

STATE OF UTAH

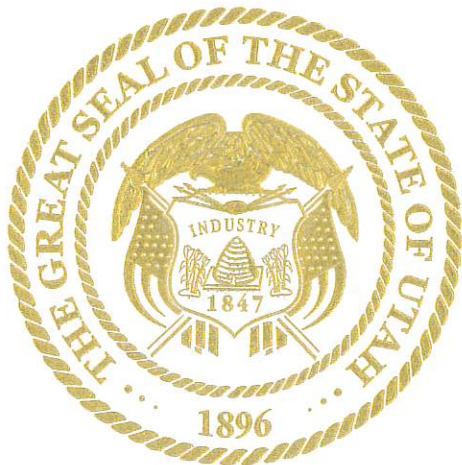


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation known as the RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2 PLAT B & F, located in PAYSON CITY, dated FEBRUARY 16, 2023, complying with Section §17B-1-414 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 RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2 PLAT B & F, located in UTAH COUNTY, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 16th day of February, 2023 at Salt Lake City, Utah.

DEIDRE M. HENDERSON
Lieutenant Governor

NOTICE OF IMPENDING BOUNDARY ACTION

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Directors of Red Bridge Public Infrastructure District No. 2, Utah, acting in its capacity on 2 February 2023, adopted Resolution- Annexation of Properties Into District, a true and correct copy of which is attached hereto and incorporated by this reference herein (the "Annexation Resolution").

WHEREAS the property owners have petitioned the board to be annexed into the Red Bridge Public Infrastructure District No. 2.

WHEREAS the Board Red Bridge Public Infrastructure District No. 2, hereby certifies that, pursuant to Utah Code Ann. § 17B-1 and § 17B-2a, all legal requirements applicable to the Annexation Resolution, have been met.

THEREFORE, the Board of Directors of Red Bridge Public Infrastructure District No. 2, hereby respectfully requests the annexation of the properties herein identified, pursuant to and in conformance with the provisions of Utah Code Ann. § 17B-1 and § 17B-2a

DATED this 6th day of February 2023.

BOARD OF DIRECTORS,
RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2

Joseph A. Spencer

SignNow e-signature ID: b90b0adbc3...
02/06/2023 23:41:27 UTC

Joseph A. Spencer, Chair

ATTEST:

Sheila Michaelis

SignNow e-signature ID: a0427ff62a...
02/07/2023 00:16:20 UTC

SHEILA MICHAELIS

District Clerk

RESOLUTION – ANNEXATION OF PROPERTIES INTO DISTRICT

A RESOLUTION AUTHORIZING THE ANNEXATION OF PROPERTIES INTO
THE DISTRICT

WHEREAS, the City of Payson, Utah (the “City”) created Red Bridge Public Infrastructure District No. 2 (the “District”) pursuant to the Governing Document for the District (the “Governing Document”);

WHEREAS, the Governing Document included the consent of the City to annex certain properties into the boundaries of the District set forth in the Governing Document (the “Annexation Area”);

WHEREAS, the District has received the petitions attached hereto as *Exhibit A* (the “Petitions”) from property owners (“Petitioners”) desiring to be annexed into the boundaries of the District (the “Petitioning Properties”) in order to assist in the financing of public infrastructure relating to the development of property in the District (the “Improvements”);

WHEREAS, all of the Petitioning Properties are located in the Annexation Area; and

WHEREAS, the Board of Trustees of the District (the “Board”) desires to annex the Petitioning Properties into the boundaries of the District;

NOW, THEREFORE, Be it Resolved by the Board of Trustees of Red Bridge Public Infrastructure District No. 2, as follows:

Section 1. The Petitioning Properties set forth in *Exhibit A* hereto are hereby authorized to be annexed into the boundaries of the District and, upon annexation, shall be subject to any property tax levied by the District.

Section 2. The officers, employees and agents of the District shall take all action necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all action necessary in conformity with Utah law.

Section 3. The Board hereby ratifies, confirms and approves all actions heretofore taken by the officers and agents of the District relating to the transactions contemplated hereby.

Section 4. It is hereby declared that all parts of this resolution are severable, and 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 any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this resolution.

Section 5. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this resolution shall be in full force and effect immediately upon its adoption.

APPROVED AND ADOPTED this February 2, 2023.

Joseph A. Spencer

SignNow e-signature ID: 861e9716ce...
02/02/2023 17:34:13 UTC

By _____

Chair

COUNTERSIGN AND ATTEST:

Sheila Michaelis

SignNow e-signature ID: 12c4a70e05...
02/02/2023 18:13:43 UTC

By _____

District Clerk

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting was adjourned.

RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT
No. 2, UTAH

Joseph A. Spencer

SignNow e-signature ID: a1b9b11127...
02/02/2023 17:34:13 UTC

By _____

Chair

ATTEST:

Sheila Michaelis

By _____

SignNow e-signature ID: 6b9281016d...
02/02/2023 18:13:43 UTC

District Clerk

EXHIBIT A

COPIES OF PETITIONS

**PETITION REQUESTING ANNEXATION INTO
RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2**

November 27, 2020

Red Bridge Public Infrastructure
District No. 2
Attention: Joe Spencer
754 E 1200 North Pleasant Grove,
UT 84062

The undersigned Towne & Country Investments, LLC (the "*Petitioner*") hereby requests inclusion of the property described in *Exhibit A* (the "*Property*") into Red Bridge Public Infrastructure District No. 2 (the "*District*") pursuant to the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17B, Chapter 2a, Utah Code Annotated 1953 (collectively, the "*Act*").

Section 1. Request for Annexation into Public Infrastructure District. The Petitioner hereby requests annexation by the District of the Property into District in order to assist in the financing of public infrastructure relating to the development of the Property as set forth in *Exhibit B* hereto.

Section 2. Petitioner.

- (a) The Petitioner is A Utah Limited Liability Company.
- (b) The designated contact person for the Petitioner is:

Chris Crowe, Mgr
P.O. Box 992
Orem, UT 84059
Phone: (801) 830-3590
E-mail: chris@ibinvesting.com

Section 3. Petitioner Representations. The undersigned, as Petitioner, hereby represents and warrants that:

- (a) The undersigned is authorized to sign on behalf of the undersigned Petitioner;

- (b) The Petitioner has taken all action necessary to execute and deliver the Petition;
- (c) The execution and delivery of the Petition by the Petitioner does not materially conflict with, violate or constitute on the part of the Petitioner a breach or violation of any of the terms and provisions of, or constitute a default under (i) an existing constitution, law or administrative rule or regulation, decree, order or judgment; (ii) any corporate restriction or any bond, debenture, note, mortgage, indenture, agreement or other instrument to which the Petitioner is a party or by which the Petitioner is or may be bound or to which any of the property or assets of the Petitioner is or may be subject; or (iii) the creation and governing instruments of the Petitioner, if applicable; and
- (d) To the knowledge of the Petitioner, there is no action, suit, proceeding, inquiry or investigation at law or in equity by or before any court or public board or body and to which the Petitioner is party, or threatened against the Petitioner wherein an unfavorable decision, ruling or finding would materially adversely affect the validity or enforceability or the execution and delivery by the Petitioner of the Petition.
- (e) The Petitioner is the sole owner of the Property.

Section 4. Petitioner Consent. The Petitioner hereby consents to:

- (a) The inclusion of the Property in the District;
- (b) A waiver of the residency requirement for members of the Board of Trustees of the District as permitted under Section 17B-2a-1205(3)(a) of the Act;
- (c) A waiver of the entirety of the protest period described in Section 17B-1-213 of the Act pursuant to Section 17B-2a-1204(2)(b) of the Act;
- (d) The levy by the District and all other public infrastructure districts within the boundaries of the District, collectively, of a property tax of not to exceed 0.010 per dollar of taxable value of taxable property within the District, and acknowledge that the Property will be subject to such tax;
- (e) The issuance by the District of bonds repayable through property taxes.

Section 5. Electronic Signatures; 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.

Section 6. Successors and Assigns. This Petition shall be binding upon the Petitioner and its successors and assigns.

IN WITNESS WHEREOF, the undersigned Petitioner has executed this Petition as on the date first hereinabove set forth.

Towne & Country Investments, LLC, a Utah
limited liability company

By Chris Crowe
Its Manager

EXHIBIT A

DESCRIPTION OF PROPERTY

Serial Number: 30:060:0085

Legal Description: COM N 0 DEG 32' 2" W 18.53 FT & S 89 DEG 26' 29" E 422.83 FT & N 0 DEG 34' 22" W 17.8 FT FR SW COR. SEC. 18, T9S, R2E, SLB&M.; N 0 DEG 34' 22" W 296.49 FT; E 88.03 FT; S 42 DEG 45' 14" E 237.7 FT; S 39 DEG 19' 57" E 144.08 FT; S 0 DEG 11' 16" W 9.34 FT; S 89 DEG 48' 14" W 337.72 FT TO BEG. AREA 1.497 AC.

EXHIBIT B

IMPROVEMENTS IN DISTRICT

Red Bridge Village #2 PID facilitates the construction and/or improvement of specific public roads providing access to properties in the above referenced area. The roads to be improved in PID Two include 1130 south from 1950 West to 1700 West, 1700 West from 1130 South to 800 South and 800 South from 1700 West to 1950 West. The improvements include storm drain, culinary water, secondary water, curb, gutter, sidewalks, dry utilities, public water rights, power, gas, street lighting, street landscaping, road preparation and paving.

