

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 know as the NS-PUBLIC INFRASTRUCTURE DISTRICT #1 ANNEXATION #1 located in UTAH COUNTY, dated OCTOBER 2, 2024, complying with §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 NS-PUBLIC INFRASTRUCTURE DISTRICT #1 ANNEXATION #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 9th day of October, 2024 at Salt Lake City, Utah.



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

DEIDRE M. HENDERSON
Lieutenant Governor

NOTICE OF IMPENDING BOUNDARY ACTION
ANNEXATION OF PROPERTY
(ANNEXATION NO. 1)

To: Lieutenant Governor, State of Utah

From: NS Public Infrastructure District No. 1 (the "District")

NOTICE IS HEREBY GIVEN that the Board of Trustees of the NS Public Infrastructure District No. 1 (the "Board"), desires to annex property into the boundaries of the District pursuant to Utah Code Section 17D-4-201(3).

A petition meeting the requirements for annexation set forth in Utah Code Section 17D-4-201(3) has been filed with the City of Salem, Utah (the "Petition"). The Board has adopted a resolution approving the annexation of the property as set forth in the Petition, a true and correct copy of which is attached hereto and incorporated herein by this reference as **Exhibit A**. The District hereby certifies that all requirements applicable to the annexation of the property set forth in the Petition have been met. The annexation of property is not anticipated to result in the employment of personnel and therefore Utah Code Section 67-1a-6.5(3)(d) is not applicable in this case.

A copy of the Approved Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Section 17-23-20 and that has been approved by the Utah County surveyor as a final local entity plat is attached hereto and incorporated herein by this reference as **Exhibit B**.

CERTIFIED this 2 day of Oct, 2024.

NS PUBLIC INFRASTRUCTURE DISTRICT
NO. 1, a body politic and corporate created and
validly existing under the laws of the State of Utah

Boyd B. Brown

Officer of the District

STATE OF Utah)

) ss.

COUNTY OF Salt Lake)

The above and foregoing instrument was subscribed and sworn before me this 2 day of
October 2024, by Boyd B. Brown, as an Officer of NS Public Infrastructure
District No. 1.

WITNESS my hand and official seal.

(SEAL)



Steffanie Ferguson

Notary Public

My commission expires: 3-14-28

Exhibit A

Resolution Approving Annexation

RESOLUTION
OF THE BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1
ANNEXING PROPERTY
(ANNEXATION NO. 1)

WHEREAS, NS Public Infrastructure District No. 1 (the “District”) is a body politic and corporate created and validly existing under the laws of the State of Utah, duly organized and existing pursuant to 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; and

WHEREAS, Utah Code Section 17D-4-201(3)(a)(i)(B) provides that an area outside the boundaries of the District may be annexed into the District if the Board of Trustees of the District (the “Board”) adopts a resolution to annex the area, provided that the Governing Document authorizes the Board to annex an area without the further consent of the City of Salem, Utah (the “City”); and

WHEREAS, Section V.A.5 of the Governing Document permits the District to annex areas outside the District boundaries without the City’s consent provided certain conditions set forth in the Governing Document are met; and

WHEREAS, Utah Code Section 17D-4-201(3)(a)(ii) provides that if there are any registered voters within the area to be annexed, a petition is filed with the City that contains the signatures of 100% of registered voters within the area, demonstrating that the registered voters approve of the annexation into the District; and

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

WHEREAS, in conformance with Utah Code Section 17D-4-201(3)(a)(iii) a petition for annexation that contains the signatures of 100% of the surface property owners within the area to be annexed demonstrating the surface property owners’ consent to the annexation into the District (the “Petition”) has been filed with the City; and

WHEREAS, the District desires to adopt this resolution to annex property into the District’s boundaries.

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

1. **Approval of Annexation.** The Board hereby acknowledges the Petition attached hereto as **Exhibit A** and approves the annexation of the property described in the Petition into the boundaries of the District.

