

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of withdrawal for the CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1 located in IRON COUNTY, dated JULY 19, 2023, 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 withdrawal, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1, located in IRON COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 25th day of July, 2023 at Salt Lake City, Utah.




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

DEIDRE M. HENDERSON
Lieutenant Governor

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF TRUSTEES OF THE CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1:

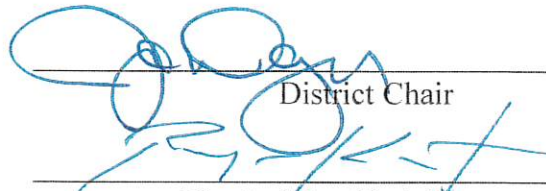
NOTICE IS HEREBY GIVEN that a special meeting of the Board of Trustees of the Chelsey Public Infrastructure District No. 1 will be held at 3:00 p.m. on July 19, 2023, for the purpose of consideration for adoption of a resolution authorizing the withdrawal out of the District of certain real property in Iron County (the "Subject Property") within the Chesley Public Infrastructure District No. 1 boundaries, and for the transaction of such other business incidental to the foregoing as may come before said meeting.



District Secretary/Clerk

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the members of the Board of Trustees of the Chelsey Public Infrastructure District No. 1, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.



District Chair



District Vice Chair/Treasurer



District Secretary/Clerk

July 19, 2023

The Board of Trustees (the "Board") of the Chelsey Public Infrastructure District No. 1 (the "District"), held a special meeting on July 19, 2023, at the hour of 3:00 p.m., with the following members of the Board being present, including by electronic means:

Joe Darger	District Chair
Ryan Kent	District Vice Chair/Treasurer
Dallas Buckner	District Secretary/Clerk

Also present:

Thomas Jolley	General Counsel
Ashley Tedesco	General Counsel Paralegal
Aaron Wade	Bond Counsel
Benjamin Wilhelm	Underwriter

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the District Secretary/Clerk presented to the Board a Certificate of Compliance with Open Meeting Law with respect to this July 19, 2023, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Ryan Kent and seconded by Joe Darger, was adopted by the following vote:

AYE: Ryan Kent, Joe Darger, Dallas Buckner

Unanimous ✓

NAY:

The resolution is as follows:

RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1 (THE “DISTRICT”), AUTHORIZING THE WITHDRAWAL OF CERTAIN PROPERTY WITHIN THE DISTRICT BOUNDARIES OUT OF THE DISTRICT; AND RELATED MATTERS.

WHEREAS, the District is a public infrastructure district and a political subdivision and body corporate and politic duly organized and existing under the Constitution and laws of the State of Utah (the “State”), including particularly Title 17B, Chapter 1 and Title 17D, Chapter 4 (collectively, the “PID Act”), Utah Code Annotated 1953, as amended Utah Code; and

WHEREAS, on March 8, 2023, the City Council of Cedar City, Utah (the “City”) did adopt a Creation Resolution (the “Creation Resolution”) authorizing the creation of the District, approving a Governing Document for the District (the “Governing Document”) and appointing the Board; and

WHEREAS, the Creation Resolution and Governing Document authorizes the District’s withdrawal of any area within the Initial District Boundaries (as defined in the Governing Document) out of the District without any further action of the Council or the City, upon the consent of 100% of all surface property owners within the Subject Property (defined below) and compliance with the terms of the PID Act and the Governing Document; and

WHEREAS, certain property owners, representing 100% of the owners of surface property within the Subject Property have petitioned to withdraw from the District.

WHEREAS, the District previously adopted a substantially similar resolution which authorized the withdrawal of certain property within the Initial District Boundaries, but said resolution was rejected by the Lieutenant Governor’s Office due to an untimely submittal.

NOW, THEREFORE, it is hereby resolved by the Board of Trustees of the Chelsey Public Infrastructure District No. 1, as follows:

Section 1. The Board hereby authorizes the withdrawal of certain real property in Iron County (the “Subject Property”), as identified in Exhibit B attached hereto, from the District.

