

STATE OF UTAH



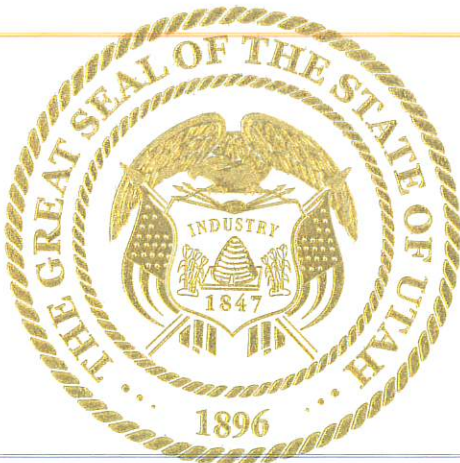
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF INCORPORATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of incorporation for the GLH PUBLIC INFRASTRUCTURE DISTRICTS NO. 1 located in SPANISH FORK CITY, dated MAY 21, 2024, 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 incorporation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the GLH PUBLIC INFRASTRUCTURE DISTRICTS NO. 1, 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 10th day of June, 2024 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON
Lieutenant Governor



NOTICE OF IMPENDING BOUNDARY ACTION

(GLH Public Infrastructure District No. 1)

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of Spanish Fork City, Utah (the "Council"), acting in its capacity as the creating entity for GLH Public Infrastructure District No. 1 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on May 21, 2024 adopted a *Resolution Providing for the Creation of Public Infrastructure Districts*, a true and correct copy of which is attached as APPENDIX "A" hereto and incorporated by this reference herein (the "Creation 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 Utah County, Utah, is attached as APPENDIX "B" hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this May 21, 2024.


**CITY COUNCIL OF SPANISH FORK CITY,
UTAH, acting in its capacity as the creating
authority for GLH PUBLIC
INFRASTRUCTURE DISTRICT NO. 1**

By:  _____
AUTHORIZED REPRESENTATIVE

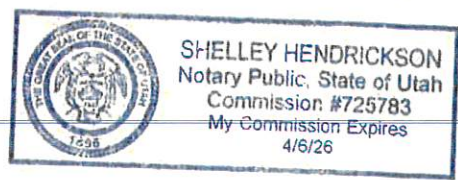
VERIFICATION

STATE OF UTAH)
)SS.
COUNTY OF UTAH)

SUBSCRIBED AND SWORN to before me this 21st day of May, 2024.



NOTARY PUBLIC



Spanish Fork City, Utah

May 21, 2024

The City Council (the "Council") of Spanish Fork City, Utah (the "City"), met in regular session (including by electronic means) on May 21, 2024, at its regular meeting place in Spanish Fork City, Utah at 6:00 p.m., with the following members of the Council being present:

Mike Mendenhall	Mayor
Stacy Beck	Councilmember
Jesse Cardon	Councilmember
Kevin Oyler	Councilmember
Landon Tooke	Councilmember

Also present:

Tara Silver	City Recorder
Vaughn Pickell	City Attorney
Seth Perrins	City Manager

Absent:

Shane Marshall	Councilmember
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Before the meeting had been duly called to order, the City Recorder posted the public hearing class A notice in Compliance with Open Meeting Law with respect to this May 21, 2024, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, pursuant to motion duly made by Councilmember Cardon and seconded by Councilmember Tooke adopted by the following vote:

AYE: 4

NAY: 0

The resolution was later signed by the Mayor and recorded by the City Recorder in the official records of the City. The resolution is as follows:

RESOLUTION CR-2024-10

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF SPANISH FORK CITY, UTAH (THE "CITY"), PROVIDING FOR THE CREATION OF GLH PUBLIC INFRASTRUCTURE DISTRICTS NO. 1 AND 2 (COLLECTIVELY, THE "DISTRICTS") AS INDEPENDENT DISTRICTS; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT; APPOINTING BOARDS OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the City requesting adoption by resolution the approval of the creation of three Public Infrastructure Districts pursuant to the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953, as amended (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the "Act") within the City and the annexation or withdrawal of any portion of the boundaries of the Districts therefrom without further approval or hearings of the City or the Council, as further described in the Governing Document (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the City may create one or more public infrastructure Districts by adoption of a resolution of the Council and with consent of 100% of all surface property owners proposed to be included in the Districts (the "Property Owners"); and

WHEREAS, the Petition, containing the consent of such Property Owners has been certified by the Recorder of the City pursuant to the Act and it is in the best interests of the Property Owners that the creation of the Districts be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, the City, prior to consideration of this Resolution, held public hearings after 6:00 p.m. to receive input from the public regarding the creation of the Districts and the Property Owners have waived the 60-day protest period pursuant to Section 17D-4-201 of the PID Act; and

WHEREAS, the hearing on the Petition was held at the City Council building because there is no reasonable place to hold a public hearing within the Districts' boundaries, and the hearing at the City Council building was held as close to the applicable area as reasonably possible; and

WHEREAS, the City properly published notice of the public hearing in compliance with Section 17B-1-211(1) of the Act; and

WHEREAS, none of the Property Owners submitted a withdrawal of consent to the creation of the Districts before the public hearing on the Petition; and

WHEREAS, according to attestations filed with the City, each board member appointed under this Resolution is registered to vote at their primary residence and is further eligible to serve as a board member of the Districts under Section 17D-4-202(c) of the PID Act because they are agents of property owners within the Districts' boundaries (as further set forth in the Petition); and

WHEREAS, it is necessary to authorize the creation of the Districts under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, the governance of the Districts shall be in accordance with the PID Act and the terms of a governing document (the "Governing Document") attached hereto as Exhibit B; 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 for each of the Districts a Notice of Boundary Action attached hereto as Exhibit C (the "Boundary Notices") and Final Entity Plat attached to each as Boundary Notices Appendix B (or as shall be finalized in accordance with the boundaries approved hereunder) (the "Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, 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 Council and by officers of the Council directed toward the creation and establishment of the Districts, are hereby ratified, approved and confirmed.

2. The Districts are hereby created as separate entities from the City in accordance with the Governing Document and the Act. The boundaries of the Districts shall be as set forth in the Governing Document and the Plat.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation or withdrawal of any area within the Annexation Area (as defined in the Governing Document) into or from the Districts, as applicable, without any further action, hearings, or resolutions of the Council or the City, upon compliance with the terms of the PID Act and the Governing Document.

4. The Council does hereby authorize the Districts to provide services relating to the financing and construction of public infrastructure within and without the Annexation Area upon annexation thereof into the Districts without further request of the Districts to the City to provide such service under 17B-1-407, Utah Code Annotated 1953 or resolutions of the City under 17B-1-408, Utah Code Annotated 1953.

5. It is hereby found and determined by the Council that the creation of the Districts is appropriate to the general welfare, order and security of the City, and the organization of the Districts pursuant to the PID Act is hereby approved.

6. The Governing Document in the form presented to this meeting and attached hereto as Exhibit B is hereby authorized and approved and the Districts shall be governed by the terms thereof and applicable law.

7. The Trustees of each Board of the Districts shall be initially composed of the same members. The initial Boards of the Districts are hereby appointed as follows:

(a) Trustee 1 – Paul Ritchie, for an initial 6-year term;

- (b) Trustee 2 – Corey Berg, for an initial 4-year term;
- (c) Trustee 3 – Dave Hennefer, for an initial 6-year term;
- (d) Trustee 4 – Chad Lewis, for an initial 4-year term; and
- (e) Trustee 5 – Whitt Hill, for an initial 6-year term.

(f) Such terms shall commence on the date of issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

8. The Council does hereby authorize the Mayor or a Councilmember to execute the Boundary Notices in substantially the form attached as Exhibit C, the Plats, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Council for submission to the Office of the Lieutenant Governor of the State of Utah.

9. Prior to recordation of certificates of creation for all Districts, the Council does hereby authorize the Mayor, a Councilmember, the City Attorney, or the City Manager to make any corrections, deletions, or additions to the Governing Document and the Boundary Notices 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 any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

10. The Boards of Trustees of the Districts (the “District Boards”) are hereby authorized and directed to record such Governing Document with the recorder of the Utah County within thirty (30) days of the issuance of the Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

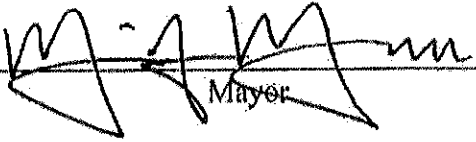
11. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

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

13. This resolution shall take effect immediately provided that, in the event that the Plat is not finalized for submission to the Office of the Lieutenant Governor until a date that is more than thirty (30) days after adoption of this Resolution, the effective date of this Resolution will be deemed to be the date the Plat is finalized, as certified in writing by any one of the Mayor, a Councilperson, or the City Attorney.

PASSED AND ADOPTED by the City Council of Spanish Fork City, Utah, this May 21, 2024.

SPANISH FORK, UTAH

By:  _____
Mayor


ATTEST:

By:  _____
City Recorder

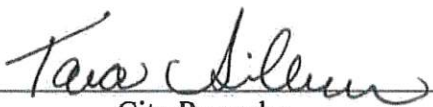


(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting of the Council of the City adjourned.

By:  _____
Mayor

ATTEST:

By:  _____
City Recorder



STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

I, Tara Silver, the undersigned duly qualified and acting City Recorder of Spanish Fork City, Utah (the "City"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council (the "Council"), had and taken at a lawful meeting of the Council on May 21, 2024, commencing at the hour of 6:00 p.m., as recorded in the regular official book of the proceedings of the Council kept in my 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 Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this May 21, 2024.

By: Tara Silver
City Recorder



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Tara Silver, the undersigned City Recorder of Spanish Fork City, Utah (the "City"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the "Council") on May 21, 2024, not less than twenty-four (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) causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City'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) 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; and

(c) causing a copy of such notice, in the form attached hereto as Schedule 1 to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2024 Annual Meeting Schedule for the Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the City to be held during the year, by causing said Notice to be posted at least annually (a) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (b) on the City's official website and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this May 21, 2024.