**PETITION REQUESTING ANNEXATION INTO
RED BRIDGE PUBLIC INFRASTRUCTURE DISTRICT NO. 2**

January 31, 2023

City of Payson, Utah
Attention: City Recorder
495 West Utah Avenue
Payson, Utah 84651

Red Bridge Public Infrastructure
District No. 2
Attention: Chair
754 East 1200 North
Pleasant Grove, Utah 84062

The undersigned REDEVELOPMENT AGENCY OF PAYSON CITY, UTAH (the "*Petitioner*") hereby requests inclusion of the property described in *Exhibit A* (the "*Property*") into Red Bridge Public Infrastructure District No. 2 (the "*District*") pursuant to the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17B, Chapter 2a, Utah Code Annotated 1953 (collectively, the "*Act*").

Section 1. Request for Annexation into Public Infrastructure District. The Petitioner hereby requests annexation by the District of the Property into the District in order to assist in the financing of public infrastructure relating to the development of the Property, as permitted under the Act, including but not limited to the installation water, storm drain, and transportation infrastructure that will serve the District area (collectively, the "*Improvements*").

Section 2. Petitioner.

- (a) The Petitioner is REDEVELOPMENT AGENCY OF PAYSON CITY, UTAH.
- (b) The designated contact person for the Petitioner is:

William R. Wright, Chair
439 W Utah Ave
Payson, UT 84651
Phone: 801.465.5234
E-mail: mayor@payson.org

Section 3. Petitioner Representations. The undersigned, as Petitioner, hereby represents and warrants that:

- (a) The undersigned is authorized to sign on behalf of the undersigned Petitioner;

- (b) The Property is located within the boundaries of the Annexation Area of the District;
- (c) The Petitioner has taken all action necessary to execute and deliver the Petition;
- (d) The execution and delivery of the Petition by the Petitioner does not materially conflict with, violate or constitute on the part of the Petitioner a breach or violation of any of the terms and provisions of, or constitute a default under (i) an existing constitution, law or administrative rule or regulation, decree, order or judgment; (ii) any corporate restriction or any bond, debenture, note, mortgage, indenture, agreement or other instrument to which the Petitioner is a party or by which the Petitioner is or may be bound or to which any of the property or assets of the Petitioner is or may be subject; or (iii) the creation and governing instruments of the Petitioner, if applicable; and
- (e) To the knowledge of the Petitioner, there is no action, suit, proceeding, inquiry or investigation at law or in equity by or before any court or public board or body and to which the Petitioner is party, or threatened against the Petitioner wherein an unfavorable decision, ruling or finding would materially adversely affect the validity or enforceability or the execution and delivery by the Petitioner of the Petition.

- (f) There are no registered voters residing within the Property.
- (g) The Petitioner is the sole owner of the Property.

Section 4. Petitioner Consent. The Petitioner hereby consents to:

- (a) The inclusion of the Property in the District;
- (b) A waiver of the residency requirement for members of the Board of Trustees of the District as permitted under Section 17B-2a-1205(3)(a) of the Act;
- (c) A waiver of the entirety of the protest period described in Section 17B-1-213 of the Act pursuant to Section 17B-2a-1204(2)(b) of the Act;
- (d) The levy by the District and all other public infrastructure districts within the boundaries of the District, collectively, of a property tax of not to exceed 0.010 per dollar of taxable value of taxable property within the District, and acknowledge that the Property will be subject to such tax;
- (e) The issuance by the District of bonds repayable through property taxes.

Section 5. Electronic Signatures; 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.

Section 6. Successors and Assigns. This Petition shall be binding upon the Petitioner and its successors and assigns.

IN WITNESS WHEREOF, the undersigned Petitioner has executed this Petition as on the date first hereinabove set forth.

REDEVELOPMENT AGENCY OF PAYSON
CITY, UTAH

By 

Name: William R. Wright

Its: Chair

EXHIBIT A

DESCRIPTION OF PROPERTY

Serial Number: 30:060:0091

Legal Description: COM N 89 DEG 42' 17" E 998.59 FT & N 28.74 FT FR SW COR. SEC. 18, T9S, R2E, SLB&M.; N 825.81 FT; E 296.34 FT; S 0 DEG 29' 54" E 799.67 FT; ALONG A CURVE TO R (CHORD BEARS: S 44 DEG 39' 10" W 35.45 FT, RADIUS = 25 FT); S 89 DEG 48' 14" W 278.38 FT TO BEG. AREA 5.676 AC.