Section 2. The Board hereby approves the Notice of Boundary Action attached hereto as Exhibit D (the “Boundary Notice”) and Final Entity Plat for the District attached hereto as Exhibit C (the “Plat”) and authorizes any member of the Board to execute such documents and take such actions as may be necessary to complete the withdrawal, including amendments or changes to satisfy the District Surveyor, the Iron County Surveyor, or the office of the Lieutenant Governor.

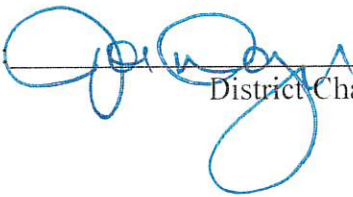
Section 3. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

Section 5. This resolution shall take effect immediately.

APPROVED AND ADOPTED this July 19, 2023.

(SEAL)

By:  _____
District Chair

ATTEST:

By:  _____
District Secretary/Clerk

STATE OF UTAH)
 : ss.
COUNTY OF IRON)

I, Dallas Buckner, the duly appointed and qualified District Secretary/Clerk of the Chelsey Public Infrastructure District No. 1 (the "District"), do hereby certify according to the records of the Board of Trustees of the District (the "Board") in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the Board held on July 19, 2023, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said District, this July 19, 2023.

(SEAL)

By: 
District Secretary/Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Dallas Buckner, the undersigned District Secretary/Clerk of the Chelsey Public Infrastructure District No. 1 (the "District"), do hereby certify, according to the records of the District in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the July 19, 2023 public meeting held by the Board of Trustees of the District (the "Board") as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the District's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location, and posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

The Board of the District does not schedule regular meetings and meets on an "as needed" basis.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this July 19, 2023.

(SEAL)

By: 
District Secretary/Clerk

SCHEDULE 1

NOTICE OF MEETING

**PUBLIC NOTICE AND AGENDA
CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1
SPECIAL MEETING**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF TRUSTEES OF CHELSEY PUBLIC INFRASTRUCTURE DISTRICT NO. 1 WILL HOLD A SPECIAL MEETING ON JULY 19, 2023, AT YORK HOWELL, 10610 SOUTH JORDAN GATEWAY, SUITE 200, SOUTH JORDAN, UTAH 84095

AT 3:00 pm

A. Call to Order

B. Consent Items

1. Approve the draft minutes of the board meeting held on June 23, 2023.

C. Action Items

1. Consider adopting Resolution 2023-05: A resolution authorizing the withdrawal of certain property within the boundaries of Chelsey Public Infrastructure District No. 1; and related matters.
2. Consider adopting Resolution 2023-09: A resolution making a finding that the District has obtained consent of 100% of the surface property owners within the boundaries of the District to the issuance of not to exceed \$6,000,000 of Limited Tax Bonds and that there are no registered voters within the boundaries of the District; declaring intent to reimburse itself from proceeds of the bonds; authorizing the recording of a notice of the District's intent to issue Limited Tax Bonds and impose ad valorem property taxes; delegating to certain officers of the District the authority to approve the provisions of the notice; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters.
3. Consider adopting Resolution 2023-10: A resolution authorizing and approving a Placement Agent Agreement in connection with the issuance and sale of the District's Limited Tax General Obligation Bonds, Series 2023A-1; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters.

D. Administrative Non-Action Items

None.

E. Adjourn

The District complies with the Americans with Disabilities Act by providing reasonable accommodations for those in need of assistance. Persons requesting accommodations for public meetings should call Ashley Tedesco at 801-527-1023 at least one (1) full business day before the meeting.

