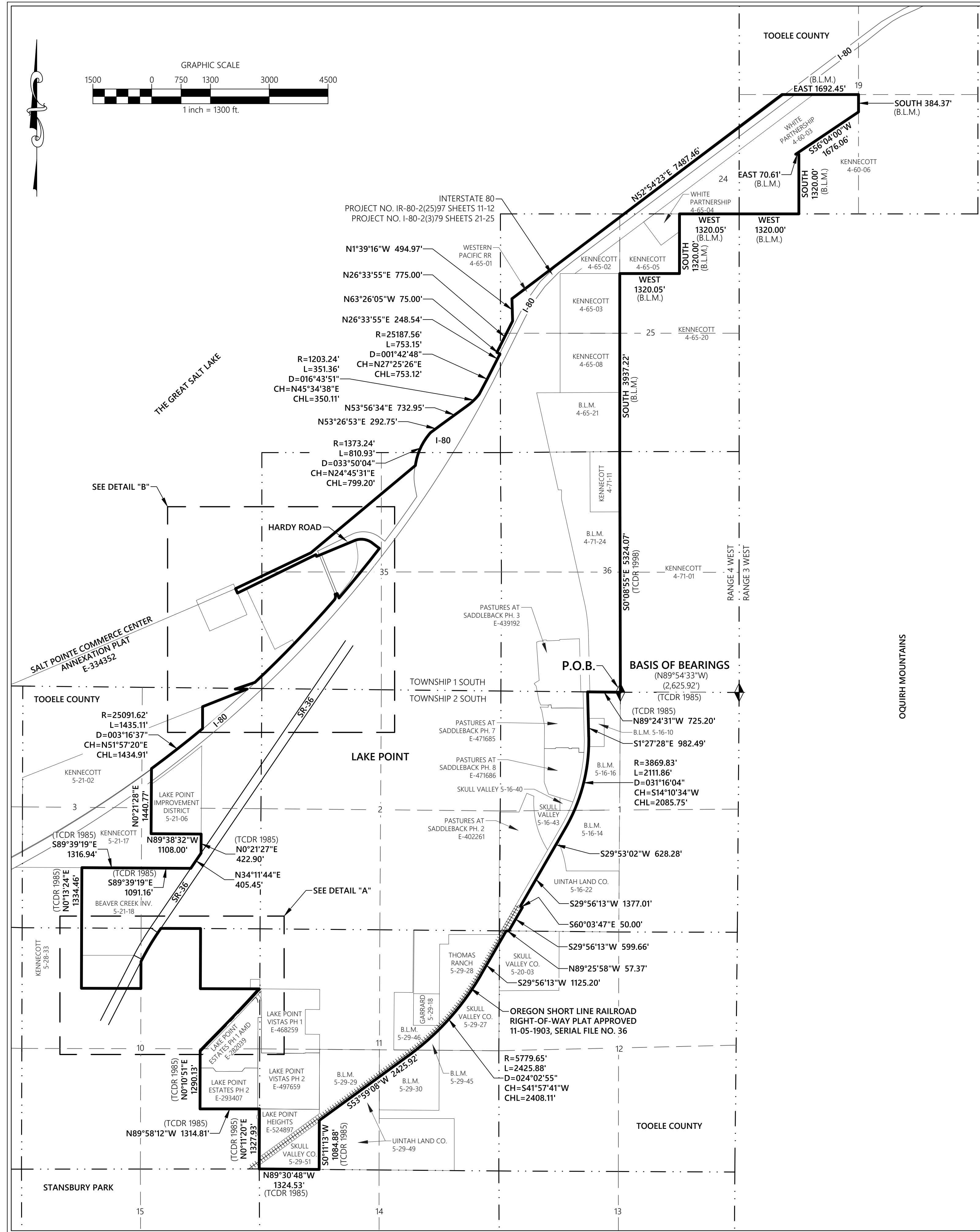
NARRATIVE:

- THE PURPOSE OF THIS FINAL LOCAL ENTITY PLAT IS TO ESTABLISH AND DELINEATE THE MUNICIPAL BOUNDARY OF LAKE POINT PURSUANT TO AN APPLICATION FILED ON NOVEMBER 8, 2022 BY A COMMITTEE OF UNINCORPORATED TOOELE COUNTY RESIDENTS.
- THE EFFECTIVE DATE OF THIS ANNEXATION WILL BE UPON ISSUANCE OF THE APPLICABLE CERTIFICATE BY THE LIEUTENANT GOVERNOR AND SUBSEQUENT RECORDING OF THE PLAT IN THE OFFICE OF THE TOOELE COUNTY RECORDER.
- SEPTEMBER 26, 2022 IS THE EFFECTIVE DATE FOR ALL PARCEL NUMBERS NOTED ON THIS PLAT.
- NO MONUMENTS WERE FOUND OR SET DURING THE PREPARATION OF THIS PLAT.
- RECORDED ANNEXATIONS, INCORPORATION PLATS, STATE COORDINATE & DEPENDENT RESURVEYS, FINAL ENTITY PLATS, DEEDS, SUBDIVISIONS, TAX MAPS, LOST RIGHT OF WAY DRAWINGS, BARR ROAD MAPS AND B.L.M. DOCUMENTS WERE USED TO ESTABLISH THE BOUNDARY.

LOCATED IN SECTION 19, T1S, R3W, & SECTIONS 24, 25, 26, 34, 35, 36, T1S, R4W, & SECTIONS 1, 2, 3, 10, 11, 12, T2S, R4W, S.L.B.M.

CITY OF LAKE POINT
TOOELE COUNTY, UTAH
FINAL LOCAL ENTITY PLAT

DATE: 10/27/2022



PREPARED BY:
RIDGELINE ENGINEERING & SURVEYING
 1942 WEST 5400 SOUTH
 TAYLORSVILLE, UTAH 84129
 (385) 474-6468
 UNDER THE DIRECTION OF:
JOHN L. RIDDLE, P.L.S.
 DRAWN BY: **JULIA E. WAYNE**

CITY OF LAKE POINT
 TOOELE COUNTY, UTAH
 FINAL LOCAL ENTITY PLAT

CLIENT: CITY OF LAKE POINT
 DWG: LAKE POINT FINAL ENTITY PLAT
 JOB No: LPCP-001

DRAWN BY: JEW
 DESIGN BY: JEW
 CHECKED BY: JLR
 DATE: NOV. 2022

REVISIONS

NO.	DATE	BY	DESCRIPTION

RIDGELINE ENGINEERING & SURVEYING
 1942 WEST 5400 SOUTH
 TAYLORSVILLE, UTAH 84129
 (385) 474-6468

CITY OF LAKE POINT
 TOOELE COUNTY, UTAH
 FINAL LOCAL ENTITY PLAT

LOCATED IN SECTION 19, T1S, R3W, &
 SECTIONS 24, 25, 26, 34, 35, 36, T1S, R4W, &
 SECTIONS 1, 2, 3, 10, 11, 12, T2S, R4W, SLB&M

SHEET:
 2 OF 2

A PARCEL OF LAND THAT INCLUDES THE AREA KNOWN AS LAKE POINT TOWNSHIP, BEING LOCATED IN TOWNSHIP 1 SOUTH, RANGE 4 WEST, AND TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE COUNTY, STATE OF UTAH, BEING DESCRIBED AS THE FOLLOWING:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 36, TO THE EAST LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EAST LINE TO THE EAST LINE OF THE SW 1/4 OF THE SW 1/4 OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SW 1/4 OF THE SW 1/4 OF SECTION 11, TO THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 11, TO THE SOUTHEAST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, TO THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10; THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 10, AND THE EXTENSION THEREOF, TO THE NORTHWESTERLY LINE OF CENTER STREET; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE OF CENTER STREET TO THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 10; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10 TO THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10; THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE NE 1/4 OF SECTION 10, TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 10; THENCE WESTERLY ALONG SAID NORTH LINE OF THE NE ¼ OF SAID SECTION 10, TO THE EASTERLY RIGHT-OF-WAY LINE OF SR-36; THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SR-36, TO THE EAST LINE OF THE NW 1/4 OF SAID SECTION 10; THENCE SOUTHERLY ALONG SAID EAST LINE OF THE NW 1/4 OF SECTION 10 TO THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 10; THENCE ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10, TO THE SW CORNER OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10; THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE NW 1/4 OF SECTION 10, TO THE SW CORNER OF THE SE 1/4 OF THE SW 1/4 OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN; THENCE CONTINUE NORTHERLY ALONG THE WEST LINE OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, TO THE NW CORNER OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SW 1/4 OF SECTION 3, TO THE NW CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 3; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SW 1/4 OF THE SE 1/4 OF SECTION 3, TO THE WESTERLY RIGHT-OF-WAY LINE OF SR-36; THENCE NORTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SR-36, TO THE WEST LINE OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 3; THENCE NORTHERLY ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 3 TO THE SOUTHEAST CORNER OF THE LAKE POINT IMPROVEMENT DISTRICT PROPERTY (PARCEL# 05-021-0-0006); THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY, TO THE SOUTHWEST CORNER OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LAKE POINT IMPROVEMENT DISTRICT PROPERTY AND THE EXTENSION OF, TO THE NORTHERLY LINE OF THE I-80 FRONTAGE ROAD RIGHT-OF-WAY; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE OF I-80 FRONTAGE ROAD TO THE SOUTHWEST

