

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certifies that there has been filed in my office a notice of creation for the MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3, located in WEBER COUNTY, dated DECEMBER 7, 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 MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3, located in WEBER COUNTY, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 7th 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

NOTICE OF AN IMPENDING BOUNDARY ACTION

To the Lieutenant Governor, State of Utah

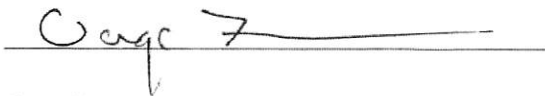
Pursuant to the provisions of Utah Code Ann. §17B-1-215 and § 67-1a-6.5, Weber County ("County"), a body politic and political subdivision of the State of Utah, hereby gives notice to the Utah Lieutenant Governor that a petition has been submitted to the County to create a public infrastructure district in accordance with the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated; which would be named the **Mount Ogden Public Infrastructure District No. 3**. The District is proposed to provide financing and construction of public infrastructure improvements to facilitate the expansion of the existing Snowbasin ski resort into a first-class, year-round destination resort. The petition has been certified by the County clerk under Section 17B-1-209.

The County hereby certifies that all of the legal requirements necessary for the creation of the Mount Ogden Public Infrastructure District No. 1 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 pursuant to Section 17D-4-201(2)(d); 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 pursuant to Section 17-23-20.

Dated this 1st day of December 2022.

BOARD OF WEBER COUNTY
COMMISSIONERS



Gage Froerer, Vice Chair

ATTEST



Ricky Hatch, County Clerk



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

December 1, 2022

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

Mount Ogden Public Infrastructure District No. 3
c/o Brandan Quinney
Deputy Weber County Attorney
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 Mount Ogden Public Infrastructure District No. 3, a newly created public infrastructure district.

Based upon the information provided, the Office has determined that Mount Ogden Public Infrastructure District No. 3 is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a public infrastructure district. Accordingly, Mount Ogden Public Infrastructure District No. 3 must comply with the participation requirements of the Retirement Act.

This does not mean that Mount Ogden Public Infrastructure District No. 3 must provide retirement benefits to its employees. However, at the present time and throughout the future, Mount Ogden Public Infrastructure District No. 3 is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.

Mount Ogden Public Infrastructure District No. 3 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 Mount Ogden Public Infrastructure District No. 3. By law, it is Mount Ogden Public Infrastructure District No. 3's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.

Once Mount Ogden Public Infrastructure District No. 3 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 Mount Ogden Public Infrastructure District No. 3 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, Mount Ogden Public Infrastructure District No. 3 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 Mount Ogden Public Infrastructure District No. 3 is admitted into the system, URS provides education about the requirements with which Mount Ogden Public Infrastructure District No. 3 must comply as a participating employer.

Additionally, please be aware that should Mount Ogden Public Infrastructure District No. 3 fail to participate with URS while offering another retirement benefit to its employees, Mount Ogden Public Infrastructure District No. 3’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,

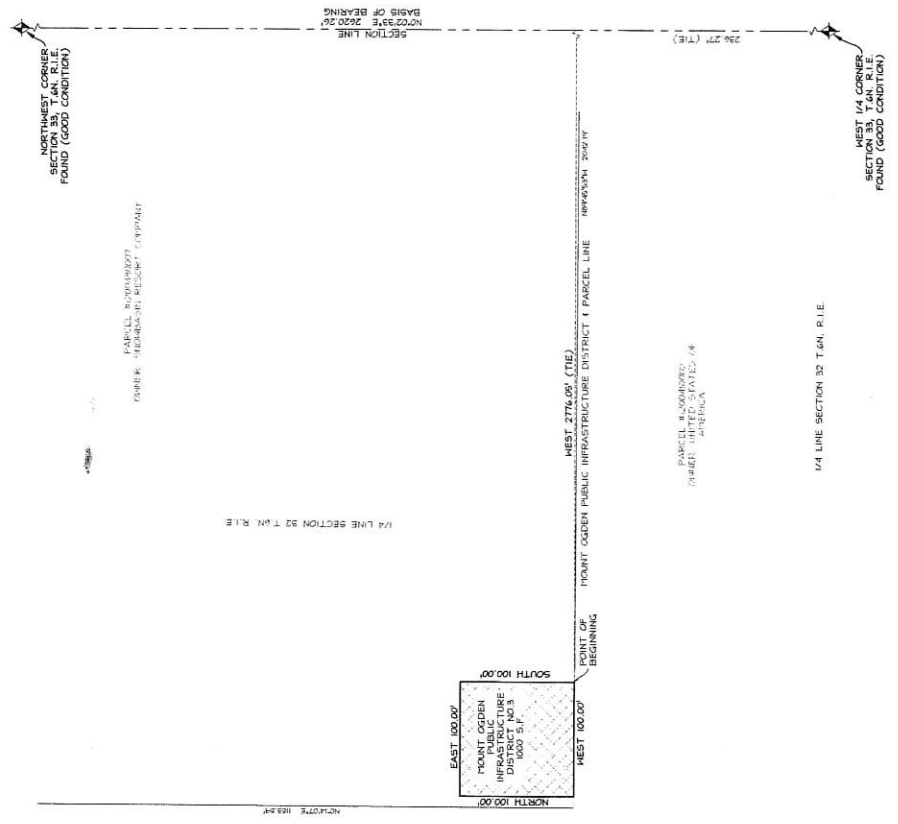
/s/ Daniel D. Andersen

Daniel D. Andersen
Executive Director
Utah State Retirement Office

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

LOCAL ENTITY PLAT - MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3, RESOLUTION NO. _____

