

# OFFICE OF THE LIEUTENANT GOVERNOR

# **CERTIFICATE OF ANNEXATION**

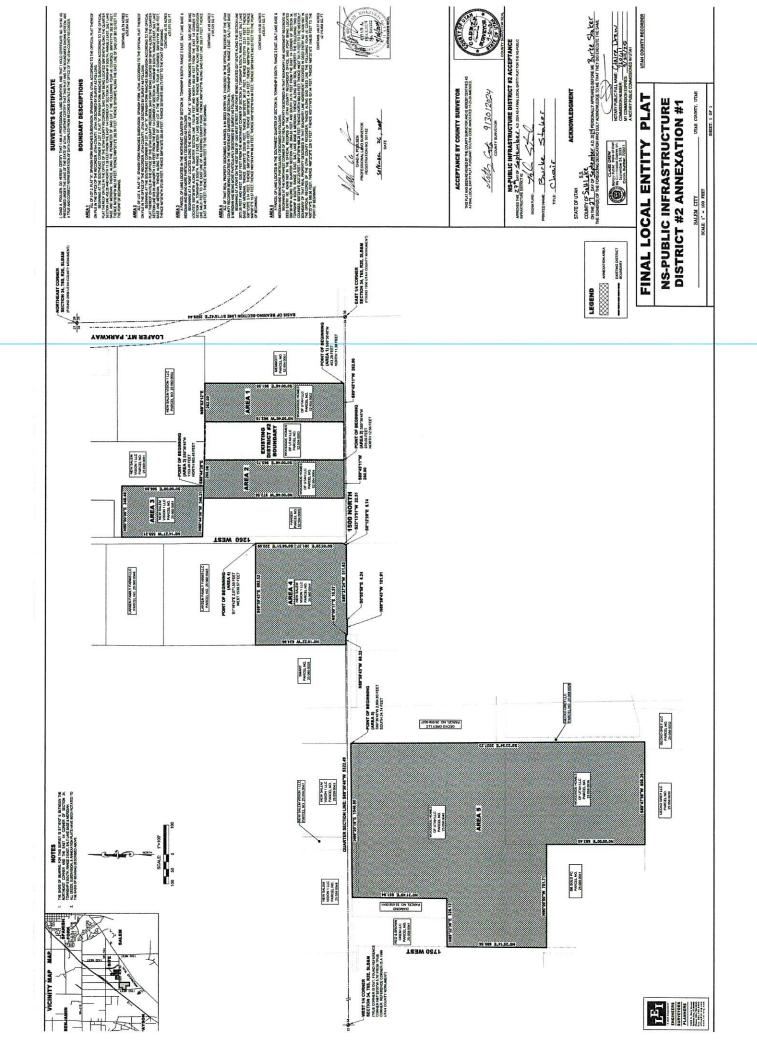
I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation know as the NS-PUBLIC INFRASTRUCTURE DISTRICT #2 ANNEXATION #1 located in UTAH COUNTY, dated OCTOBER, 7, 2024, complying with §67-1a-6.5, Utah Code Annotated, 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 #2 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 11<sup>th</sup> day of October, 2024 at Salt Lake City, Utah.

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. 2 (the "District")

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the NS Public Infrastructure District No. 2 (the "Board"), desires to annex property into the boundaries of the District pursuant to <u>Utah Code Section 17D-4-201(3)</u>.

Petitions meeting the requirements for annexation set forth in Utah Code Section <u>17D-4-201(3)</u> have been filed with the City of Salem, Utah (each a "Petition"). The Board has adopted resolutions approving the annexation of the property as set forth in each Petition, a true and correct copy of which is attached hereto and incorporated herein by this reference as <u>Exhibit A-1</u> and <u>Exhibit A-2</u>. The District hereby certifies that all requirements applicable to the annexation of the property set forth in each Petition have been met. The annexation of property is not anticipated to result in the employment of personnel and therefore <u>Utah Code Section 67-1a-6.5(3)(d)</u> is not applicable in this case.

A copy of the Approved Final Local Entity Plat satisfying the applicable legal requirements as set forth in <u>Utah Code Section 17-23-20</u> 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 7 day of October, 2024.

