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 DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT EXTENSION NO. 2 located in SALT LAKE COUNTY, dated DECEMBER 11, 2023, complying with Section §67-1a-6.5, 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 DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT EXTENSION NO. 2 located in SALT LAKE COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21st day of December, 2023 at Salt Lake City, Utah.

DEIDRE M. HENDERSON
Lieutenant Governor

Certificate # 202624

NOTICE OF IMPENDING BOUNDARY ACTION

Annexation

by

Downtown East Streetcar Sewer Public Infrastructure District

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Trustees of Downtown East Streetcar Sewer Public Infrastructure District (the "Board"), at a special meeting of the Board, duly convened pursuant to notice, on December 4, 2023, adopted a *Resolution to Annex Approximately 0.37 Acres*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Annexation 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 Salt Lake County Surveyor, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the annexation by the District, as more particularly described in the Annexation Resolution, have been met. The annexation is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. § 67-1a-6.5.

DATED this 11th day of December, 2023.

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

Glenn Girsberger, Trustee/District Representative

STATE OF UTAH)
:ss.
DAVIS COUNTY)

On the 11th day of December, 2023, personally appeared before me Glenn Girsberger, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this NOTICE OF IMPENDING BOUNDARY ACTION, and acknowledged that he executed the same voluntarily for its stated purpose on behalf of Downtown East Streetcar Sewer Public Infrastructure District pursuant to his authority by law as trustee and appointed representative.

Notary Public - State of Utah
KAILA JOHNSON
Comm. #711263
My Commission Expires
April 25, 2024

NOTARY PUBLIC

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

Copy of the Annexation Resolution

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF TRUSTEES OF THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT:

NOTICE IS HEREBY GIVEN that a special meeting of the Board of Trustees of the Downtown East Streetcar Sewer Public Infrastructure District will be held at 1:00 p.m. on December 4, 2023, for the purpose of considering the annexation of certain property within the district and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Jason Algaze
Clerk

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the members of the Board of Trustees of the Downtown East Streetcar Sewer Public Infrastructure District, 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.

Ross Robb
Chair

Ross Robb
Vice Chair

Jason Algaze
Secretary/Clerk

December 4, 2023

The Board of Trustees (the "Board") of the Downtown East Streetcar Sewer Public Infrastructure District No. 1, held a special meeting on December 4, 2023, at the hour of 1:00 p.m., with the following members of the Board being present:

Ross Robb	Treasurer/Vice Chair
Jason Algaze	Secretary/Clerk
Brent Malili	Assistant Secretary/Clerk
Bryce Baker	
Jason Oberman	
Arthur Woodbury	
Glenn Girsberger	
Ryan Barker	
Tyson Williamson	
Marc Menlove	

Also present:

Steve Borup	Chair-elect
Matt Ence	General Counsel

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Secretary/Clerk presented to the Board a Certificate of Compliance with Open Meeting Law with respect to this December 4, 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 Arthur Woodbury and seconded by Ross Robb, was adopted by the following vote:

AYE: 9 **Unanimous**

NAY:

The resolution is as follows:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF TRUSTEES (THE "BOARD") OF DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT (THE "DISTRICT") TO ANNEX APPROXIMATELY 0.37 ACRES; AUTHORIZING THE PLAT AND OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE PUBLICATION OF NOTICE OF THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, a petition (the "Petition") was filed with the District requesting and consenting to the annexation of approximately 1.30 acres pursuant to Utah Code §17D-4-201(3)(a) of the Public Infrastructure District Act, Title 17D, Chapter 4 of the Utah Code (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Local Districts, Title 17B (together with the PID Act, the "Act"); and

WHEREAS, the Petition contains the consenting signatures of 100% of the surface property owners (hereafter the "Property Owners") within the area proposed to be annexed; and

WHEREAS, there are no registered voters within the area to be annexed;

WHEREAS, the area to be annexed under this resolution is particularly described in Exhibit A to this Resolution and is hereafter referred to as the "Property"; and

WHEREAS, with the filing of the Petition, the Act allows the District to annex the Property by adopting a resolution to annex the area, provided that the governing document of the District allows for the annexation; and

WHEREAS, the District's governing document (hereafter the "Governing Document") defines an annexation area within which the District may annex property without seeking further consent or approval from the District's creating entity; and

WHEREAS, the Property is within the allowable future annexation area as defined in the Governing Document; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah a Notice of Boundary Action attached hereto as Exhibit B (the "Boundary Notice") and Final Local Entity Plat to be attached thereto upon finalization as Exhibit C (the "Annexation Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by officers of the Board directed toward the annexation of the Property, are hereby ratified, approved and confirmed.