CORNER OF THE BROWNS CANYON RANCHING COMPANY PROPERTY (PARCEL# 05-021-0-0015, ENTRY NO. 189948); THENCE ALONG BROWNS CANYON RANCHING COMPANY PROPERTY THE FOLLOWING (2) CALLS: NORTHERLY ALONG THE WEST LINE TO THE NORTHWEST CORNER; THENCE EASTERLY ALONG THE NORTH LINE TO THE NORTHEAST CORNER, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE CAMMY GARDNER & STEVEN C MIKLOVIK LLC PROPERTY (PARCEL# 04-070-0-0065, ENTRY NO. 318124); THENCE ALONG SAID GARDNER & MIKLOVIK PROPERTY THE FOLLOWING (2) CALLS: WESTERLY ALONG THE SOUTH LINE TO THE SOUTHWEST CORNER; THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE TO THE NORTHEAST CORNER, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE I-80 FRONTAGE ROAD; THENCE NORTHEASTERLY ALONG SAID I-80 FRONTAGE ROAD TO THE SOUTHWESTERLY LINE OF HARDY ROAD; THENCE WESTERLY ALONG SAID HARDY ROAD TO THE END OF SAID HARDY ROAD AND THE EAST LINE OF LAKE POINT LAND COMPANY LC (PARCEL# 04-069-0-0008, ENTRY NO. 228626); THENCE NORTHERLY ALONG SAID EAST LINE TO THE NORTHWESTERLY LINE OF SAID HARDY ROAD AND THE NORTHEAST CORNER OF SAID PARCEL; THENCE EASTERLY ALONG SAID HARDY ROAD TO THE WEST CORNER OF THE SALT POINTE LAND COMPANY LC PROPERTY (PARCEL# 04-070-0-0087, ENTRY NO. 35054); THENCE NORTHEASTERLY ALONG THE WEST LINE OF SAID SALT POINTE LAND COMPANY PROPERTY TO THE WESTERLY RIGHT-OF-WAY LINE OF THE I-80 OFF-RAMP; THENCE NORTHEASTERLY ALONG SAID I-80 RIGHT-OF-WAY LINE TO THE INTERSECTING EXTENSION OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE CENTER OF SAID SECTION 19; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 19, LESS AND EXCEPTING THE KENNECOTT UTAH COPPER CORP PROPERTY (PARCEL# 04-060-0-0006); THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 19 TO THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN; THENCE CONTINUE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 25 TO THE NORTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 25; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25 TO THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4 OF SAID SECTION 25; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 25 TO THE SOUTHWEST CORNER OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 25, SAID POINT ALSO BEING ON THE NORTH-SOUTH CENTER QUARTER SECTION LINE OF SAID SECTION 25; THENCE SOUTHERLY ALONG THE NORTH-SOUTH CENTER QUARTER SECTION LINES OF SECTIONS 25 AND 36 OF TOWNSHIP 1 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, TO THE SOUTH QUARTER CORNER OF SAID SECTION 36, SAID POINT ALSO BEING THE POINT OF BEGINNING.

CONTAINS: 2,882 ACRES ±



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

November 16, 2022

Sent Via Email to: ryan.zumwalt@live.com

Lake Point City
c/o Ryan Zumwalt

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

Dear Mr. Zumwalt:

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 Lake Point City, a newly created municipal corporation.

Based upon the information provided, the Office has determined that Lake Point City is an “employer” under the Retirement Act as a political subdivision of the state by virtue of its status as a municipal corporation. Accordingly, Lake Point City must comply with the participation requirements of the Retirement Act.

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

Lake Point City 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 Lake Point City. By law, it is Lake Point City’s obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.

Once Lake Point City 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 Lake Point City 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, Lake Point City 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 Lake Point City is admitted into the system, URS provides education about the requirements with which Lake Point City must comply as a participating employer.

Additionally, please be aware that should Lake Point City fail to participate with URS while offering another retirement benefit to its employees, Lake Point City’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,

Daniel D. Andersen
Executive Director
Utah State Retirement Office

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