CERTIFIED this 7 day of OCAS DOS, 2024.				
	NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2, a body politic and corporate created and validly existing under the laws of the State of Utah Officer of the District			
STATE OF Utan	) ss.  BRITNIE NICOLE HAFEN Notary Public State of Utah My Commission Expires on: October 12, 2025			
COUNTY OF Saltlake	Comm. Number: 720894			
The above and foregoing instrument was subscribed and sworn before me this 1th day of October, 2024, by Burke Staker, as an Officer of NS Public Infrastructure District No. 2. WITNESS my hand and official seal.				
(SEAL)	Buff			
	Notary Public			
My commission expires: 10/12	2025			

Resolution for Annexation (New Salem)

#### RESOLUTION

#### OF THE BOARD OF TRUSTEES OF THE

#### NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2

#### ANNEXING PROPERTY

# (ANNEXATION NO. 1, NEW SALEM VISION)

WHEREAS, NS Public Infrastructure District No. 2 (the "District") was created by a resolution of the City of Salem, Utah (the "City") on April 3, 2024 and a Certificate of Creation was issued by the Utah Lieutenant Governor on May 2, 2024; and

WHEREAS, <u>Utah Code Section 17D-4-201(3)(a)(i)(B)</u> 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; 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, <u>Utah Code Section 17D-4-201(3)(a)(ii)</u> 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 <u>Utah Code Section 17D-4-201(3)(a)(iii)</u> 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.

# ADOPTED SEPTEMBER 23, 2024.

#### DISTRICT:

#### NS PUBLIC INFRASTRUCTURE DISTRICT

**NO. 2**, a body politic and corporate created and validly existing under the laws of the State of Utah

By:

Burke Staker
Burke Staker (Oct 4, 2024 11:30 MDT)

Officer of the District

Attest:

By: Ryan Beck (Oct 7, 2024 09:14 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 Monday, September 23, 2024, at 460 W. 50 N. Suite 300, Salt Lake City, UT 84101 and via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 23<sup>rd</sup> day of September, 2024.

Ryan Beck
Ryan Beck (Oct 7, 2024 09:14 MDT)

Signature

Ryan Beck

Ryan beck

Printed Name

Petition for Annexation

### PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2
CITY OF SALEM, UTAH

Pursuant to the provisions of Utah Code Sections 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. 2 (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

# PETITIONER:

Printed Name: ROYO 83. R	Receive
Title: MS	
- 0	
STATE OF Utah )	
COUNTY OF Salt Salu ) ss.	
COUNTY OF STUTY DEVA )	
The above and foregoing instrument was acknowled	lged before me this 22 day of July
New Salem Vision 1 LLC.	Vision 1, uc, a utah Limited Liability company
The Marie Holes I Bare.	Liability company
WITNESS my hand and official seal.	0
	Hall)
(SEAL)	Suparue John
	Notary Public
My commission expires: 3-14-28	CTEFFANIS FERGUSON
	STEFFANIE FERGUSON Notary Public State of Utah
	My Commission Expires on: March 14, 2028 Comm. Number: 735733
	CONTINUE TO THE PROPERTY OF TH

NEW SALEM VISION 1 LLC, a Utah limited liability company

Property

A portion of Parcel ID – 25:060:0051 Parcel ID – 25:060:0044

Resolution for Annexation (Woodside)

#### RESOLUTION

### OF THE BOARD OF TRUSTEES OF THE

#### NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2

#### ANNEXING PROPERTY

# (ANNEXATION NO. 1, WOODSIDE HOMES)

WHEREAS, NS Public Infrastructure District No. 2 (the "District") was created by a resolution of the City of Salem, Utah (the "City") on April 3, 2024 and a Certificate of Creation was issued by the Utah Lieutenant Governor on May 2, 2024; and

WHEREAS, <u>Utah Code Section 17D-4-201(3)(a)(i)(B)</u> 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; 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, <u>Utah Code Section 17D-4-201(3)(a)(ii)</u> 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 <u>Utah Code Section 17D-4-201(3)(a)(iii)</u> 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.