2. The Property, which is particularly described and shown on the Annexation Plat, is hereby annexed into the District.

3. Notice of this Resolution may be published in substantially the following form:

NOTICE OF DISTRICT ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to Section 313, Chapter 1, Title 17B, Utah Code Annotated 1953, that on December 4, 2023, the Board of Trustees (the "Board") of Downtown East Streetcar Sewer Public Infrastructure District (the "District") adopted a resolution to annex the following particularly described property in Salt Lake County, State of Utah:

LOTS 22 THROUGH 26, INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

LAND FOR HIGHWAY KNOWN AS PROJECT NO. U-218 SITUATED IN LOTS 22 TO 26 INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, IN LOT 10, BLOCK 40, TEN ACRE PLAT "A", BIG FIELD SURVEY. THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE EAST 129 FEET; THENCE SOUTH 6 FEET, MORE OR LESS, TO A POINT 35 FEET SOUTH FROM THE CITY MONUMENT LINE ON 21ST SOUTH STREET; THENCE NORTH 89°58'51" WEST, 129 FEET; THENCE NORTH 6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH ONE HALF OF THE VACATED ALLEY ABUTTING SAID PROPERTY ON THE SOUTH.

Parcel No.: 16-19-103-018

NOTICE IS FURTHER GIVEN that any person in interest may file an action in district court to contest the regularity, formality, or legality of the Resolution within 30 days after the first date of publication (hereafter the "30-Day Contest Period"). If the Resolution is not contested by filing an action in district court within the 30-Day Contest Period, no person may contest the regularity, formality, or legality of the Resolution after the expiration of the 30-Day-Contest Period.

4. The Board does hereby authorize the Chair (or Vice-chair) to execute the Boundary Notice in substantially the form attached as Exhibit C, the Annexation Plat, and such other documents as shall be required to accomplish the actions contemplated

herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.

5. Prior to certification of the annexation of the Property by the Office of the Lieutenant Governor of the State of Utah, the Board does hereby authorize the District General Counsel to make any corrections, deletions, or additions to the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah or the United States.

6. The Chair (or Vice-chair) is authorized to sign and record an amended notice of district creation against the Property.

7. 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.

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

9. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Trustees of Downtown East Streetcar Sewer Public Infrastructure District on December 4, 2023.

DOWNTOWN EAST STREETCAR
SEWER PUBLIC INFRASTRUCTURE
DISTRICT

By: Ross Robb
Chair

ATTEST:

By: Jason Algaze
Secretary/Clerk

STATE OF Utah)
: ss.
County of Salt Lake)

I, jason algaze, the undersigned duly qualified and acting secretary/clerk (or assistant secretary/clerk) of Downtown East Streetcar Sewer Public Infrastructure District ("the District"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the Board of Trustees (the "Board"), had and taken at a lawful meeting of the Board on December 4, 2023, commencing at the hour of 1:00 p.m., as recorded in the regular official book of the proceedings of the Board kept in the District office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Board were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, on December 4, 2023.

By: Jason Algaze
Secretary/Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jason ALgaze, the undersigned clerk (or assistant clerk) of Downtown East Streetcar Sewer Public Infrastructure District (the "the District"), do hereby certify that I gave written public notice of the agenda, date, time and place of the special meeting held by the Board of Trustees of the District (the "Board") on December 4, 2023, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location 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; and

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

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 4, 2023.

By: Jason Algaze
Clerk

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

PUBLIC NOTICE AND AGENDA
Downtown East Streetcar Sewer Public Infrastructure District
Board of Trustees
Special Meeting

NOTICE IS HEREBY GIVEN THAT THE BOARD OF TRUSTEES OF DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT WILL HOLD A MEETING ON DECEMBER 4, 2023 AT SNOW JENSEN & REECE, P.C., 912 W. 1600 S., SUITE B-200, ST. GEORGE, UTAH 84770 AT 1:00 P.M.

A. Call to Order

B. Consent Items

1. Approve the minutes of Board meeting held on November 6, 2023.

C. Public Hearing

1. Take public comment on the proposed budget amendment adopted on October 24, 2023, which is proposed to be adopted, with amendments, as an Amendment to the Budget for calendar year 2023.