By: Tara Silver
City Recorder



SCHEDULE 1

NOTICE OF MEETING AND AGENDA



**NOTICE OF PUBLIC HEARING REGARDING THE CREATION
OF PUBLIC INFRASTRUCTURE DISTRICTS BY
SPANISH FORK CITY, SPANISH FORK, UTAH**

May 2, 2024

This notice is furnished to you by the City Council (the "Council") of Spanish Fork City, Spanish Fork, Utah (the "City") to provide notice of a public hearing to be held by the Council on **May 21, 2024 at or after 6:00 P.M.** The public hearing is regarding the proposed creation of the GLH Public Infrastructure District Nos. 1-2 (the "Proposed Districts") and to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts.

Because consent to the creation of the Proposed Districts and waiver of the protest period has been obtained from all property owners and registered voters within the boundaries of the Proposed Districts, pursuant to Section 17D-4-201 of the Utah Code, the City may adopt a resolution creating the Proposed Districts immediately after holding the public hearing described herein or on any date thereafter. **Any withdrawal of consent to creation or protest of the creation of the Proposed Districts by an affected property owner must be submitted to the City prior to the public hearing described herein.**

Meeting Information:

Held By: Spanish Fork City Council

Date and Time: May 21, 2024 at or after 6:00 P.M.

Location: Spanish Fork City Council Chambers (80 South Main Street,
Spanish Fork, Utah)

Proposed District Boundaries:

A legal description and map for the real property where the Proposed Districts will be located is attached as Appendix A ("PID Property"). The Proposed Districts' boundaries will be established in each Public Districts' Governing Document ("Governing Document") and may be adjusted through annexation and withdrawal of properties, so long as the Proposed Districts is within the PID Property and certain requirements, as established in the Governing Document, have been met.

Summary of Proposed Resolution:

The resolution regarding the creation of the Proposed Districts contains consideration of approval of the following items:

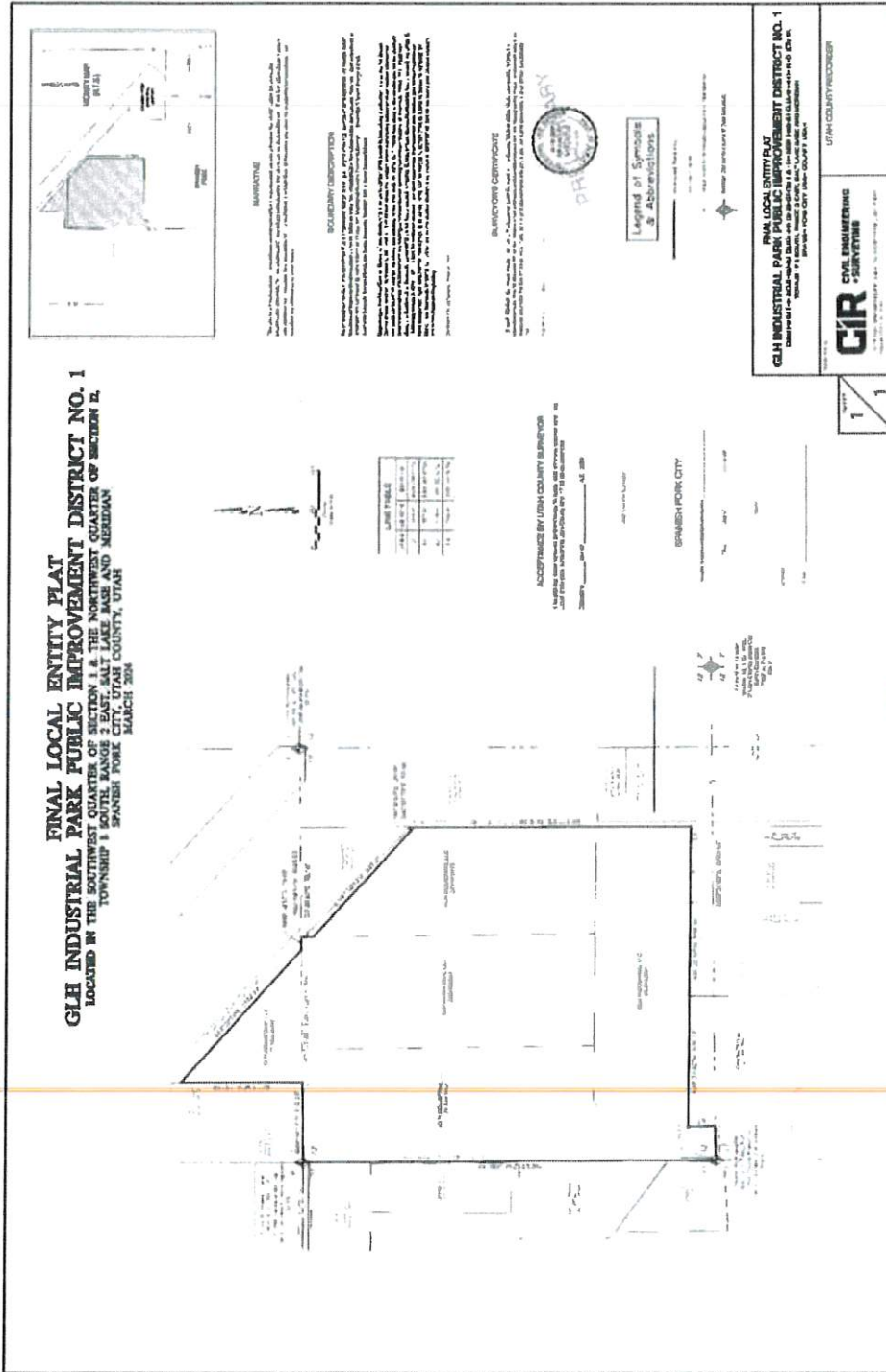
- Creation of the Proposed Districts within the PID Property.
- Approval of the annexation of or withdrawal from the boundaries of the Proposed Districts of any area within the PID Property without additional approvals or hearings of the City, subject to the conditions of the Governing Document.
- Establishment of a Board of Trustees for the Proposed Districts to be established by the Governing Document.
- Authorization for execution by the City of Notices of Boundary Action and Final Local Entity Plat.
- Approval of a Governing Document for the Proposed Districts.

Proposed Services:

Three Public Infrastructure Districts are proposed to be created as permitted under the Special District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953.

Sincerely,

Spanish Fork City Council



GLH Industrial Park PID #1 Overall Boundary

An annexation into GLH Industrial Park Public Improvement District being all or part of five (5) parcels of land described as Parcels 5-9 in that Special Warranty Deed recorded June 14, 2022 as Entry No. 70562:2022 in the Office of the Utah County Recorder. Said entire tract is located in the Northwest Quarter of Section 12 and the Southwest Quarter Corner of Section 1, Township 8 South, Range 2 East, Township 8 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

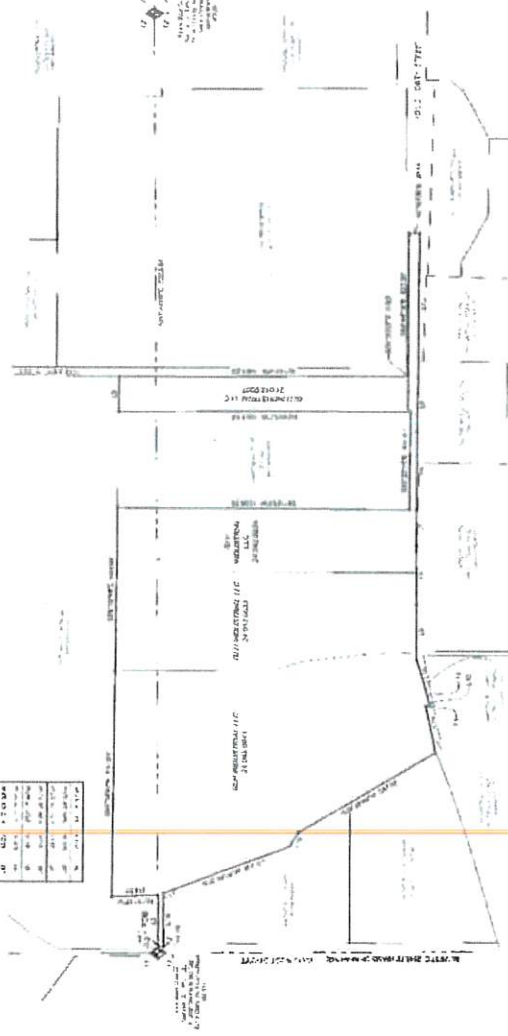
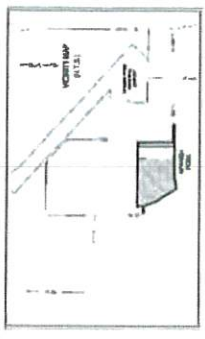
Beginning at the West Quarter Corner of said Section 12; thence N. $00^{\circ}25'12''$ W. 2,660.10 feet along the Section line to the Northwest Corner of said Section 12; thence N. $89^{\circ}14'17''$ E. 512.25 feet along the Section line to a southerly extension of an existing wire fence; thence N. $00^{\circ}13'34''$ W. 782.56 feet along said existing fence; thence S. $47^{\circ}32'12''$ E. 1,142.59 feet along a line parallel and perpendicularly distant southwesterly 100.00 feet from an existing wire fence to said northerly line of said Section 12; thence N. $89^{\circ}14'17''$ E. 79.95 feet along the Section Line; thence S. $00^{\circ}45'43''$ E. 75.14 feet; thence S. $47^{\circ}32'12''$ E. 948.37 feet; thence North 24.98 feet; thence S. $46^{\circ}01'23''$ E. 10.80 feet; thence S. $00^{\circ}11'13''$ E. 1,818.39 feet to an existing East West wire fence; thence along said existing wire fence the following three (3) courses: 1) N. $89^{\circ}29'57''$ W. 130.00 feet; 2) N. $89^{\circ}43'19''$ W. 357.16 feet; 3) N. $89^{\circ}32'19''$ W. 599.90 feet; thence N. $89^{\circ}34'02''$ W. 830.01 feet; thence S. $01^{\circ}32'18''$ E. 174.57 feet to the Quarter Section line; thence S. $89^{\circ}24'09''$ W. 214.48 feet along said Quarter Section line to the **Point of Beginning**.

Contains 124.490 acres, more or less.