[Remainder of Page Intentionally Left Blank, Signature Page Follows]

ADOPTED SEPTEMBER 19, 2024

DISTRICT:

**NS PUBLIC INFRASTRUCTURE DISTRICT
NO. 1**, a body politic and corporate created and
validly existing under the laws of the State of
Utah

By: 
Boyd Brown (Sep 25, 2024 15:16 MDT)


Officer of the District

Attest:

By: *Clay Winder*
Clay Winder (Sep 25, 2024 18:15 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law


General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the Resolution
Annexing Property adopted by the Board at a meeting held on Thursday, September 19, 2024, at
1265 E Fort Union Blvd., Suite 302, Cottonwood Heights, Utah and via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th day of
September, 2024.



Signature
Blair M. Dickhoner
Printed Name

Exhibit A

Petition for Annexation

PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1
CITY OF SALEM, UTAH

Pursuant to the provisions of Utah Code Section 17D-4-201(3)(a)(iii), NEW SALEM VISION 1 LLC, a Utah limited liability company (the "Petitioner"), hereby respectfully requests that the NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1 (the "District"), by and through its Board of Trustees, annex the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), into the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it's the 100% surface property owner of the Property and that no other person, persons, entity, or entities own a surface Property interest except as beneficial holders of encumbrances, if any. By its signature below the Petitioner hereby assents to the annexation of the Property into the boundaries of the District.

The name and address of the Petitioner are as follows:

New Salem Vision 1 LLC
8417 South Etienne Way
Sandy, UT 84093

Exhibit A

Property

Parcel ID – 25:060:0038

Parcel ID – 25:060:0058

Parcel ID – 25:060:0061

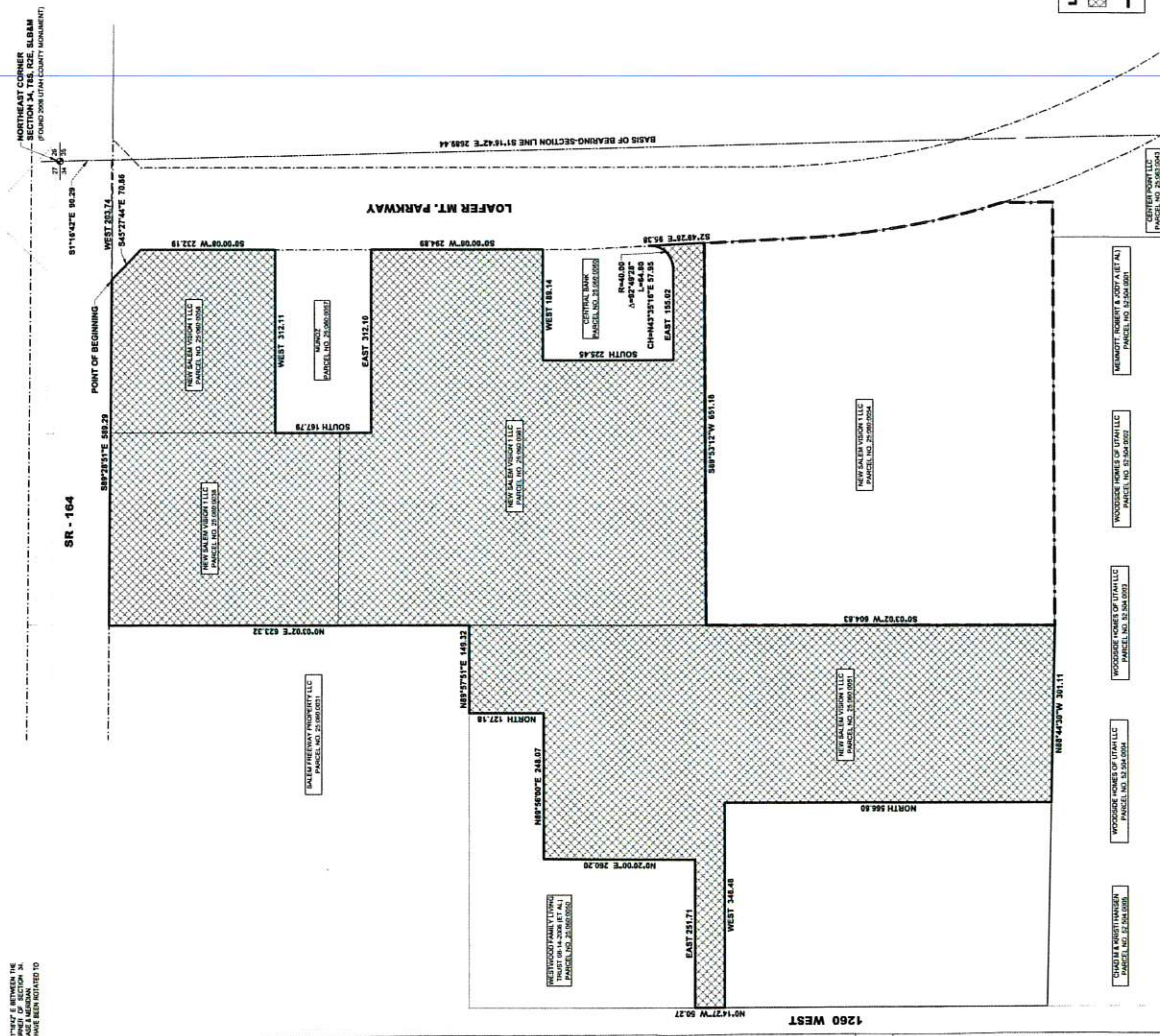
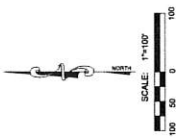
Parcel ID – 25:060:0051