2. Take public comment on the tentative operating and capital budget adopted on October 24, 2023, which is proposed to be adopted, with amendments, as the Final Budget for calendar year 2024.

D. Action Items

1. Consider approval of Resolution 2023-01, adopting an Amendment to the budget for calendar year 2023.

2. Consider approval of Resolution 2023-02, adopting a Final Budget for calendar year 2024, the previously adopted ad valorem tax rate remaining unchanged from the prior year.

3. Consider approval of Resolution 2023-03: A resolution of the board of trustees of Downtown East Streetcar Sewer Public Infrastructure District to annex approximately 0.37 acres; authorizing the plat and other documents in connection therewith; authorizing the publication of notice of this resolution; and related matters.

4. Consider approval of renewal of CLA engagement agreement, and authorize the Chair to sign.

5. Consider approval of renewal of engagement for auditing services with HintonBurdick for 2023 audit, not to exceed $8,000, and authorize the Chair to sign.

6. Consider adoption of calendar for Board meetings in 2024.

D. Administrative Non-Action Items

1. Annual required Open and Public Meeting training for board members.

E. Adjourn

The District complies with the Americans with Disabilities Act by providing accommodations and auxiliary communicative aids and services for all those in need of assistance. Persons requesting these accommodations for public meetings should call Jennifer Gowans at 435-628-3688 at least one full business day before the meeting.

EXHIBIT B

NOTICE OF BOUNDARY ACTION

EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(Annexation Plat)