**FINAL LOCAL ENTITY PLAT
 GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 2
 LOCATED IN THE NORTHWEST, SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 10,
 TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASIN AND MERIDIAN
 SPANISH FORK COUNTY, UTAH
 APRIL 2004**

LINE TABLE

LINE NO.	DESCRIPTION	BEARING	DISTANCE	CUMULATIVE DISTANCE
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MINUTAGE

The following is a summary of the minutes of the meeting of the Board of Directors of the Spanish Fork City, Utah, held on the 14th day of April, 2004, at the City Office, Spanish Fork, Utah. The minutes were read and approved by the Board of Directors.

BOUNDARY DESCRIPTION

The boundary of the industrial park is described as follows: Beginning at the intersection of the centerline of Windmill Lane and the centerline of the section line; thence north 89 degrees 15 minutes 00 seconds west 100.00 feet to a point; thence north 0 degrees 00 minutes 00 seconds west 100.00 feet to a point; thence north 89 degrees 15 minutes 00 seconds east 100.00 feet to a point; thence south 89 degrees 15 minutes 00 seconds east 100.00 feet to the centerline of Windmill Lane. The area within this boundary is to be used for industrial purposes.

BOUNDARY CERTIFICATE

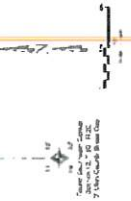
I, the undersigned, being a duly qualified and licensed Surveyor in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of Directors of the Spanish Fork City, Utah, held on the 14th day of April, 2004, at the City Office, Spanish Fork, Utah.



Legend of Symbols & Abbreviations

- City Boundary
- Section Boundary
- Township Boundary
- Range Boundary
- Meridian Boundary
- Easement
- Right-of-Way
- Utility Line
- Building Footprint
- Parking Area
- Driveway
- Street
- Alley
- Canal
- Stream
- Well
- Fence
- Survey Line
- Monument
- Iron Pin
- Iron Nail
- Iron Pipe
- Iron Rod
- Iron Stake
- Iron Bolt
- Iron Nut
- Iron Washer
- Iron Plate
- Iron Sheet
- Iron Bar
- Iron Pipe
- Iron Rod
- Iron Stake
- Iron Bolt
- Iron Nut
- Iron Washer
- Iron Plate
- Iron Sheet
- Iron Bar

ACCEPTANCE BY UTAH COUNTY SURVEYOR
 I, the undersigned, being a duly qualified and licensed Surveyor in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of Directors of the Spanish Fork City, Utah, held on the 14th day of April, 2004, at the City Office, Spanish Fork, Utah.



**FINAL LOCAL ENTITY PLAT
 GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 2
 TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASIN AND MERIDIAN
 SPANISH FORK CITY, UTAH
 APRIL 2004**

CIR CIVIL ENGINEERING - SURVEYING

UTAH COUNTY RECORDER

GLH Industrial Park PID #2 Overall Boundary

An annexation into GLH Industrial Park Public Improvement District being an entire tract of land located in the Southwest Quarter of Section 1 and Northwest, Southwest and Southeast Quarters of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian described as follows:

Beginning at a point which is 24.98 feet N. 89°24'09" E. along the Section Line from the West Quarter Corner of said Section 12; thence N. 89°24'09" E. 189.50 feet along the Quarter Section line; thence N. 01°32'18" W. 174.57 feet to an existing fence corner; thence along said existing fence the following two (2) courses: 1) S. 89°34'02" E. 830.01 feet; 2) S. 89°32'19" E. 599.90 feet to the northwesterly corner of that parcel of land described in that Special Warranty Deed recorded September 8, 2023 as Entry No. 59306:2023 in the Office of the Utah County Recorder; thence along said parcel the following three (3) courses: 1) S. 00°12'51" W. 1089.75 feet; 2) S. 89°23'35" E. 364.41 feet; 3) N. 00°09'57" W. 1091.88 feet to said existing fence; thence S. 89°29'57" E. 130.00 feet along said existing fence; thence S. 00°09'59" E. 1081.23 feet; thence N. 76°20'27" E. 5.90 feet; thence S. 89°44'19" E. 523.26 feet; thence S. 00°00'06" E. 39.14 feet; thence N. 89°38'11" W. 532.16 feet to an existing fence; thence along said existing fence the following eleven (11) courses: 1) N. 89°18'29" W. 202.94 feet; 2) N. 89°41'52" W. 287.71 feet; 3) N. 89°51'28" W. 133.70 feet; 4) S. 89°42'04" W. 213.43 feet; 5) S. 89°35'44" W. 204.82 feet; 6) S. 72°40'45" W. 114.91 feet; 7) S. 75°35'38" W. 45.49 feet; 8) S. 81°13'46" W. 15.96 feet; 9) N. 10°03'50" W. 13.26 feet; 10) S. 77°15'54" W. 125.07 feet; 11) S. 79°17'44" W. 48.13 feet to an existing Boundary Line Agreement recorded June 4, 2018 as Entry No. 51914:2018 in the Office of said Recorder; thence along said Boundary Line Agreement the following six (6) courses: 1) N. 29°59'49" W. 587.66 feet; 2) N. 58°29'58" W. 60.26 feet; 3) N. 20°39'59" W. 457.67 feet; 4) N. 21°28'07" W. 41.42 feet; 5) S. 89°24'02" W. 196.09 feet; 6) N. 00°25'57" W. 20.00 feet to the **Point of Beginning**.

Contains 36.39 acres, more or less.

Public Notice Updated for City Council

support@helpdesk.utah.gov <support@helpdesk.utah.gov>
To: tsilver@spanishfork.org

Mon, May 6, 2024 at 5:28 PM

Utah Public Notice

Revised Notice

City Council

Spanish Fork City Council Public Hearing - Creation of Public Infrastructure Districts

Notice Date & Time: 5/21/24 6:00 PM -5/21/24 10:00 PM

Description/Agenda:

Public notice attached at the bottom.

Notice of Special Accommodations:

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 801-804-4530.

Notice of Electronic or telephone participation:

N/A

Other information:

Executive Board Contacts council@spanishfork.org 801-804-4530 Mayor Mendenhall mayor@spanishfork.org 801-804-4530 Stacy Beck sbeck@spanishfork.org 801-804-4530 Landon Tooke ltooke@spanishfork.org 801-804-4530 Shane Marshall smarshall@spanishfork.org 801-804-4530 Kevin Oyler koyler@spanishfork.org 801-804-4530 Jesse Cardon jcardon@spanishfork.org 801-804-4530

Location:

80 South Main Street at Library Hall, Spanish Fork, 84660

Contact information:

Tara Silver , tsilver@spanishfork.org, (801)804-4530

Public Notice for City Council

message

support@helpdesk.utah.gov <support@helpdesk.utah.gov>
From: tsilver@spanishfork.org

Thu, May 16, 2024 at 4:42 PM

Utah Public Notice

City Council

Spanish Fork City Council

Notice Date & Time: 5/21/24 6:00 PM -5/21/24 11:00 PM

Description/Agenda:

Tuesday, May 21, 2024
Spanish Fork City Council Meeting
CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a public meeting on May 21, 2024 in the Council Chambers in Library Hall, 80 South Main Street on the second floor. A work session will begin at 4:30 pm and the regular council meeting will begin at 6:00 p.m.

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- Electronic Participation: Members of the City Council and City Staff may participate by phone, zoom, or other electronic means.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 80 South Main Street, Utah 84660. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 801-804-4530

1. 4:30 pm WORK SESSION -No formal actions are taken in a work session.

- A. Library - How books are selected
- B. GLH Industrial Park Public Infrastructure District Numbers 1-2

2. ADJOURN TO CLOSED SESSION -The Spanish Fork City Council may temporarily recess the regular meeting and convene in a closed session to discuss (a) discussion of the character, professional competence, or physical or mental health of an individual (b) strategy sessions to discuss collective bargaining, (c) strategy sessions to discuss pending or reasonably imminent litigation, (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, (f) discussion regarding deployment of security personnel, devices, or systems, (g) investigative proceedings regarding allegations of criminal misconduct as provided in Utah Code § 52-4-205.

A. Closed Session

3. 6:00pm CITY COUNCIL AGENDA ITEMS

4. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS

- A. Prayer & Motivational Message
- B. Pledge, led by invitation
- C. Recognition: Spanish Fork 101 Graduates

5. PUBLIC COMMENTS: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person - A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak - Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

7. CONSENT ITEMS

A. Minutes Spanish Fork Work Session Meeting 05-07-2024

8. PUBLIC HEARING

A. A RESOLUTION OF THE CITY COUNCIL (THE 'COUNCIL') OF SPANISH FORK CITY, UTAH (THE 'CITY'), PROVIDING FOR THE CREATION OF GLH PUBLIC INFRASTRUCTURE DISTRICTS NO. 1 AND 2 (COLLECTIVELY, THE 'DISTRICTS') AS INDEPENDENT DISTRICTS; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT; APPOINTING BOARDS OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

9. NEW BUSINESS

- A. VERK UIPA Loan Agreement Approval
- B. Resolution approving Interlocal Tax Agreement with Utah Inland Port Authority
- C. Springville Area Power Buyout Agreement
- D. Fiscal Year 2024 Utility Bill Write Offs
- E. Assignment of Real Estate Purchase Contracts

10. ADJOURN TO CLOSED SESSION -The Spanish Fork City Council may temporarily recess the regular meeting and convene in a closed session to discuss (a) discussion of the character, professional competence, or physical or mental health of an individual (b) strategy sessions to discuss collective bargaining, (c) strategy sessions to discuss pending or reasonably imminent litigation, (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, (f) discussion regarding deployment of security personnel, devices, or systems, (g) investigative proceedings regarding allegations of criminal misconduct as provided in Utah Code § 52-4-205.

A. Closed Session

11. ADJOURNMENT

Notice of Special Accommodations:

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 801-804-4530.

