

STATE OF UTAH

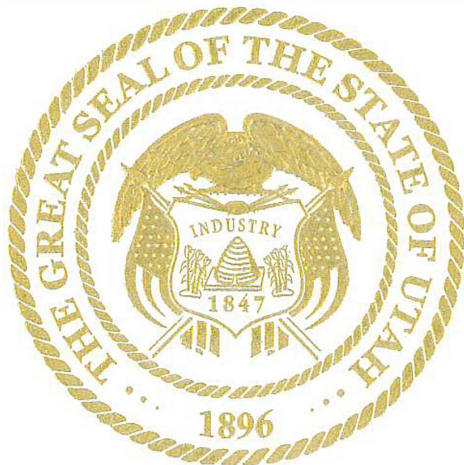


OFFICE OF THE LIEUTENANT GOVERNOR

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 adding the OPERATION OF PARKS OR RECREATION FACILITIES AND SERVICES for the ZION MOUNTAIN LOCAL SERVICE DISTRICT, located in KANE COUNTY, dated JANUARY 20, 2023, complying with Section §17B-2a-907 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 services added, referred to above, on file with the Office of the Lieutenant Governor pertaining to the ZION MOUNTAIN LOCAL SERVICE DISTRICT, located in KANE COUNTY, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 20th day of January, 2023 at Salt Lake City, Utah.

A handwritten signature in black ink, reading "Deidre M. Henderson".

DEIDRE M. HENDERSON
448Lieutenant Governor



Karla Johnson
Kane County Clerk/Auditor
76 N. Main
Kanab, UT 84741
435-644-2458

March 24, 2022

Karla Johnson
Kane County Clerk
76 North Main
Kanab, UT 84741

Andrew Gant, Chair
Kane County Commission
76 North Main
Kanab, UT 84741

Kevin McLaws
Contact Sponsor
1382 South 325 West
Hurricane, UT 84737

RE: Certification of Petition to Add Parks and Recreation Service to the Zion Mountain Local Service District

Dear Commissioner Gant and Kevin McLaws,

The County Clerk/Auditor's Office received a Petition from property owners in the Zion Mountain Local Service District requesting to add the service of "the operation of parks or recreation facilities or services" to the Zion Mountain Local Service District under Utah Code §17B-1-101 et.al. ("Petition")

The Petition includes many signatures purporting to be from a person authorized to sign on behalf of a property owner. Many of the properties are owned by companies. To the extent possible we have attempted to determine if the signature could reasonably represent the owners of the properties, managers, or have power of attorney to sign for the companies which own the properties. Under these circumstances, we cannot verify that many of the signatures are who they purport to be and that they are the actual person legally able to sign on behalf of the owners of the properties. Without a legal example of the person's signature, we are not making any attempt to verify those signatures as accurate.

The Kane County Auditor's Report to the State Tax Commission dated January 27, 2022, for the Tax cycle ending December 31, 2021, of which District 16 and 16-01 represent the Zion Mountain Local Service District present the following information;
Total taxable value of the locally and state assessed properties is \$22,168,689.00.
Total parcel count is 253.
Total Acreage is 3,378.4

The signatures set forth on the Petition represent the following within the boundaries of the Zion Mountain Local Service District:

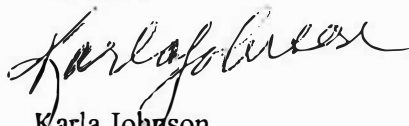
217 parcels which accounts for 84.10% of the total properties.

\$17,957,133 in taxable value which accounts for 81.00% of the total taxable value

3,280.11 acres which represents 97.09% of the total acreage.

Notwithstanding the limitations discussed above, I hereby certify that the Petition has met the requirements of Utah Code §§17B-1-203(1)(a), 205(1), and 208(2), (3), &(4) and that it complies with Utah Law in all material respects. Furthermore, I certify that no election is required under Utah Code §17B-1-214 because the Petition has met the requirements of Utah Code §17B-1-214(3).

Sincerely,

A handwritten signature in cursive script, appearing to read "Karla Johnson".

Karla Johnson

Kane County Clerk/Auditor

**PETITION TO ADD PARKS AND RECREATION SERVICE
TO ZION MOUNTAIN LOCAL SERVICE DISTRICT**

TO THE CLERK OF KANE COUNTY AND KANE COUNTY COMMISSIONERS,
GREETINGS:

We, the undersigned owners¹ of private real property within the boundaries of the Zion Mountain Local Service District, a Utah local service district situated within Kane County, Utah, for which a Certificate of Creation was signed by Spencer J. Cox, Lieutenant Governor of the State of Utah, on April 29, 2019, and recorded with the Kane County Recorder as Entry Number 00183566, in Book 511, at Page 198, on May 13, 2019, and pursuant to Utah Code Ann. §§ 17B-1-205 and -208, and following the adoption of Kane County Resolution No. R-2022-15, “A Resolution Responding to the Request to Add Parks and Recreation Service to the Zion Mountain Local Service District,” adopted February 22, 2022, by the Kane County Commission, hereby petition as follows:

1. That the service of “the operation of parks or recreation facilities or services” as authorized in Utah Code Ann. § 17B-1-202(1)(a)(viii) be provided by Zion Mountain Local Service District to the property owners who reside and members of the public who recreate within and upon certain properties comprising a portion of the Zion Mountain Local Service District;
2. That the aforesaid additional service is for the operation of a public visitor’s center on approximately 20 acres of land situated near the east entrance to Zion National Park along State Route 9 East, which public visitor’s center will provide various public amenities including some or all but not limited to the following: a visitor building and orientation center providing hikers’ permit area, junior ranger program, Zion Canyon Field Institute, emergency/first aid station, and retail shopping; a parking lot; and a national park shuttle stop;
3. That the Clerk of Kane County certify this Petition as provided in Utah Code Ann. § 17B-1-209 by (1) determining that it complies in all material respects with requirements of Utah Code Ann. §§ 17B-1-203(1)(a), (b), or (c), as the case may be, 17B-1-205(1), and 17B-1-208; (2) thereafter certify to the Kane County Commission