Final Local Entity Plat

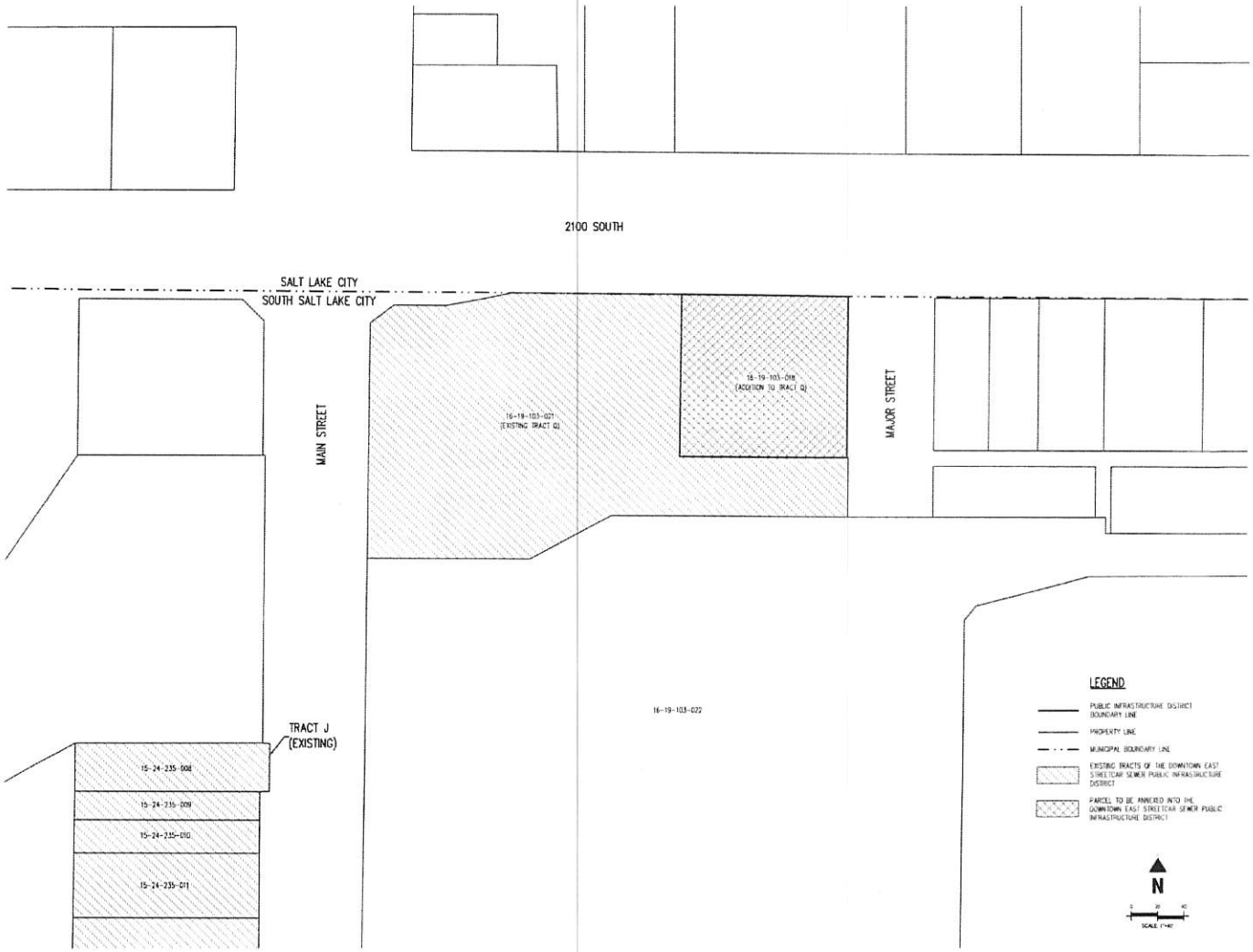
FINAL LOCAL ENTITY PLAT

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

EXTENSION NO. 2

DECEMBER 2023

LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH,
RANGE 1 EAST OF THE SALT LAKE BASE & MERIDIAN,
CITY OF SOUTH SALT LAKE, SALT LAKE COUNTY, UTAH

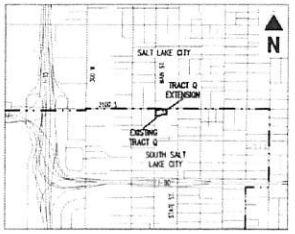


LEGEND

- PUBLIC INFRASTRUCTURE DISTRICT BOUNDARY LINE
- PROPERTY LINE
- MUNICIPAL BOUNDARY LINE
- EXISTING TRACTS OF THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT
- PARCEL TO BE ANNEXED INTO THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

VICINITY MAP

1" = 2000'



AN EXTENSION TO TRACT Q OF THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT RECORDED ON AUGUST 8, 2022 AS ENTRY NO. 13808887 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER. SAID EXTENSION IS A PARCEL OF LAND, DISCLOSED IN THAT SPECIAL WARRANTY DEED RECORDED AS ENTRY NO. 14107031, AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE SALT LAKE BASE & MERIDIAN. SAID TRACTS OF LAND ARE DESCRIBED AS FOLLOWS:

PROPERTY DESCRIPTION

LOTS 22 THROUGH 26, INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

LAND FOR HIGHWAY KNOWN AS PROJECT NO. U-218 SITUATED IN LOTS 22 TO 26 INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, IN LOT 10, BLOCK 40, TEN ACRE PLAT "A", BIG FIELD SURVEY. THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE EAST 129 FEET; THENCE SOUTH 6 FEET, MORE OR LESS, TO A POINT 35 FEET SOUTH FROM THE CITY MONUMENT LINE ON 21ST SOUTH STREET; THENCE NORTH 89°59'57" WEST, 129 FEET; THENCE NORTH 6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH ONE HALF OF THE VACATED ALLEY ABUTTING SAID PROPERTY ON THE SOUTH.

THE ABOVE DESCRIBED PARCEL OF LAND ADJOINS THE NORTHERLY AND EASTERLY BOUNDARY OF SAID EXISTING TRACT Q.

SURVEYOR'S CERTIFICATE

I, LYLE G. BISSEGGER, A PROFESSIONAL LAND SURVEYOR LICENSED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, HOLDING LICENSE NO. 376082, DO HEREBY CERTIFY THAT A FINAL LOCAL ENTITY PLAT, IN ACCORDANCE WITH SECTION 17-23-20 OF UTAH STATE CODE, WAS MADE BY ME, OR UNDER MY DIRECTION, AND SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID FINAL LOCAL ENTITY PLAT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF EXTENDING THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT BY DEPICTING THAT PROPERTY WITHIN SOUTH SALT LAKE CITY THAT WILL BE ANNEXED INTO THE DISTRICT.

LICENSED LAND SURVEYOR No. 376082 LYLE G. BISSEGGER STATE OF UTAH

LYLE G. BISSEGGER
P.L.S. 376082-2201

12/11/23
DATE

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

APPROVED THIS 11th DAY OF DECEMBER, 2023

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT REPRESENTATIVE

SALT LAKE COUNTY SURVEYOR

APPROVED THIS 13 DAY OF December, 2023, BY THE SALT LAKE COUNTY SURVEYOR AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO SECTION 17-23-20 OF UTAH STATE CODE.