Notice of Electronic or telephone participation:

N/A

Other information:

Executive Board Contacts council@spanishfork.org 801-804-4530 Mayor Mendenhall mayor@spanishfork.org 801-804-4530 Stacy Beck sbeck@spanishfork.org 801-804-4530 Landon Tooke ltooke@spanishfork.org 801-804-4530 Shane Marshall smarshal@spanishfork.org 801-804-4530 Kevin Oyler koyler@spanishfork.org 801-804-4530 Jesse Cardon jcardon@spanishfork.org 801-804-4530

Location:

30 South Main Street at Library Hall, Spanish Fork, 84660

Contact information:

Tara Silver , tsilver@spanishfork.org, (801)804-4530



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11. ADJOURNMENT

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

RESOLUTION NO. 2023-27

ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
CHAD ARGYLE <i>Councilmember</i>	X			
STACY BECK <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>	X			
KEVIN OYLER <i>Councilmember</i>	X			
JESSE CARDON <i>Councilmember</i>	X			

I MOVE this ordinance be adopted: Councilmember Oyler

I SECOND the foregoing motion: Councilmember Beck

RESOLUTION 2023-27

A RESOLUTION ESTABLISHING AN
ANNUAL MEETING SCHEDULE FOR 2024

WHEREAS Section 10-3-502 of the Utah Code requires the City Council to prescribe the time and place for holding its regular meetings;

WHEREAS the Spanish Fork City Council adopted Section 2.08.020 of the Spanish Fork Municipal Code establishing regular meetings of the City Council; and

WHEREAS the City Council desires to establish an annual meeting schedule for 2024;

NOW, THEREFORE, be it resolved by the Spanish Fork City Council as follows.

Section 1. 2024 City Council Meeting Schedule. The Spanish Fork City Council generally will meet on the following dates in 2024, with meetings to begin generally at 6:00 p.m., preceded by a Work Session with the time being determined on each agenda, at the Library Hall Council Chambers located at 80 S. Main Street, Spanish Fork, Utah.

January 2	April 16	July 16	October 15
January 16	May 7	August 6	November 5
February 6	May 14*	August 20	November 19
February 20	May 21	September 3	December 10
March 5	June 4	September 17	
March 19	June 18	October 1	
April 2	July 2	October 8*	

* Indicates that it will be a combined City Council and Planning Commission Meeting.

The City Council may call special or emergency meetings as provided by law. The City Council, meeting in its *ex officio* capacity as the Board of Trustees of the Local Building Authority of Spanish Fork City, Utah ("LBA"), and the Board of Directors of the Spanish Fork Redevelopment Agency ("RDA"), will meet on an as-needed basis on the foregoing dates for which more specific published notice is given.

Section 2. 2024 Planning Commission Meeting Schedule. The

Spanish Fork City Planning Commission generally will meet on the following dates in 2024, with meetings to begin generally at 6:00 p.m., preceded by a work session beginning at 5:30 p.m., at the City Hall located at 80 S. Main Street, Spanish Fork, Utah.

January 3	May 1	August 7	November 6
February 7	May 14*	September 4	December 4
March 6	June 5	October 2	
April 3	July 10	October 8*	

* Indicates that it will be a combined City Council and Planning Commission Meeting.

Section 3 Public Hearings. Public hearings before the City Council and Planning Commission generally will be held during the section of the meetings designated as "Public Hearings," and for which notice has been given or at other times as published or posed in official notices of such public hearings.


Section 4. Other Meetings. The foregoing legislative and administrative bodies may hold such other meetings, study session, work sessions, budget meetings, and other meetings at such times and locations for which specialized notice thereof is given, as required by state law.

Section 5. Electronic Meetings. The foregoing legislative and administrative bodies may hold meetings by electronic means, telephone conference call, video conference, or other electronic means, in accordance

with state law.

Section 6. Effective Date. This Resolution is effective immediately upon passage.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL: December 12, 2023.


MIKE MENDENHALL, Mayor

Attest:



TARA SILVER, City Recorder



EXHIBIT B
GOVERNING DOCUMENT

GOVERNING DOCUMENT
FOR
GLH INDUSTRIAL PARK PUBLIC INFRASTRUCTURE DISTRICT NOS. 1-2

CITY OF SPANISH FORK, UTAH

May 21, 2024

LIST OF EXHIBITS

EXHIBIT A	Legal Descriptions
EXHIBIT B-1	Initial District Boundary Maps
EXHIBIT B-2	Annexation Area Boundary Map
EXHIBIT C	Estimated Public Improvement Costs

I. INTRODUCTION

A. Purpose and Intent. The Districts are independent units of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Governing Document, their activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Governing Document. It is intended that the Districts will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the Districts. The primary purpose of the Districts will be to finance the construction of these Public Improvements.

B. Objective of the City Regarding Districts' Governing Document. The City's objective in approving the Governing Document for the Districts is to authorize the Districts to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the Districts. All Debt is expected to be repaid by at a tax mill levy no higher than the Maximum Debt Mill Levy and also subject to the Maximum Debt Mill Levy Imposition Term for commercial and industrial properties, and/or repaid by Assessments. Debt which is issued within these parameters will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Governing Document is intended to establish a limited purpose for the Districts and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Operational activities are allowed, but only through an Interlocal Agreement with the City or relevant public entity.

It is the intent of the Districts to dissolve upon payment or defeasance of all Debt incurred or upon a determination that adequate provision has been made for the payment of all Debt, and if the Districts have authorized operating functions under an Interlocal Agreement, to retain only the power necessary to impose and collect taxes or Fees to pay for these costs.

C. Limitation on Applicability. This Governing Document is not intended to and does not create any rights or remedies in favor of any party other than the City. Failure of the Districts to comply with any terms or conditions of this Governing Document shall not relieve any party of an obligation to the Districts or create a basis for a party to challenge the incorporation or operation of the Districts, or any Debt issued by the Districts.

II. DEFINITIONS

In this Governing Document, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Annexation Area means the area described as Annexation Area in Exhibit A and depicted in Exhibit B-2.

Approved Development Plan: means an approved development plan identifying, among other things, Public Improvements necessary for facilitating development for property within the Districts.

Assessment: means assessments levied in an assessment area created within the Districts.

Board: means the board of trustees of a District.

Bond, Bonds or Debt: means bonds or other obligations, including loans of any property owner, for the payment of which a District has promised to impose an *ad valorem* property tax mill levy, and/or collect Assessments.

City: means the City of Spanish Fork, Utah.

City Code: means the Spanish Fork Municipal Code for Spanish Fork City, Utah.

City Council: means the City Council of the Spanish Fork City, Utah.

C-PACE Act: means Title 11, Chapter 42a of the Utah Code, as amended from time to time and any successor statute thereto.

C-PACE Bonds: means bonds, loans, notes, or other structures and obligations of the Districts issued pursuant to the C-PACE Act, including refunding C-PACE Bonds.

C-PACE Assessments: means assessments levied under the C-PACE Act.

District: means either of the GLH Industrial Park Public Infrastructure Districts.

Districts: means both GLH Industrial Park Public Infrastructure District No. 1 and No. 2

District Act: means the Special District Act and the PID Act.

Districts' Area: means the property within the Initial District Boundary Map and the Annexation Area Boundary Map.

Fees: means any fee imposed by the Districts for administrative services provided by the Districts.

General Obligation Debt: means a Debt that is directly payable from and secured by *ad valorem* property taxes that are levied by the Districts and does not include Limited Tax Debt.

Governing Document: means this Governing Document for the Districts, as approved by the City Council.

Governing Document Amendment: means an amendment to the Governing Document approved by the City Council in accordance with applicable state law and approved by the Board in accordance with applicable state law.

Initial District Boundaries: means the boundaries of the Districts described in the Initial District Boundary Maps.

Initial District Boundary Maps: means the maps attached hereto as Exhibit B, describing the initial boundaries of the Districts.

Limited Tax Debt: means a debt that is directly payable from and secured by *ad valorem* property taxes that are levied by the Districts which may not exceed the Maximum Debt Mill Levy.

Maximum Debt Mill Levy: means the maximum mill levy a District is permitted to impose for payment of Debt as set forth in Section VII.C below.

Maximum Debt Mill Levy Imposition Term: means the maximum term for imposition of a mill levy on a particular property as set forth in Section VII.D below.

Municipal Advisor: means a consultant that: (i) advises Utah governmental entities on matters relating to the issuance of securities by Utah governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the Districts and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Project: means the development or property known as GLH Industrial Park.

PID Act: means Title 17D, Chapter 4 of the Utah Code, as amended from time to time and any successor statute thereto.

PID Policy: means the Policy Statement Regarding Establishing Public Infrastructure Districts adopted by the City Council by Resolution No. 02-2024 on January 16, 2024, or any successor or amended policy.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Local District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Districts' Area as determined by the Board.

Special District Act: means Title 17B of the Utah Code, as amended from time to time.

State: means the State of Utah.

Taxable Property: means real or personal property within the Districts' boundaries that is subject to *ad valorem* taxes imposed by the Districts.

Trustee: means a member of a Board.

Utah Code: means the Utah Code Annotated 1953, as amended.

III. BOUNDARIES

The area of the Initial District Boundaries includes approximately 161 acres. A legal description of the Initial District Boundaries is attached hereto as Exhibit A. It is anticipated that the Districts' boundaries may change from time to time as they undergo annexations and withdrawals pursuant to Section 17B-1-401 *et seq.*, Utah Code. The project is anticipated to consist of approximately three million square feet of commercial development. It is anticipated that the project will be constructed in approximately three phases over approximately eight years.

IV. BENEFITS OF DISTRICTS

The Districts anticipate providing many benefits to the City and surrounding areas including the economic expansion of Spanish Fork and Utah County by recruiting companies offering good employment to residents, creating a distribution hub in Spanish Fork that is ideally positioned as a destination and origin point for the movement goods from the crowded California ports to the Intermountain and Pacific Northwest markets at an effective cost basis, and GLH Industrial Park will initiate the expansion of the infrastructure projects needed to enable further industrial expansion and development of the area.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the Districts. The Districts shall have the power and authority to provide the Public Improvements within and without their boundaries as such power and authority is described in the PID Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein. The estimated cost of the public improvements is set forth in Exhibit C.

B. Operations and Maintenance Limitation. The purpose of the Districts is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. The Districts shall dedicate the Public Improvements to the City, or other appropriate public entity in a manner consistent with rules and regulations of the City and applicable provisions of the City Code. The Districts shall be authorized, but not obligated, to own, operate and maintain Public Improvements not otherwise required to be dedicated to the City, or other public entity, including, but not limited to street improvements (including roads, curbs, gutters, culverts, sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, and other street improvements), traffic and safety controls, retaining walls, park and recreation improvements and facilities, trails, open space, landscaping, drainage improvements (including detention and retention ponds, trickle channels, and other drainage facilities), irrigation system improvements (including wells, pumps, storage facilities, and distribution facilities), and all necessary equipment and appurtenances incident thereto.