A PARCEL OF LAND AT SNOWBUSH SKI RESORT SITUATED IN SECTION 32, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



MARTEL B. CARROLL
 SURVEYOR
 STATE OF UTAH

PARCEL 20240007
 MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3

SURVEYORS CERTIFICATE:
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF UTAH, AND THAT I HAVE PREPARED THIS PLAT AS A PROFESSIONAL SERVICE TO THE CLIENTS AND AS AN ENGINEER AND LAND SURVEYOR LICENSED UNDER THE PROFESSIONAL LAND SURVEYOR ACT, THE ANNEALED PLAT HAS BEEN MADE UNDER MY DIRECTION AND SUPERVISION AND THAT I AM A duly Licensed Professional Land Surveyor in the State of Utah. I, THE UNDERSIGNED, HAVE OBTAINED THE NECESSARY INFORMATION FROM THE HEBER COUNTY RECORDERS' OFFICE, SIGNED THIS 14TH DAY OF NOVEMBER, 2022.



Martel B. Carroll
 NATAN CHRISTENSEN
 PROFESSIONAL LAND SURVEYOR
 UTAH CERTIFICATE NO. 81974

NARRATIVE:
 THE PURPOSE FOR THIS PLAT IS TO SHAW AND MAP THOSE PARCELS OF LAND THAT ARE BEING ANNEXED INTO THE MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3. THIS PLAT WAS PREPARED ON NOVEMBER 9, 2022.

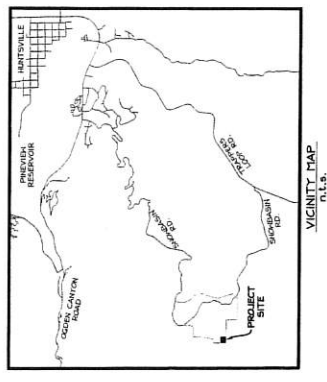
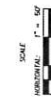
1. THIS PLAT IS COMPRISED OF RECORD INFORMATION FROM THE HEBER COUNTY RECORDERS' OFFICE. THIS IS NOT A LAND SURVEY.
 2. CONTAINING 1,000 SQUARE FEET, OR 0.0228 ACRES

BOUNDARY DESCRIPTION:
 THE BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 02°02'37" EAST, MEASURED BETWEEN THE ROUND MONUMENTS AT THE NORTHWEST CORNER, AND WEST 1/4 CORNER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 EAST, U.S. SURVEY FEET, AND MERIDIAN. THIS BEARING WAS MEASURED IN UTAH STATE PLANE NORTH ZONE, UTAH ZONE, U.S. SURVEY FEET.
 BEGINNING AT A POINT BEING NORTH 07°03'34" EAST 234.27 FEET, AND WEST 2776.05 FEET, FROM THE FOUND MONUMENT AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 1 EAST, U.S. SURVEY FEET, THENCE EAST 100.00 FEET, TO A POINT ON THE SOUTHWEST LINE OF PARCEL 20240007; THENCE NORTH 100.00 FEET; THENCE EAST 100.00 FEET, TO POINT OF BEGINNING.
 CONTAINING 10,000 SQ. FT. OR 0.23 ACRES

REFERENCED DOCUMENTS:
 1. US DEPARTMENT OF AGRICULTURE FOREST SERVICE, RECORD OF SURVEY NATION FOREST BOUNDARY, HEBER COUNTY SURVEYOR ENTRY #60857, APRIL 6, 2008
 2. GENERAL WARRANTY DEED RECORDED DECEMBER 30, 2004 AS ENTRY NO. 246212 OF OFFICIAL RECORDS.

LEGEND

- ROM MONUMENT
- SECTION CORNER AS NOTED
- PID BOUNDARY LINE
- SECTION LINE
- QUARTER SECTION LINE
- PARCEL LINE
- RIGHT OF WAY LINE



STATE OF UTAH, COUNTY OF HEBER,
 RECORDED AND FILED AT THE
 HEBER OFFICE:
 ENTRY NO. _____
 DATE _____ TIME _____
 BOOK _____ PAGE _____
 FEE \$ _____
 HEBER COUNTY RECORDERS

RECORDED 1
 MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICT NO. 3
 THIS PLAT IS APPROVED AS TO FORM BY THE OFFICIALS OF HEBER COUNTY, UTAH
 THIS 14TH DAY OF NOVEMBER, 2022.
 ATTEST: *Rebecca Z. Clark*
 TITLE: Heber County Clerk

I HEREBY CERTIFY THAT THE HEBER COUNTY SURVEYORS OFFICE HAS REVIEWED THIS PLAT AND THAT THE SURVEYORS OFFICE HAS BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE HEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED SURVEYOR WHO ENGAGED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITY ASSIGNED TO HIM/HER BY THE STATE OF UTAH.
 SIGNED THIS 14TH DAY OF NOVEMBER, 2022.
Martel B. Carroll
 HEBER COUNTY SURVEYOR