SALT LAKE COUNTY SURVEYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 11 DAY OF December, 2023

SOUTH SALT LAKE CITY ATTORNEY

SALT LAKE COUNTY RECORDER

RECORDED #_____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____

DATE_____ TIME_____ BOOK_____ PAGE_____

FEE $ _____ DEPUTY SALT LAKE COUNTY RECORDER

Galloway
1155 Kelly Johnson Blvd., Suite 305
Colorado Springs, CO 80920
719.900.7220 • Galloway.US.com

FINAL LOCAL ENTITY PLAT
DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT
EXTENSION NO. 2
DECEMBER 2023

#	Date	Issue / Description	Int.
1	12/04/23	REVISED MAP TITLE	EMV

Project No:	IN2230058.10
Drawn By:	EMV
Checked By:	BJD
Date:	11/15/23

1
SHEET 1 OF 1

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF TRUSTEES OF THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT:

NOTICE IS HEREBY GIVEN that a special meeting of the Board of Trustees of the Downtown East Streetcar Sewer Public Infrastructure District will be held at 1:00 p.m. on December 4, 2023, for the purpose of considering the annexation of certain property within the district and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Jason Algaze
Clerk

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the members of the Board of Trustees of the Downtown East Streetcar Sewer Public Infrastructure District, 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.

Ross Robb
Chair

Ross Robb
Vice Chair

Jason Algaze
Secretary/Clerk

December 4, 2023

The Board of Trustees (the "Board") of the Downtown East Streetcar Sewer Public Infrastructure District No. 1, held a special meeting on December 4, 2023, at the hour of 1:00 p.m., with the following members of the Board being present:

Ross Robb	Treasurer/Vice Chair
Jason Algaze	Secretary/Clerk
Brent Malili	Assistant Secretary/Clerk
Bryce Baker	
Jason Oberman	
Arthur Woodbury	
Glenn Girsberger	
Ryan Barker	
Tyson Williamson	
Marc Menlove	

Also present:

Steve Borup	Chair-elect
Matt Ence	General Counsel

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Secretary/Clerk presented to the Board a Certificate of Compliance with Open Meeting Law with respect to this December 4, 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 Arthur Woodbury and seconded by Ross Robb, was adopted by the following vote:

AYE: 9 **Unanimous**

NAY:

The resolution is as follows:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF TRUSTEES (THE "BOARD") OF DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT (THE "DISTRICT") TO ANNEX APPROXIMATELY 0.37 ACRES; AUTHORIZING THE PLAT AND OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE PUBLICATION OF NOTICE OF THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, a petition (the "Petition") was filed with the District requesting and consenting to the annexation of approximately 1.30 acres pursuant to Utah Code §17D-4-201(3)(a) of the Public Infrastructure District Act, Title 17D, Chapter 4 of the Utah Code (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Local Districts, Title 17B (together with the PID Act, the "Act"); and

WHEREAS, the Petition contains the consenting signatures of 100% of the surface property owners (hereafter the "Property Owners") within the area proposed to be annexed; and

WHEREAS, there are no registered voters within the area to be annexed;

WHEREAS, the area to be annexed under this resolution is particularly described in Exhibit A to this Resolution and is hereafter referred to as the "Property"; and

WHEREAS, with the filing of the Petition, the Act allows the District to annex the Property by adopting a resolution to annex the area, provided that the governing document of the District allows for the annexation; and

WHEREAS, the District's governing document (hereafter the "Governing Document") defines an annexation area within which the District may annex property without seeking further consent or approval from the District's creating entity; and

WHEREAS, the Property is within the allowable future annexation area as defined in the Governing Document; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah a Notice of Boundary Action attached hereto as Exhibit B (the "Boundary Notice") and Final Local Entity Plat to be attached thereto upon finalization as Exhibit C (the "Annexation Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by officers of the Board directed toward the annexation of the Property, are hereby ratified, approved and confirmed.