C. Construction Standards Limitation. The Districts shall ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The Districts shall obtain applicable permits for construction and installation of Public Improvements prior to performing such work. Land easements, or improvements to be conveyed or dedicated to the City and any other government entity shall be conveyed in accordance with the related standards at no cost to

the City. All public infrastructure within the Districts which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity. The Districts shall be subject to City zoning, subdivision, building codes, and all other applicable City ordinances, regulations, and construction and development standards. Approval of the Governing Document will not bind the City to approve other matters which the Districts or developer may request. The Districts shall pay all fees and expenses as provided in this Governing Document.

D. Procurement. The Districts shall be subject to the Utah Procurement Code, Title 63G, Chapter 6a. Any requests to reimburse the developer will be subject to review by a surveyor or engineer, employed or selected by the City, to ensure the request is within the scope of the Districts' bonds, complies with the Governing Document, and that the expense was incurred according to the State of Utah's competitive procurement rules. In the event a material violation is uncovered by an audit, the Districts may not reimburse the developer with available bond funds, if any, until violations are cured.

E. Municipal Advisor Certificate. Prior to the issuance of Debt, a District shall obtain the certification of a Municipal Advisor substantially as follows:

We are [I am] a Municipal Advisor within the meaning of the District's Governing Document.

We [I] certify that (1) the net effective interest rate to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

F. Annexation and Withdrawal.

(a) The City, by approval of this Governing Document, has consented to the annexation of any area within the Annexation Area into either of the Districts. Such area may only be annexed after obtaining consent of all property owners and registered voters, if any, within the area proposed to be annexed and the passage of a resolution of the Board of the District containing the area approving such annexed. The Districts shall not annex within their boundaries any property outside the Districts' Area without the prior written consent of the City.

(b) The City, by approval of this Governing Document, has consented to the withdrawal of any area within the District Boundaries from the Districts. Such area may only be withdrawn from a District after obtaining consent of all property owners and registered voters, if any, within the area proposed to be withdrawn and the passage of a resolution of the Board.

(c) Any annexation or withdrawal shall be in accordance with the requirements of the PID Act.

(d) Upon any annexation or withdrawal, the District shall provide the City a description of the revised District Boundaries.

(e) Annexation or withdrawal of any area in accordance with section shall not constitute an amendment of this Governing Document.

G. Governing Document Amendment Requirement. This Governing Document has been designed with sufficient flexibility to enable the Districts to provide required facilities under evolving circumstances without the need for numerous amendments. Subject to the limitations and exceptions contained herein, this Governing Document may be amended by passage of a resolution of the City and one or both of the Districts, as appropriate, approving such amendment.

H. Overlap Limitation. The boundaries of the Districts shall not overlap with another PID unless the aggregate mill levy for payment of Debt of the overlapping Districts will not at any time exceed the Maximum Debt Mill Levy of the applicable Districts, such aggregate mill levy not to exceed the maximum of 10 mills (0.010) established in the City's PID Policy. The Districts may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof, any end user for the costs of Improvements.

I. Initial Debt Limitation. On or before the effective date of approval by the City of an Approved Development Plan, a District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service fund; nor (c) impose and collect any Assessments used for the purpose of repayment of Debt.

J. Total Debt Issuance Limitation. The Districts shall not issue Debt in excess of an aggregate amount of Twenty Million Dollars (\$20,000,000). This amount excludes any portion of bonds issued to refund a prior issuance of Debt by the Districts. In addition, any C-PACE Bonds do not count against the foregoing limitation and there is no limit to the amount of C-PACE Bonds the Districts may issue so long as such issuances are in accordance with the provisions of the C-PACE Act.

Notwithstanding the foregoing, the Districts shall not be permitted to issue Debt, other than refunding prior issuances of Debt, after December 31, 2054. Bonds may not be purchased by parties who have a material conflict of interest related to the ownership of the property within the Districts unless a Municipal Advisor Certificate has been issued for such Debt.

K. Eminent Domain. The Districts shall not exercise eminent domain or utilize any funds of the Districts to support any eminent domain action or proceeding unless (a) the public improvements for which eminent domain is proposed are permitted under this Governing Document, an approval for the Project, or separate agreement of the City and (b) their location complies with a master plan, infrastructure plan, or similar plan of the City or applicable service provider.

L. Bankruptcy Limitation. All of the limitations contained in this Governing Document, including, but not limited to, those pertaining to the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term, have been established under the authority of the City to approve a Governing Document with conditions pursuant to Section 17D-4-201(5), Utah Code. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Governing Document Amendment; and

(b) Are, together with all other requirements of Utah law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable nonbankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy or the Maximum Debt Mill Levy Imposition Term, shall be deemed a material modification of this Governing Document and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Governing Document Amendment.

VI. THE BOARD OF TRUSTEES

A. Board Composition. The Boards shall be composed of five (5) Trustees each, who shall be appointed by the City Council pursuant to the PID Act. All Trustees shall be at-large seats. Trustee terms for the Districts shall be staggered with initial terms as follows: Trustees 1 and 2 shall serve an initial term of 4 years; Trustees 3, 4, and 5 shall serve an initial term of 6 years. All terms shall commence on the date of issuance of a certificate of creation by the Office of the Lieutenant Governor of the State of Utah. In accordance with the PID Act, appointed Trustees shall not be required to be residents of the Districts.

Because the Districts are not anticipated to include any residential property, the Board shall continue to be appointed by the City Council and comprised of owners of land or agents and officers of an owner of land within the boundaries of the District. Any property owner owning at least 1/5 of the taxable value of the property within such Districts shall be entitled to nominate one trustee seat for each 1/5 value (provided that the City retains discretion to reject any nominee and request a new nominee from such property owner).

B. Reelection and Reappointment. Not less than ninety (90) days prior to the expiration of a Trustee’s respective term, the Districts shall notify the City of the pending expiration of the term. The City Council may appoint a new Trustee pursuant to the PID Act prior to the expiration of the term of the current Trustee. If the City Council fails to appoint a new Trustee, within ninety (90) days of receiving notice of the expiring term, the existing Trustee shall be deemed reappointed for an additional term of four (4) years. If no qualified candidate files to be considered for appointment for a seat, such seat may be filled in accordance with the Special District Act. Any Trustee shall continue to serve until a new Trustee is elected or appointed.

C. Vacancy. Any vacancy on the Board shall be filled pursuant to the Special District Act. In the event a District requests the appointment of a board member, and the City has not acted on such request within ninety (90) days, the person requested shall be considered appointed.

VII. FINANCIAL PLAN

A. General.

The Districts shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from their revenues and by and through the proceeds of Debt to be issued by the Districts.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed eighteen percent (18%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Governing Document, State law and Federal law as then applicable to the issuance of public securities.

C. Maximum Debt Mill Levy.

(a) The "Maximum Debt Mill Levy" is the maximum mill levy a District is permitted to impose upon the taxable property within the District for payment of Limited Tax Debt and shall be five mills (0.005) per dollar of taxable value of taxable property in the District; provided that such levy shall be subject to adjustment as provided in Section 17D-4-301(8), Utah Code.

(b) Such Maximum Debt Mill Levy may only be amended pursuant to a Governing Document Amendment and as provided in Section 17D-4-202, Utah Code.

D. Maximum Debt Mill Levy Imposition Term.

Each bond issued by a District shall mature within Thirty-One (31) years from the date of issuance of such bond. In addition, no mill levy may be imposed for the repayment of a series of bonds after a period exceeding forty (40) years from the first date of imposition of the mill levy for such bond (the "Maximum Debt Mill Levy Imposition Term"), unless a majority of the Board are residents of the District and have voted in favor of issuing such Debt.

E. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the Districts shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the

resolution of the District authorizing the issuance of this Bond and in the Governing Document for creation of the Districts.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Governing Document shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the Districts.

F. Security for Debt.

The Districts shall not pledge as security any land, assets, funds, revenue or property of the City, or property to be conveyed to the City, as security for the indebtedness set forth in this Governing Document. Approval of this Governing Document shall not be construed as a guarantee by the City of payment of the Districts' obligations; nor shall anything in the Governing Document be construed as creating any responsibility or liability on the part of the City, in the event of default by the Districts, regarding payment of any such obligation. All debt issued by the Districts for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.

G. Bond and Disclosure Counsel; Municipal Advisor.

It is the intent of the City that the Districts shall use competent and nationally recognized bond counsel, disclosure counsel and Municipal Advisor with respect to the Districts' Bonds to ensure proper issuance and compliance with this Governing Document.

The Districts, unless waived in writing by the City, shall use the City's bond counsel and Municipal Advisor, however, the Districts may request to use other bond counsel or Municipal Advisors, meeting the requirements in the foregoing sentence, with such request in writing, delivered to the City Manager and the City Attorney, stating the grounds for such request. Such request may be denied or delayed in the sole judgment of the City.

VIII. ANNUAL REPORT

A. General. In addition to all reporting requirements required by state law, the Districts shall be responsible for submitting an annual report to the City no later than September 30th, beginning with fiscal year 2025.

B. Reporting of Significant Events. The annual report shall include information as to any of the following:

1. Annual District budget;
2. Annual financial report or audit of the District, as applicable under relevant statutory provisions;
3. Total debt authorized and total debt issued and presently planned debt issuances;

4. Names and terms of Board members and officers and progress towards milestones required for transition to elected Board;
5. Rules and regulations of the District regarding bidding, conflict of interest, contracting, and other governance matters, if changed;
6. List of current interlocal agreements, if changed (to be delivered to the City upon request);
7. List of all current contracts for services or construction (to be delivered to the City upon request);
8. Official statements of current outstanding bonded indebtedness, if not previously received by the City;
9. Current approved Governing Document, if changed; and
10. District Office contact information.