EXHIBIT B

SUBJECT PROPERTY

SUBJECT PROPERTY WITHDRAWAL BOUNDARY DESCRIPTION

[CHELSEY PID AREA WITHDRAWN FROM PID 1 TO BE ANNEXED TO PID 2]

BEGINNING AT A POINT N00°09'35"E 50.00 FEET ALONG THE SECTION LINE AND S89°49'04"E 493.26 FEET ALONG THE NORTH 2400 NORTH RIGHT OF WAY FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING;; THENCE N00°12'44"E 912.18 FEET ; THENCE N89°36'46"W 136.75 FEET ; THENCE N00°12'44"E 250.79 FEET ; THENCE S89°47'16"E 273.50 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT, HAVING A RADIUS OF 267.00 FEET AND A CENTRAL ANGLE OF 33°51'20" (RADIUS POINT BEARS N89°47'16"W); THENCE ALONG THE ARC OF SAID CURVE 157.77 FEET; THENCE N33°38'36"W 139.96 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 86°07'07"; THENCE ALONG THE ARC OF SAID CURVE 30.06 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 283.00 FEET AND A CENTRAL ANGLE OF 22°49'13"; THENCE ALONG THE ARC OF SAID CURVE 112.72 FEET; THENCE N06°56'29"W 66.00 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE RIGHT, HAVING A RADIUS OF 216.16 FEET AND A CENTRAL ANGLE OF 07°19'43" (RADIUS POINT BEARS N06°57'20"W); THENCE ALONG THE ARC OF SAID CURVE 27.65 FEET; THENCE N89°36'46"W 74.46 FEET ; THENCE N18°03'43"W 128.61 FEET ; THENCE N33°18'12"W 147.25 FEET ; THENCE CONTINUE NORTHWESTERLY ALONG SAID LINE, A DISTANCE OF 391.82 FEET; THENCE N15°46'24"W 204.68 FEET ; THENCE N00°27'42"E 385.46 FEET ; THENCE S89°34'43"E ALONG THE 1/4 SECTION LINE 126.51 FEET TO THE EAST 1/4 OF SAID SECTION 29; THENCE N00°01'03"E ALONG THE SECTION LINE 1,333.20 FEET TO THE 1/16TH CORNER; THENCE S89°30'36"E ALONG THE 1/16TH LINE 1,969.63 FEET TO THE 1/64TH CORNER; THENCE S00°02'07"E ALONG THE 1/64TH LINE 1,365.23 FEET; THENCE N89°37'57"W 1,018.22 FEET; THENCE S00°05'44"W 1,296.07 FEET TO A POINT ON THE 1/16TH LINE; THENCE S89°41'24"E ALONG SAID LINE 362.23 FEET TO THE 1/16TH CORNER; THENCE S00°03'07"W ALONG THE 1/16TH LINE 1,280.33 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF 2400 NORTH; THENCE N89°49'04"W ALONG SAID LINE 825.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 112.88 ACRES, MORE OR LESS, BEING A PORTION OF TAX ID B-1970-0023-0000.

EXHIBIT C

FINAL LOCAL ENTITY PLAT

EXHIBIT D

NOTICE OF BOUNDARY ACTION

**NOTICE OF IMPENDING BOUNDARY ACTION
(District No. 1)**

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Trustees (the “Board”) of the Chelsey Public Infrastructure District No. 1 (the “District”), at a special meeting of the Board, duly convened pursuant to notice, on July 19, 2023 adopted a *Resolution Providing for the Withdrawal of Certain Property*, a true and correct copy of which is attached as APPENDIX “A” hereto and incorporated by this reference herein (the “Withdrawal Resolution”).

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Surveyor of the District, is attached as APPENDIX “B” hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the withdrawal of property from the District, as more particularly described in the Withdrawal Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Withdrawal pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-512.

DATED this 19th day of July, 2023.

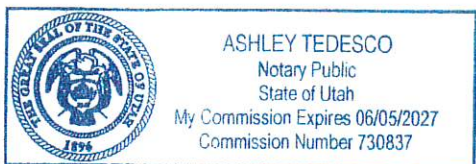
**CHELSEY PUBLIC INFRASTRUCTURE DISTRICT
NO. 1**

By:  _____
AUTHORIZED
REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :SS.
COUNTY OF ~~IRON~~)
 Salt Lake

SUBSCRIBED AND SWORN to before me this 19th day of July, 2023.





NOTARY PUBLIC

**APPENDIX "A" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Copy of the Withdrawal Resolution

**APPENDIX "B" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Final Local Entity Plat