Exhibit B
Final Local Entity Plat



NOTES

1. THE BASE OF BEARING CORNER IS STAKED & BETWEEN THE MONUMENT CORNER AND THE EAST 1/4 CORNER OF SECTION 34.
2. ALL BEING SURVEYED & ANNOTATED PLATS HAVE BEEN RETURNED TO THE OFFICE OF RECORDS & MAPPING.



SURVEYOR'S CERTIFICATE

I, JOHN A. POLK, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 2076 AS PREPARED UNDER THE LAWS OF THE STATE OF UTAH. I HAVE PERSONALLY CONDUCTED THIS SURVEY AND I HAVE BEEN ASSISTED BY THE FOLLOWING ASSISTANTS: [List of assistants]

BOUNDARY DESCRIPTION

THE ANNEXATION AREA IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE COUNTY, UTAH. THE ANNEXATION AREA IS BOUNDARY DESCRIBED AS FOLLOWS: [Detailed description of the boundary]

ACCEPTANCE BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT. (PERMITS TO APPLY FOR ANNOTATED TO 2020)

DATE: 9/26/2024

COUNTY SURVEYOR: John A. Polk

NS-PUBLIC INFRASTRUCTURE DISTRICT #1 ACCEPTANCE

APPROVED BY THE LOCAL ENTITY: City of Salem

SIGNATURE: David B. Brown

TITLE: Mayor of the District

ATTEST: Stephanie Johnson

FINAL LOCAL ENTITY PLAT

NS-PUBLIC INFRASTRUCTURE DISTRICT #1 ANNEXATION #1

SALEM CITY, UTAH

SCALE: 1" = 100 FEET

SHEET 1 OF 1



LEGEND

- ANNEXATION AREA (Hatched pattern)
- EXISTING DISTRICT (Dashed line)
- BOUNDARY (Solid line)

NORTHWEST CORNER

SECTION 34

POINT OF BEGINNING

FOUND 1961 (UTAH COUNTY MONUMENT)

EAST 1/4 CORNER

SECTION 34

POINT OF BEGINNING

FOUND 1961 (UTAH COUNTY MONUMENT)



**NS PUBLIC INFRASTRUCTURE DISTRICT NOS. 1, 3-5
SPECIAL MEETING**

Thursday, September 19, 2024, at 3:00 pm

ANCHOR LOCATION: 1265 E Fort Union Blvd., Suite 302, Cottonwood Heights, UT

This meeting is open to the public and may be joined using the following information:

LINK:

<https://us06web.zoom.us/j/83683797186?pwd=JXwGs5ihVNlrzQW41vatF7PUUHSjh8.1>

MEETING ID: 836 8379 7186

PASSCODE: 021171

BY PHONE: 1- 719-359-4580

Trustees	Terms
Boyd Brown	Term from May 2, 2024 to 6 years from appointment
Jonny Christensen	Term from May 2, 2024 to 4 years from appointment
Clay Winder	Term from May 2, 2024 to 4 years from appointment
Vacant	Term from [date of appointment] to [4 years from appointment]
Vacant	Term from [date of appointment] to [6 years from appointment]

NOTICE OF SPECIAL MEETING AND AGENDA

1. Call to Order/Declaration of Quorum
2. Preliminary Action Items
 - a. Approve Agenda
3. Public Comment – Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes.
4. Public Hearing
 - a. Conduct a Public Hearing to receive input from the public on the adoption of the tentative budget as the final budget for the calendar year of 2024
 - b. Members of the public wishing to comment may connect electronically at:
<https://us06web.zoom.us/j/83683797186?pwd=JXwGs5ihVNlrzQW41vatF7PUUHSjh8.1>; Meeting ID: 836 8379 7186 Passcode: 021171
5. Action Items
 - a. Adopt final operating and capital budgets for calendar year 2024
 - i. Adopt Resolution Adopting the 2024 Budget

- b. Approve Minutes from August 7, 2024 Initial Joint Meeting
 - c. Approve Proposal from Utah Local Government Trust for General Liability Coverage and authorize legal counsel to bind coverage (No. 1)
 - d. Approve Petition for Annexation from New Salem Vision I (No. 1)
 - i. Adopt Resolution Annexing Property
 - ii. Approve Notice of Impending Boundary Action
 - e. Approve Petition for Withdrawal from Woodside Homes of Utah, LLC (No. 3)
 - i. Adopt Resolution Withdrawing Property

 - f. Bond Issuance (No. 1)
 - i. Approve Special Fee Disclosure Letter from White Bear Ankele Tanaka & Waldron
 - ii. Approve Engagement of Gilmore & Bell, P.C. as Bond Counsel
 - iii. Approve Engagement of Piper Sandler as Underwriter
 - g. Administrative Non-Action Items
6. Adjourn

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ANNEXING PROPERTY
(ANNEXATION NO. 1)

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1. **Approval of Annexation.** The Board hereby acknowledges the Petition attached hereto as Exhibit A and approves the annexation of the property described in the Petition into the boundaries of the District.

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ADOPTED SEPTEMBER 19, 2024

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NO. 1**, a body politic and corporate created and
validly existing under the laws of the State of
Utah


By: 
Boyd Brown (Sep 25, 2024 15:16 MDT)
Officer of the District

Attest:

By: *Clay Winder*
Clay Winder (Sep 25, 2024 18:15 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law


General Counsel to the District

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IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th day of
September, 2024.



Signature

Blair M. Dickhoner
Printed Name

Exhibit A

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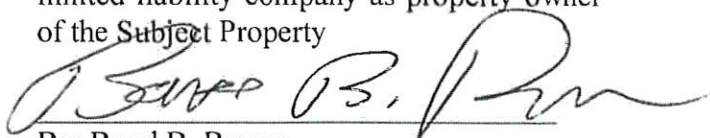
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The name and address of the Petitioner are as follows:

New Salem Vision 1 LLC
8417 South Etienne Way
Sandy, UT 84093

PETITIONER:

NEW SALEM VISION 1 LLC, a Utah limited liability company as property owner of the Subject Property



By: Boyd B. Brown
Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 11 day of September, 2024, by Boyd B. Brown, as the Manager of New Salem Vision 1 LLC.

Witness my hand and official seal.

My commission expires: 5/4/2026

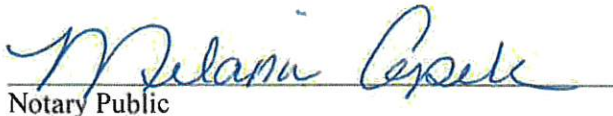

Notary Public

Exhibit A

Property

Parcel ID – 25:060:0038

Parcel ID – 25:060:0058

Parcel ID – 25:060:0061

Parcel ID – 25:060:0051