IX. DISSOLUTION

Upon repayment or defeasance of its Debt, the District which has repaid its Debt agree to file a petition for dissolution, pursuant to the applicable State statutes. In no event shall dissolution of a District occur until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes. There shall be no dissolution of a District except as prescribed under Utah Code § 17B-1-1301 *et seq.*

X. DISCLOSURE TO PURCHASERS

Within thirty (30) days of the Office of the Lieutenant Governor of the State of Utah issuing a certificate of creation for the Districts, or the annexation of property into the Districts, the appropriate Board shall record a notice against the property within the District with the recorder of Utah County and provide a copy of the notice to the City. Such notice shall (a) contain a description of the boundaries of the District, (b) state that a copy of this Governing Document is on file at the office of the City, (c) if applicable, state that the debt may convert to general obligation debt and outlining the provisions relating to conversion, and state that the District may finance and repay infrastructure and other improvements through the levy of a property tax; (d) state the maximum rate the District may levy; and (e) include substantially the following language in bold:

“Under the maximum property tax rate of the District, for every \$100,000 of taxable value, there would be an additional annual property tax of \$500 for the duration of the District’s Bonds.”

Applicant, builders, developers, and lessors, as applicable, shall be required to disclose the information above to initial property owners, renters, and tenants. Such disclosures shall be contained on a separate colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.

At least annually following the formation of the Districts, each District shall notify (by mail, e-mail, or posting to the District’s website) property owners in the District of the existence of the District and of the next scheduled meeting of the Board of the District. Such meeting shall

occur at least 30 days and not more than 60 days following the date of the notice. Such notification shall include names and contact information of the Board of Directors and officers, the address, telephone and fax numbers, and e-mail address of the District, and shall include reference to the existence of a District file maintained by the City.

Failure to provide any disclosures required by this Section shall not relieve any property owner of the obligation to pay taxes imposed by a District.

XI. ENFORCEMENT

In accordance with Section 17D-4-201(5) of the Utah Code, the City may impose limitations on the powers of the Districts through this Governing Document. The City shall have the right to enforce any of the provisions, limitations or restrictions in this Governing Document against the Districts, through any and all legal or equitable means available to the City, including, but not limited to, injunctive relief.

EXHIBIT A

Legal Descriptions

Initial District Boundaries:

District No. 1

An annexation into GLH Industrial Park Public Improvement District being all or part of five (5) parcels of land described as Parcels 5-9 in that Special Warranty Deed recorded June 14, 2022 as Entry No. 70562:2022 in the Office of the Utah County Recorder. Said entire tract is located in the Northwest Quarter of Section 12 and the Southwest Quarter Corner of Section 1, Township 8 South, Range 2 East, Township 8 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Beginning at the West Quarter Corner of said Section 12; thence N. 00°25'12" W. 2,660.10 feet along the Section line to the Northwest Corner of said Section 12; thence N. 89°14'17" E. 512.25 feet along the Section line to a southerly extension of an existing wire fence; thence N. 00°13'34" W. 782.56 feet along said existing fence; thence S. 47°32'12" E. 1,142.59 feet along a line parallel and perpendicularly distance southwesterly 100.00 feet from an existing wire fence to said northerly line of said Section 12; thence N. 89°14'17" E. 79.95 feet along the Section Line; thence S. 00°45'43" E. 75.14 feet; thence S. 47°32'12" E. 948.37 feet; thence North 24.98 feet; thence S. 46°01'23" E. 10.80 feet; thence S. 00°11'13" E. 1,818.39 feet to an existing East West wire fence; thence along said existing wire fence the following three (3) courses: 1) N. 89°29'57" W. 130.00 feet; 2) N. 89°43'19" W. 357.16 feet; 3) N. 89°32'19" W. 599.90 feet; thence N. 89°34'02" W. 830.01 feet; thence S. 01°32'18" E. 174.57 feet to the Quarter Section line; thence S. 89°24'09" W. 214.48 feet along said Quarter Section line to the **Point of Beginning**.

Contains 124.490 acres, more or less.

District No. 2

An annexation into GLH Industrial Park Public Improvement District being an entire tract of land located in the Southwest Quarter of Section 1 and Northwest, Southwest and Southeast Quarters of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian described as follows:

Beginning at a point which is 24.98 feet N. 89°24'09" E. along the Section Line from the West Quarter Corner of said Section 12; thence N. 89°24'09" E. 189.50 feet along the Quarter Section line; thence N. 01°32'18" W. 174.57 feet to an existing fence corner; thence along said existing fence the following two (2) courses: 1) S. 89°34'02" E. 830.01 feet; 2) S. 89°32'19" E. 599.90 feet to the northwesterly corner of that parcel of land described in that Special Warranty Deed recorded September 8, 2023 as Entry No. 59306:2023 in the Office of the Utah County Recorder; thence along said parcel the following three (3) courses: 1) S. 00°12'51" W. 1089.75 feet; 2) S. 89°23'35" E. 364.41 feet; 3) N. 00°09'57" W. 1091.88 feet to said existing fence; thence S. 89°29'57" E. 130.00 feet along said existing fence; thence S. 00°00'59" E. 1081.23 feet; thence N. 76°20'27" E. 5.90 feet; thence S. 89°44'19" E. 523.26 feet; thence S. 00°00'06" E. 39.14 feet; thence N. 89°38'11" W. 532.16 feet to an existing fence; thence along said existing fence the following ten (10) courses: 1) N. 89°18'29" W. 202.94 feet; 2) N. 89°41'52" W. 287.71 feet; 3) N. 89°51'28" W. 133.70 feet; 4) S. 89°42'04" W. 213.43 feet; 5) S. 89°36'20" W. 204.70 feet; 6) S. 72°40'45" W. 115.03 feet; 7) S. 75°35'38" W. 45.49 feet; 8) S. 81°13'46" W. 15.96 feet; 9) N. 10°03'50" W. 13.26 feet; 10) S. 77°15'52" W. 125.05 feet; 11) S. 79°17'40" W. 48.16 feet to an existing Boundary Line Agreement recorded June 4, 2018 as Entry No. 51914:2018 in the Office of said Recorder; thence along said Boundary Line Agreement the following five (5) courses: 1) N. 29°59'52" W. 587.65 feet; 2) N. 58°29'52" W. 60.26 feet; 3) N. 20°39'53" W. 457.67 feet; 4) N. 21°28'01" W. 41.42 feet; 5) S. 89°24'08" W. 196.09 feet; thence N. 00°25'57" W. 20.00 feet to the **Point of Beginning**.

Contains 36.39 acres, more or less.

Annexation Area Boundaries:

Commencing North 3021.53 feet and West 12.79 feet from the South quarter corner of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°48'16" East 520.98 feet; thence South 00°08'00" West 387.23 feet; thence North 89°55'00" East 28 feet; thence South 00°25'59" East 862.41 feet; thence West 517.09 feet; thence South 49.5 feet; thence South 32°59'12" West 45.42 feet; thence North 89°29'59" West 481.8 feet; thence North 00°45'00" East 966.97 feet; thence East 456.19 feet; thence North 367.86 feet to the beginning.

ALSO:

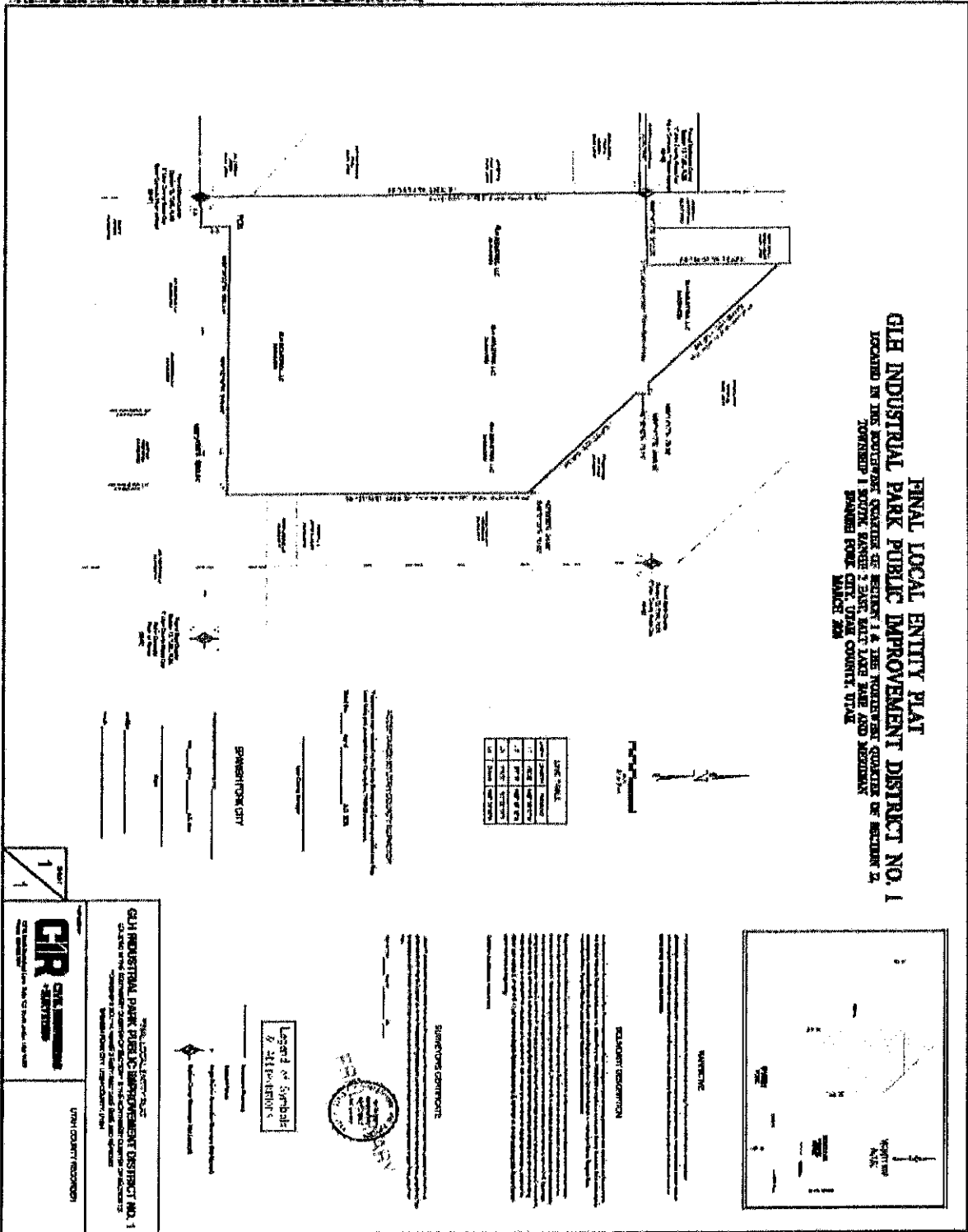
Commencing from the center of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence West 473.22 feet; thence North 00°30'00" East 369.51 feet; thence South 89°48'16" East 470.15 feet; thence South 367.89 feet to the beginning.

and

Commencing South 00°26'01" East 967.28 feet and East 1631.35 feet from the West quarter corner of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°27'00" East 362.00 feet; thence North 00°16'00" East 1119.6 feet; thence North 89°04'00" West 356.00 feet; thence South 00°35'00" West 1122.04 feet to the beginning.