2. The Property, which is particularly described and shown on the Annexation Plat, is hereby annexed into the District.

3. Notice of this Resolution may be published in substantially the following form:

NOTICE OF DISTRICT ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to Section 313, Chapter 1, Title 17B, Utah Code Annotated 1953, that on December 4, 2023, the Board of Trustees (the "Board") of Downtown East Streetcar Sewer Public Infrastructure District (the "District") adopted a resolution to annex the following particularly described property in Salt Lake County, State of Utah:

LOTS 22 THROUGH 26, INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

LAND FOR HIGHWAY KNOWN AS PROJECT NO. U-218 SITUATED IN LOTS 22 TO 26 INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, IN LOT 10, BLOCK 40, TEN ACRE PLAT "A", BIG FIELD SURVEY. THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE EAST 129 FEET; THENCE SOUTH 6 FEET, MORE OR LESS, TO A POINT 35 FEET SOUTH FROM THE CITY MONUMENT LINE ON 21ST SOUTH STREET; THENCE NORTH 89°58'51" WEST, 129 FEET; THENCE NORTH 6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH ONE HALF OF THE VACATED ALLEY ABUTTING SAID PROPERTY ON THE SOUTH.

Parcel No.: 16-19-103-018

NOTICE IS FURTHER GIVEN that any person in interest may file an action in district court to contest the regularity, formality, or legality of the Resolution within 30 days after the first date of publication (hereafter the "30-Day Contest Period"). If the Resolution is not contested by filing an action in district court within the 30-Day Contest Period, no person may contest the regularity, formality, or legality of the Resolution after the expiration of the 30-Day-Contest Period.

4. The Board does hereby authorize the Chair (or Vice-chair) to execute the Boundary Notice in substantially the form attached as Exhibit C, the Annexation Plat, and such other documents as shall be required to accomplish the actions contemplated

herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.

5. Prior to certification of the annexation of the Property by the Office of the Lieutenant Governor of the State of Utah, the Board does hereby authorize the District General Counsel to make any corrections, deletions, or additions to the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah or the United States.

6. The Chair (or Vice-chair) is authorized to sign and record an amended notice of district creation against the Property.

7. 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.

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

9. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Trustees of Downtown East Streetcar Sewer Public Infrastructure District on December 4, 2023.

DOWNTOWN EAST STREETCAR
SEWER PUBLIC INFRASTRUCTURE
DISTRICT

By: Ross Robb
Chair

ATTEST:

By: Jason Algaze
Secretary/Clerk

STATE OF Utah)
: ss.
County of Salt Lake)

I, jason algaze, the undersigned duly qualified and acting secretary/clerk (or assistant secretary/clerk) of Downtown East Streetcar Sewer Public Infrastructure District ("the District"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the Board of Trustees (the "Board"), had and taken at a lawful meeting of the Board on December 4, 2023, commencing at the hour of 1:00 p.m., as recorded in the regular official book of the proceedings of the Board kept in the District office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Board were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, on December 4, 2023.

By: Jason Algaze
Secretary/Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jason ALgaze, the undersigned clerk (or assistant clerk) of Downtown East Streetcar Sewer Public Infrastructure District (the "the District"), do hereby certify that I gave written public notice of the agenda, date, time and place of the special meeting held by the Board of Trustees of the District (the "Board") on December 4, 2023, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location 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; and

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

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 4, 2023.

By: Jason Algaze
Clerk

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

PUBLIC NOTICE AND AGENDA
Downtown East Streetcar Sewer Public Infrastructure District
Board of Trustees
Special Meeting

NOTICE IS HEREBY GIVEN THAT THE BOARD OF TRUSTEES OF DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT WILL HOLD A MEETING ON DECEMBER 4, 2023 AT SNOW JENSEN & REECE, P.C., 912 W. 1600 S., SUITE B-200, ST. GEORGE, UTAH 84770 AT 1:00 P.M.

A. Call to Order

B. Consent Items

1. Approve the minutes of Board meeting held on November 6, 2023.

C. Public Hearing

1. Take public comment on the proposed budget amendment adopted on October 24, 2023, which is proposed to be adopted, with amendments, as an Amendment to the Budget for calendar year 2023.

2. Take public comment on the tentative operating and capital budget adopted on October 24, 2023, which is proposed to be adopted, with amendments, as the Final Budget for calendar year 2024.

D. Action Items

1. Consider approval of Resolution 2023-01, adopting an Amendment to the budget for calendar year 2023.

2. Consider approval of Resolution 2023-02, adopting a Final Budget for calendar year 2024, the previously adopted ad valorem tax rate remaining unchanged from the prior year.

3. Consider approval of Resolution 2023-03: A resolution of the board of trustees of Downtown East Streetcar Sewer Public Infrastructure District to annex approximately 0.37 acres; authorizing the plat and other documents in connection therewith; authorizing the publication of notice of this resolution; and related matters.