¹ All statutorily required signatures were affixed to the Request to Add Parks and Recreation Service to Zion Mountain Local Service District, dated December 20, 2021 (the “Request”), which was acknowledged and certified by the Kane County Clerk by letter, dated January 6, 2022. The Request contained the following statement: “In accordance with Utah Code Ann. § 17B-1-207, by affixing your signature on one of the following pages to this Request, you acknowledge that your signature, unless later withdrawn by you, may be used to fulfill the signature requirements of a later petition to add the service contemplated by this Request.” Accordingly, the signatures from the Request are incorporated by reference for this Petition.

**PETITION TO ADD PARKS AND RECREATION SERVICE
TO ZION MOUNTAIN LOCAL SERVICE DISTRICT**

and the Petition sponsors that the Petition complies in all material respects with Utah law;

4. That the Clerk of Kane County thereafter certify that no valid protest was filed as allowed by Utah Code Ann. § 17B-1-213 and, therefore, no election is necessary under Utah Code Ann. §§ 17B-1-214; and
5. That following certification of this Petition as set forth above, the Clerk of Kane County or the Kane County Commission, as applicable, shall in conformity with Utah Code Ann. § 17B-1-215 file this Petition and all other required documents with the Office of the Lieutenant Governor of Utah and, thereafter, file with the Recorder for Kane County all required documents.

To facilitate the foregoing Petition, we, the undersigned owners² of private real property within the boundaries of the Zion Mountain Local Service District, hereby designate and provide the following information:

1. Attached hereto as **Exhibit 1** is a list of all parcels comprising the Zion Mountain Local Service District, which includes the serial/tax identification numbers and residence or mailing addresses for all owners for all of the parcels;
2. Attached hereto as **Exhibit 2** is the legal description of the Zion Mountain Local Service District; and
3. Attached hereto as **Exhibit 3** is a map of the Zion Mountain Local Service District.

The following five property owners within Zion Mountain Local Service District, who are managers, officers, trustees, or other persons with legal authority to bind entity property owners, are hereby designated as the sponsors of this Petition:

1. Kevin McLaws (Contact Sponsor) 2/24/22
Date:
1382 S 325 W 435-632-6310
Mailing Address: Telephone:
2. _____
Mike Holyoak (Additional Sponsor) _____
Date:

Mailing Address: Telephone:

² See Note 1, *supra*.

PETITION TO ADD PARKS AND RECREATION SERVICE
TO ZION MOUNTAIN LOCAL SERVICE DISTRICT

Mailing Address:

Telephone:

3.


Stacy McLaws (Additional Sponsor)

Date:

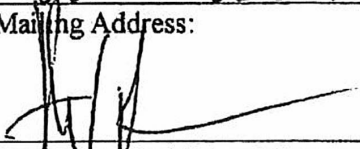
2/24/2022

435-632-8347

1382 S 325 W Hurricane UT 84737
Mailing Address:

Telephone:

4.


Stan Plewe (Additional Sponsor)

Date:

24 FEB 2022

657 E 550 S Circle
Mailing Address:

Telephone:

435-669-6246

5.


Barbara Plewe (Additional Sponsor)

Date:

2/24/2022

656 E 550 South Cir St George UT
Mailing Address:

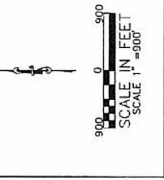
Telephone:

435-669-2245



ZION MOUNTAIN LOCAL SERVICE DISTRICT BOUNDARY PLAT
 EAST ZION, KANE COUNTY, UTAH

DATE: 3/26/19
 REVISIONS: [Table with 2 columns: REV, DESCRIPTION]
 INITIAL SUBMITTAL
 DRAWN BY: MJS
 SCALE: 1"=900'
 SHEET: 1 OF 2



ZION MOUNTAIN LOCAL SERVICE DISTRICT BOUNDARY PLAT
 KANE COUNTY, UTAH
 LOCATED IN SECTIONS 9, 10, 13, 14, 15, 16, 21, 22, 23, AND 24
 TOWNSHIP 41 SOUTH, RANGE 9 WEST,
 SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE
 I, Thomas W. Aveni, a Professional Land Surveyor, License Number 5561917, hold this license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey and boundary plat in accordance with the provisions of the Act. I have personally verified all measurements and have placed monuments as represented on this District Boundary Plat.
 Thomas W. Aveni, P.L.S. # 5561917
 Date: 3/26/19



COUNTY SURVEYOR CERTIFICATE
 I, Thomas W. Aveni, Kane County Surveyor, do hereby certify that this office has examined the above Boundary Plat and have determined that it is correct and accurate. I have also determined that this office and I have not been employed by any other person or persons on the day of March 26, 2019.
 Thomas W. Aveni
 Kane County Surveyor
 Kane County, Utah

By the Kane County Commission
 The Kane County Commission has reviewed the above Boundary Plat and has determined that it is correct and accurate. I have also determined that this office and I have not been employed by any other person or persons on the day of March 26, 2019.
 Kane County Recorder
 Kane County, Utah

CERTIFICATE OF RECORDING
 Recorder of Kane County, do hereby certify that above Boundary Plat was filed for recording in my office this day of March, 2019.
 Kane County Recorder ENTRY NO. _____
 RECORDED AND FILED AT THE _____
 DATE TIME BOOK PAGE FEE