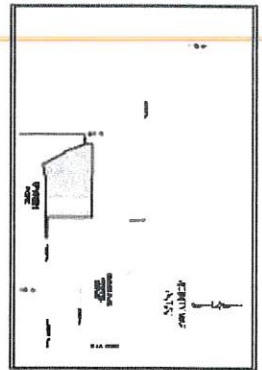
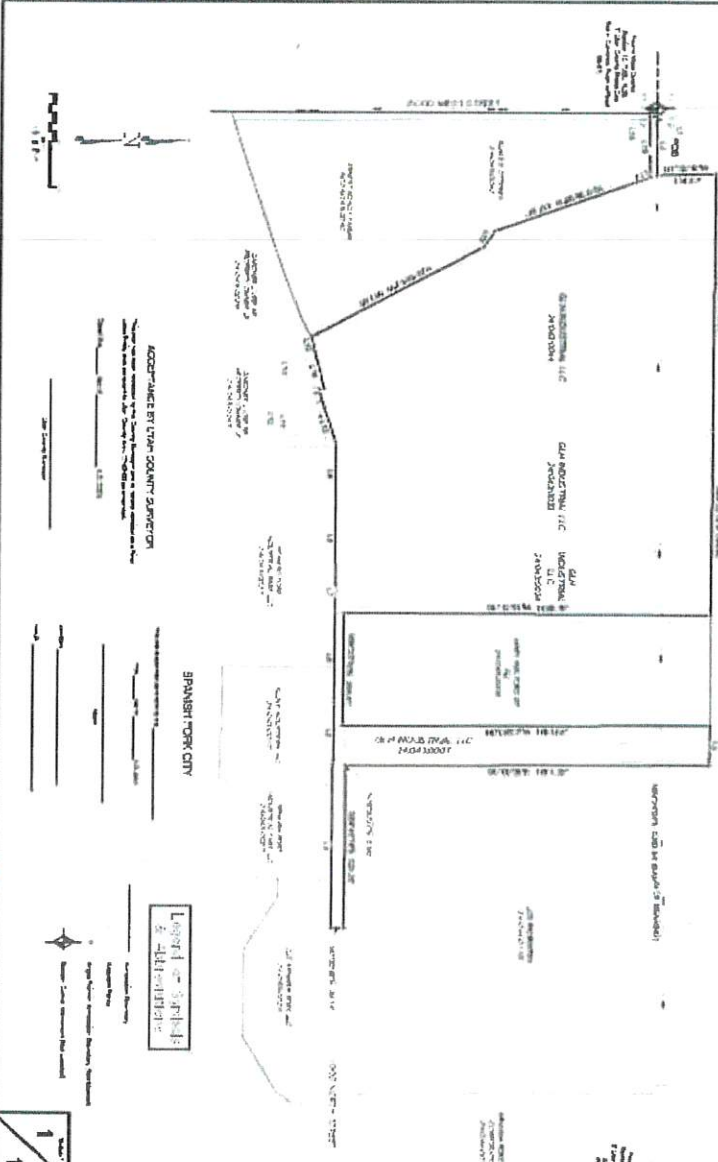
EXHIBIT B-1

Initial District Boundary Maps



FINAL LOCAL ENTITY PLAT
GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 2
 LOCATED IN THE NORTHWEST, CENTER AND SOUTHWEST QUARTERS OF SECTION 14,
 TOWNSHIP 1 SOUTH, RANGE 2 EAST, SALT LAKE BASIN AND NEEDHAM
 SPANISH FORK CITY, UTAH COUNTY, UTAH
 MARCE 2018

AREA	ACRES	PERCENT
1	1.0000	100.00%
2	0.0000	0.00%
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4	0.0000	0.00%
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WARNING

This plat is subject to the provisions of the Utah Public Access Law, which requires that certain lands be made available to the public for recreational purposes. The land shown on this plat is not subject to the provisions of the Utah Public Access Law.

BOUNDARY DESCRIPTION

The boundary of the land shown on this plat is described as follows: The south boundary of the land shown on this plat is the boundary of the land owned by the Utah County Records, and is described as follows: ...



SPANISH FORK CITY

UTAH COUNTY RECORDS

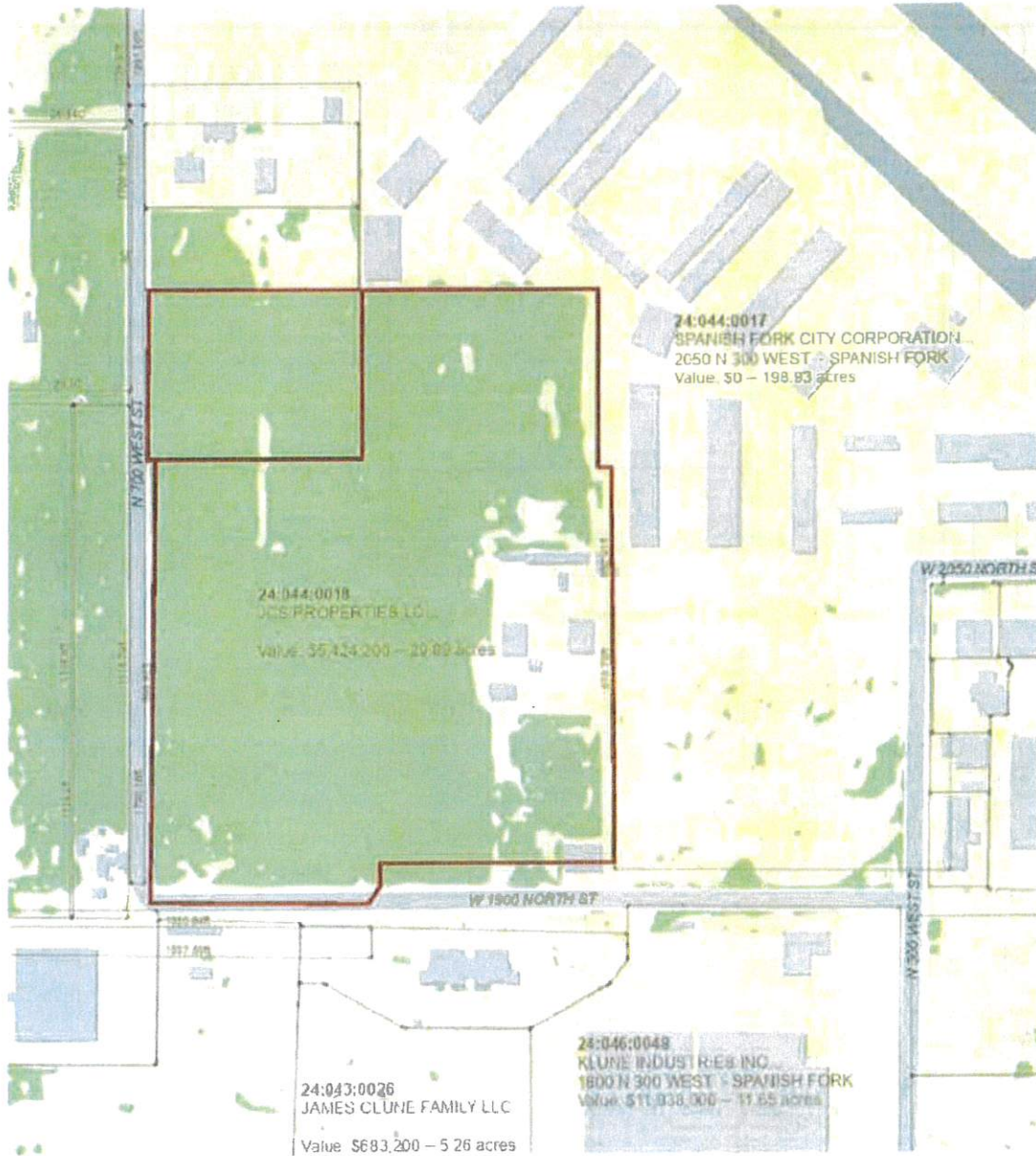
GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 2

Created by the Utah County Records and the Utah County Surveyors' Association.