4. Consider approval of renewal of CLA engagement agreement, and authorize the Chair to sign.

5. Consider approval of renewal of engagement for auditing services with HintonBurdick for 2023 audit, not to exceed $8,000, and authorize the Chair to sign.

6. Consider adoption of calendar for Board meetings in 2024.

D. Administrative Non-Action Items

1. Annual required Open and Public Meeting training for board members.

E. Adjourn

The District complies with the Americans with Disabilities Act by providing accommodations and auxiliary communicative aids and services for all those in need of assistance. Persons requesting these accommodations for public meetings should call Jennifer Gowans at 435-628-3688 at least one full business day before the meeting.

EXHIBIT B

NOTICE OF BOUNDARY ACTION

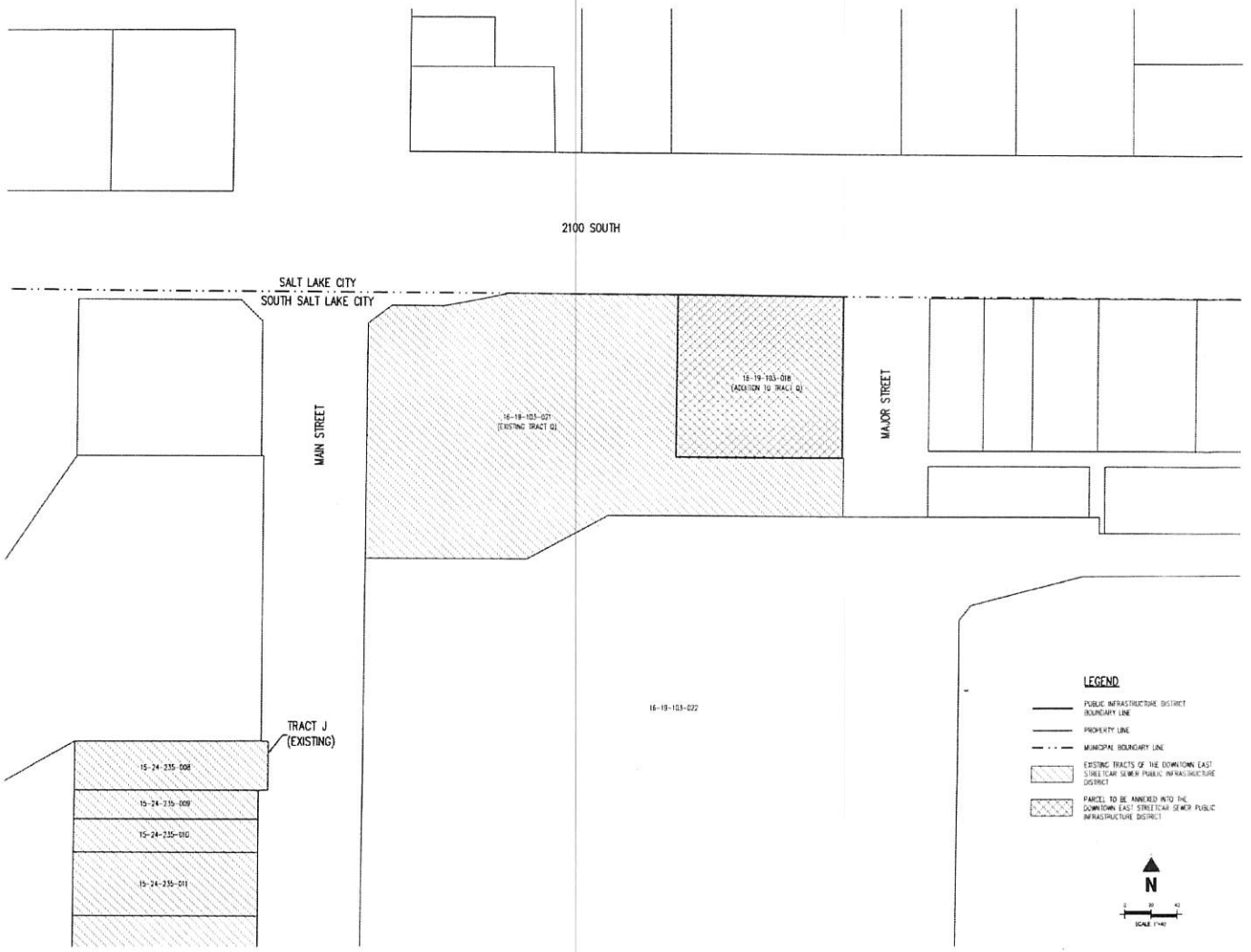
FINAL LOCAL ENTITY PLAT

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

EXTENSION NO. 2

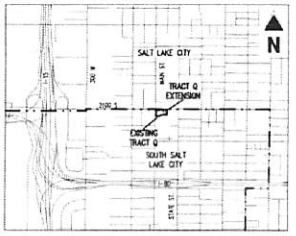
DECEMBER 2023

LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH,
RANGE 1 EAST OF THE SALT LAKE BASE & MERIDIAN,
CITY OF SOUTH SALT LAKE, SALT LAKE COUNTY, UTAH



VICINITY MAP

1" = 2000'



AN EXTENSION TO TRACT Q OF THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT RECORDED ON AUGUST 8, 2022 AS ENTRY NO. 13696887 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER. SAID EXTENSION IS A PARCEL OF LAND, DISCLOSED IN THAT SPECIAL WARRANTY DEED RECORDED AS ENTRY NO. 14107031, AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE SALT LAKE BASE & MERIDIAN. SAID TRACTS OF LAND ARE DESCRIBED AS FOLLOWS:

PROPERTY DESCRIPTION

LOTS 22 THROUGH 26, INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

LAND FOR HIGHWAY KNOWN AS PROJECT NO. U-218 SITUATED IN LOTS 22 TO 26 INCLUSIVE, BLOCK 2, SOUTH BOULEVARD SUBDIVISION, IN LOT 10, BLOCK 40, TEN ACRE PLAT "A", BIG FIELD SURVEY. THE BOUNDARIES OF SAID TRACT OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE EAST 129 FEET; THENCE SOUTH 8 FEET, MORE OR LESS, TO A POINT 35 FEET SOUTH FROM THE CITY MONUMENT LINE ON 21ST SOUTH STREET; THENCE NORTH 89°58'51" WEST, 129 FEET; THENCE NORTH 6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH ONE HALF OF THE VACATED ALLEY ABUTTING SAID PROPERTY ON THE SOUTH.