CPR CITY OF SPANISH FORK

EXHIBIT B-2

Annexation Area Boundary Maps



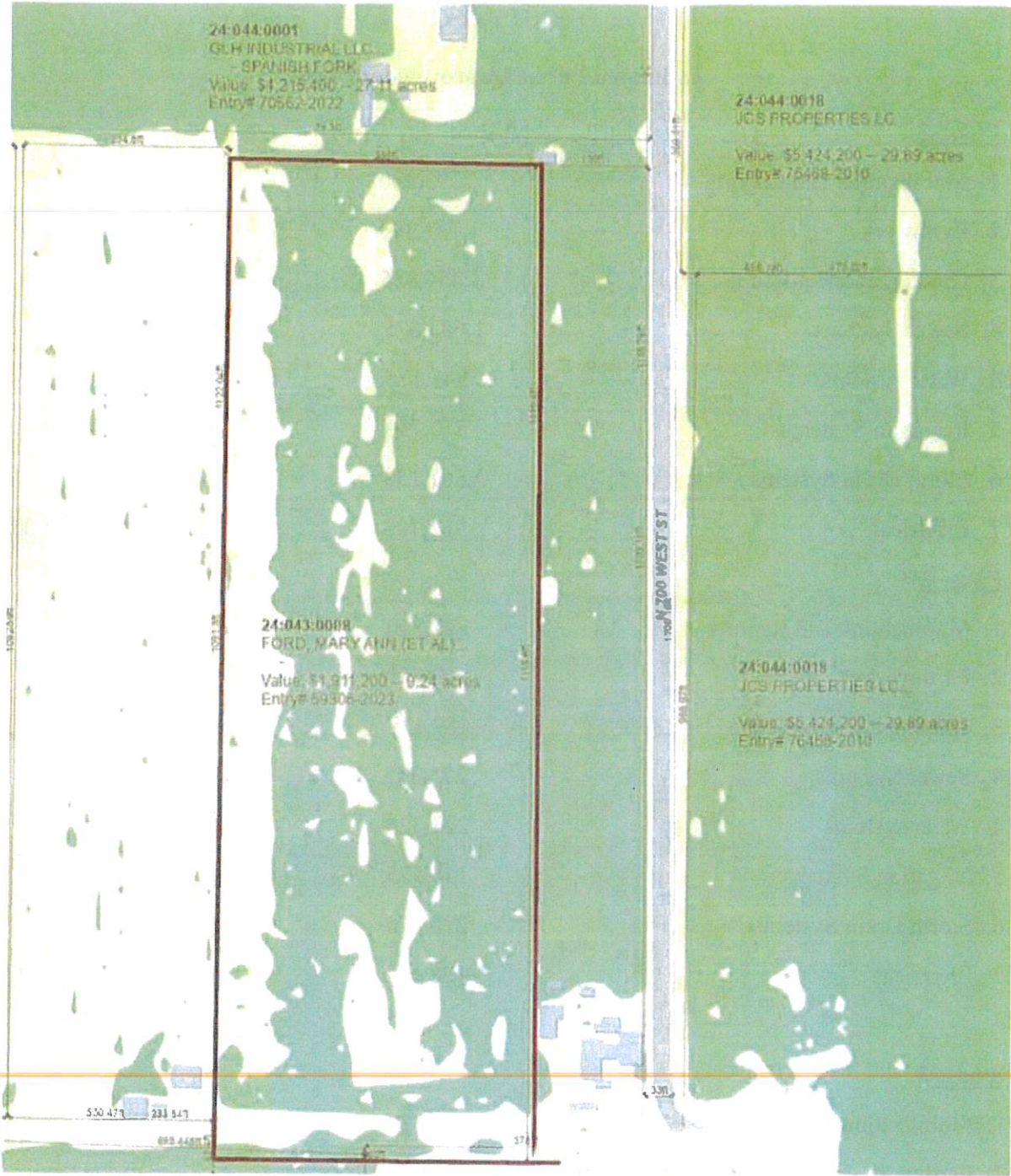


EXHIBIT C

Estimated Public Improvement Costs

Phase 1

1. Mobilization and Reports	193,230	
2. Earthwork	1,121,300	
3. Grading and Hardscape	1,454,925	
4. Sewer Systems	1,683,875	
4. Water systems	945,175	
5. Irrigation Systems	510,750	
6. Storm Drain Systems	2,661,150	
7. Electrical	<u>361,100</u>	<u>Sub-total: \$8,931,505</u>

Phase 2

1. Mobilization and Reports	222,250	
2. Earthwork	302,750	
3. Grading and Hardscape	489,127	
4. Sewer Systems	275,325	
4. Water systems	224,325	
5. Irrigation Systems	144,575	
6. Storm Drain Systems	220,675	
7. Electrical	<u>128,450</u>	<u>Sub-total: \$2,007,477</u>

Phase 3

1. Mobilization and Reports	134,420
2. Earthwork	770,050
3. Grading and Hardscape	982,930
4. Sewer Systems	952,275
4. Water systems	673,725
5. Irrigation systems	376,425

6. Storm Drain Systems 914,550

7. Electrical 477,550

Sub-total: \$5,281,925

Project Total: \$16,220,907

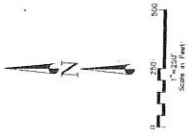
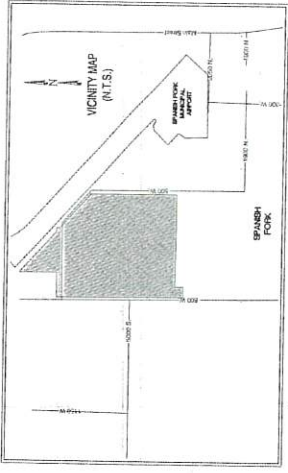
EXHIBIT C

NOTICES OF BOUNDARY ACTION

FINAL LOCAL ENTITY PLAT

GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 1

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1 & THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
SPANISH FORK CITY, UTAH COUNTY, UTAH
MAY 2024



LINE #	LENGTH	BEARING
L1	133.00	N89°29' 27"W
L2	351.16	N89°42' 19"W
L3	174.67	S1°32' 18"E
L4	214.48	S59°26' 05"W

NARRATIVE

This plat and the accompanying boundary lines have been prepared for the purpose of creating a Public Improvement District No. 1, within the unincorporated area of the Spanish Fork, Utah, County Recorder and State of Utah, Salt Lake Base and Meridian and is located in the Southwest Quarter of Section 1 and the Northwest Quarter of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian.

BOUNDARY DESCRIPTION

An area of 124,600 acres, more or less, consisting of the part of the 64 parcels of land described as Plots 5-6 in the Spanish Fork, Utah, County Recorder and State of Utah, Salt Lake Base and Meridian, and the Southwest Quarter of Section 1, Township 8 South, Range 2 East, Salt Lake Base and Meridian, and the Northwest Quarter of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian, and is located in the Southwest Quarter of Section 1 and the Northwest Quarter of Section 12, Township 8 South, Range 2 East, Salt Lake Base and Meridian.

SURVEYOR'S CERTIFICATE

I, John C. Carter, a Professional Land Surveyor in the State of Utah and member License No. 24727, in accordance with Section 17-22-30 and 17-22-31, Utah Code, do hereby certify that the above described plat and boundary lines are true and correct and have been prepared in accordance with the laws of the State of Utah.

I signed this _____ day of _____, 2024.



ACCEPTANCE BY UTAH COUNTY SURVEYOR

This plat has been reviewed by the County Surveyor and is hereby certified as a Public Local Entity plat, pursuant to Utah County Act, 17-22-30 as amended.

Dated this 4 day of JUNE, A.D. 2024.

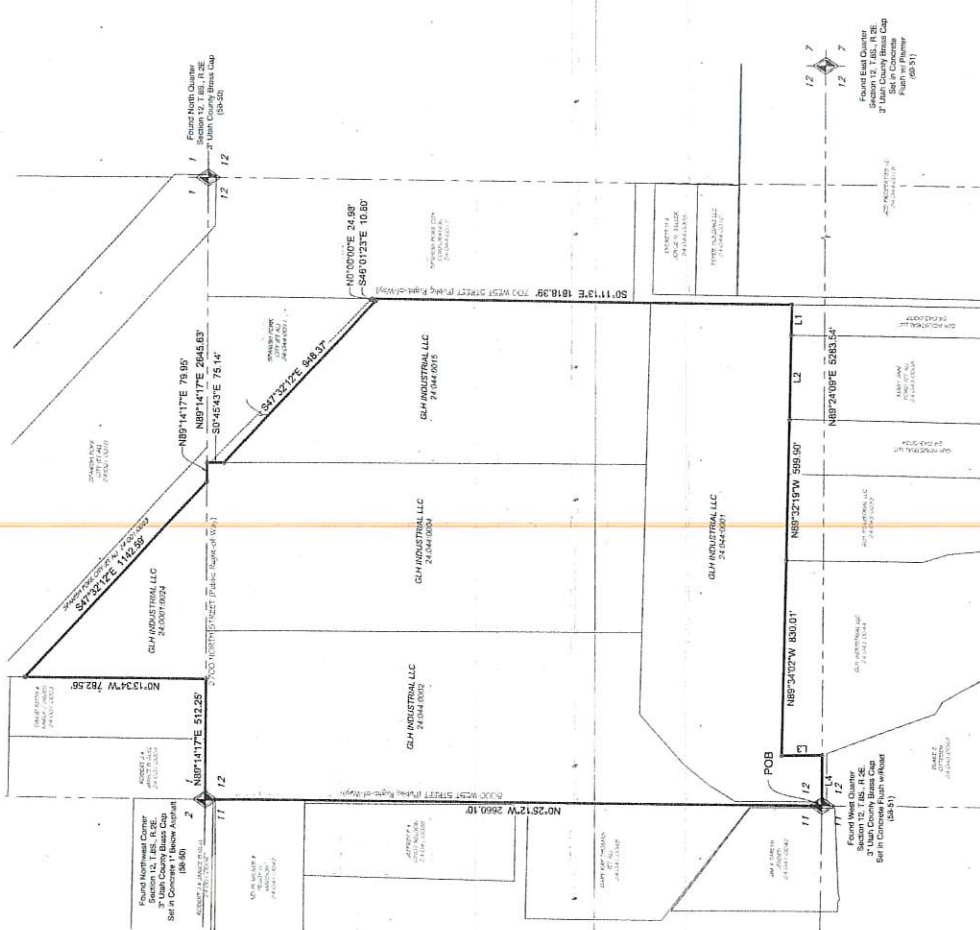
John C. Carter
Utah County Surveyor

SPANISH FORK CITY

This plat is approved as to form by the MINE, MEINREHALL

The 28 day of May, A.D. 2024.

[Signatures]
ATTORNEY: *[Signature]*
TITLE: City Recorder



Found East Quarter of Section 1, Township 8 South, Range 2 East, Salt Lake Base and Meridian, Utah County Recorder and State of Utah, Salt Lake Base and Meridian (98-97).

SHEET 1 1

FINAL LOCAL ENTITY PLAT
GLH INDUSTRIAL PARK PUBLIC IMPROVEMENT DISTRICT NO. 1
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1 & THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
SPANISH FORK CITY, UTAH COUNTY, UTAH

PREPARED BY

CIR
CIVIL ENGINEERING
+ SURVEYING

10719 South Backstead Lane, Suite 102, South Jordan, Utah 84092
Phone: 435-663-7941

UTAH COUNTY RECORDER