THE ABOVE DESCRIBED PARCEL OF LAND ADJOINS THE NORTHERLY AND EASTERLY BOUNDARY OF SAID EXISTING TRACT Q.

SURVEYOR'S CERTIFICATE

I, LYLE G. BISSEGGER, A PROFESSIONAL LAND SURVEYOR LICENSED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, HOLDING LICENSE NO. 376082, DO HEREBY CERTIFY THAT A FINAL LOCAL ENTITY PLAT, IN ACCORDANCE WITH SECTION 17-23-20 OF UTAH STATE CODE, WAS MADE BY ME, OR UNDER MY DIRECTION, AND SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID FINAL LOCAL ENTITY PLAT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF EXTENDING THE DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT BY DEPICTING THAT PROPERTY WITHIN SOUTH SALT LAKE CITY THAT WILL BE ANNEXED INTO THE DISTRICT.

LYLE G. BISSEGGER
P.L.S. 376082-2201

DATE 12/12/23

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT

APPROVED THIS 11th DAY OF DECEMBER, 2023

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT REPRESENTATIVE

SALT LAKE COUNTY SURVEYOR

APPROVED THIS 13 DAY OF December, 2023, BY THE SALT LAKE COUNTY SURVEYOR AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO SECTION 17-23-20 OF UTAH STATE CODE.

SALT LAKE COUNTY SURVEYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 11 DAY OF December, 2023

SOUTH SALT LAKE CITY ATTORNEY

SALT LAKE COUNTY RECORDER

RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE

REQUEST OF

DATE TIME BOOK PAGE

FEE $ COUNTY SALT LAKE COUNTY RECORDER

Galloway
1155 Kelly Johnson Blvd., Suite 305
Colorado Springs, CO 80920
719.520.7200 • Galloway.US.com

FINAL LOCAL ENTITY PLAT

DOWNTOWN EAST STREETCAR SEWER PUBLIC INFRASTRUCTURE DISTRICT
EXTENSION NO. 2
DECEMBER 2023

#	Date	Issue / Description	Ini.
1	12/04/23	REVISED MAP TITLE	EMV

Project No:	INC0000000.10
Drawn By:	EMV
Checked By:	BJD
Date:	11/15/23

1

SHEET 1 OF 1