### ADOPTED SEPTEMBER 23, 2024.

### **DISTRICT:**

#### NS PUBLIC INFRASTRUCTURE DISTRICT

**NO. 2**, a body politic and corporate created and validly existing under the laws of the State of Utah

By:

Burke Staker
Burke Staker (Oct 4, 2024 11:30 MDT)

Officer of the District

Attest:

By: Ryan Beck (Oct 7, 2024 09:14 MDT)

#### APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON Attorneys at Law

General Counsel to the District

### **CERTIFICATION OF RESOLUTION**

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IN WITNESS WHEREOF, I have hereunto subscribed my name this  $23^{\rm rd}$  day of September, 2024.

Ryan Beck (Oct 7, 2024 09:14 MDT)

Signature

Ryan Beck

Printed Name

Petition for Annexation

# PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2
CITY OF SALEM, UTAH

Pursuant to the provisions of Utah Code Sections 17D-4-201(3)(a)(iii), WOODSIDE HOMES OF UTAH, LLC, a Utah limited liability company (the "Petitioner"), hereby respectfully requests that the NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2 (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:

Woodside Homes of Utah, LLC 460 West 50 North, Suite 300 Salt Lake City, UT 84101

WOODSIDE HOMES OF UTAH, LLC, a Utah limited liability company  Structured Name: Burke Staker  Title: VP of Land
STATE OF Utah ) ) ss.  COUNTY OF Salt Lake )  The above and foregoing instrument was acknowledged before me this 9th day of July 2024, by Burke Staker , as VP of Land of Woodside Homes of Utah, LLC.
WITNESS my hand and official seal.
(SEAL)  Notary Public
My commission expires: 10 12 25  BRITNIE NICOLE HAFEN Notary Public State of Utah My Commission Expires on: October 12, 2025 Comm. Number: 720894

PETITIONER:

# Property

Parcel ID - 52:504:0004

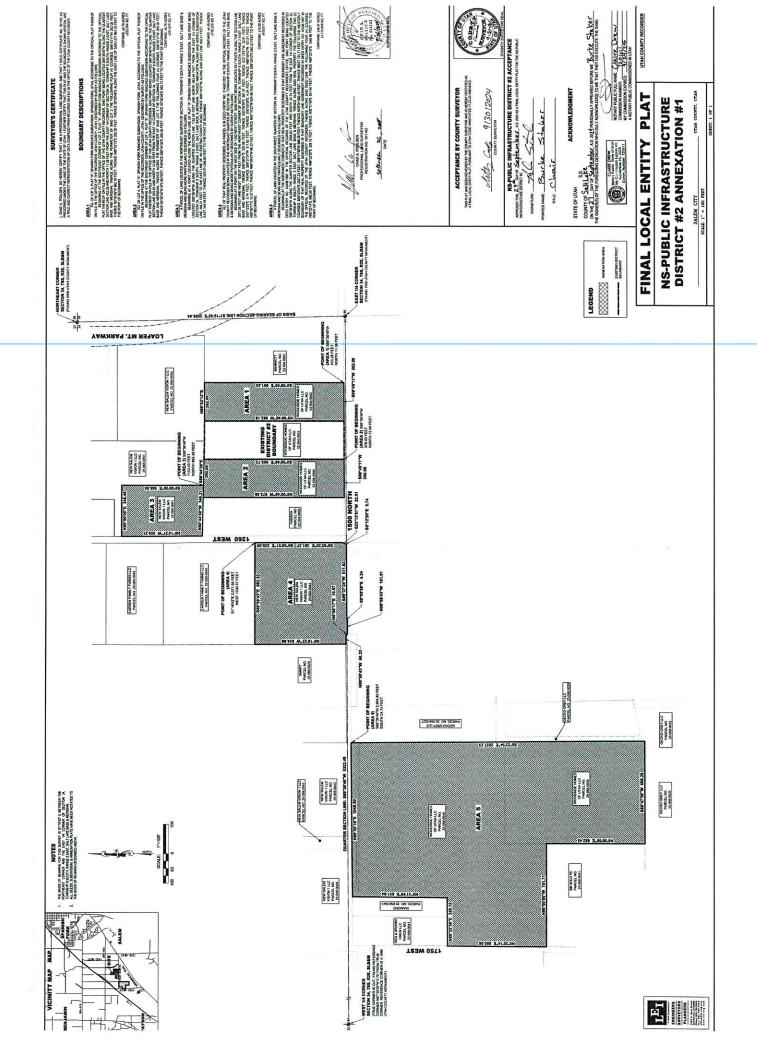
Parcel ID -52:504:0002

Parcel ID - 25:058:0040

Parcel ID - 25:058:0036

# Exhibit B

Final Local Entity Plat



#### RESOLUTION

#### OF THE BOARD OF TRUSTEES OF THE

#### NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2

#### ANNEXING PROPERTY

### (ANNEXATION NO. 1, NEW SALEM VISION)

WHEREAS, NS Public Infrastructure District No. 2 (the "District") was created by a resolution of the City of Salem, Utah (the "City") on April 3, 2024 and a Certificate of Creation was issued by the Utah Lieutenant Governor on May 2, 2024; and

WHEREAS, <u>Utah Code Section 17D-4-201(3)(a)(i)(B)</u> 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; and

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#### **DISTRICT:**

### NS PUBLIC INFRASTRUCTURE DISTRICT

**NO. 2**, a body politic and corporate created and validly existing under the laws of the State of Utah

By:

Burke Staker

Burke Staker (Oct 4, 2024 11:30 MDT)

Officer of the District

Attest:

By: Ryan Beck (Oct 7, 2024 09:14 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON Attorneys at Law

General Counsel to the District

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Ryan Beck Ryan Beck (Oct 7, 2024 09:14 MDT)

Signature

Ryan Beck

Printed Name

Petition for Annexation

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NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2
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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:

Printed Name: 13040 83. BRUW
Title: Mg J
· · · · · · · · · · · · · · · · · · ·
STATE OF Utah )
COUNTY OF Saut Bake ) ss.
The above and foregoing instrument was acknowledged before me this 22 day of July
2024, by Boyd B. Brown, as Manager of New Salem of
New Salem Vision 1 LLC.  As Manager of New Salem of Vision 1 LLC.  Vision 1 Luc, a utan Limited Liability company
WITNESS my hand and official seal.
0.00
THE TOTAL STATE OF THE STATE OF
(SEAL)  Notary Public
My commission expires: 3-14-28  STEFFANIE FERGUSON
Notary Public State of Utah
My Commission Expires on: March 14, 2028
Comm. Number: 735733

NEW SALEM VISION 1 LLC, a Utah limited liability company

Property

A portion of Parcel ID – 25:060:0051 Parcel ID – 25:060:0044

#### RESOLUTION

#### OF THE BOARD OF TRUSTEES OF THE

#### NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2

#### ANNEXING PROPERTY

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### ADOPTED SEPTEMBER 23, 2024.

### DISTRICT:

# NS PUBLIC INFRASTRUCTURE DISTRICT

**NO. 2**, a body politic and corporate created and validly existing under the laws of the State of Utah

By:

Burke Staker

Burke Staker (Oct 4, 2024 11:30 MDT)

Officer of the District

Attest:

By: Ryan Beck

Rvan Beck (Oct 7, 2024 09:14 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  $23^{\rm rd}$  day of September, 2024.

Ryan Beck Ryan Beck (Oct 7, 2024 09:14 MDT)

Signature

Ryan Beck

Printed Name

Petition for Annexation

### PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2
CITY OF SALEM, UTAH

Pursuant to the provisions of Utah Code Sections 17D-4-201(3)(a)(iii), WOODSIDE HOMES OF UTAH, LLC, a Utah limited liability company (the "Petitioner"), hereby respectfully requests that the NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2 (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:

Woodside Homes of Utah, LLC 460 West 50 North, Suite 300 Salt Lake City, UT 84101

WOODSIDE HOMES OF UTAH, LL	C, a Utah limited liability company
The state	
Printed Name: Burke &	Staker
Title: VP of Land	
STATE OF Utah )	
COUNTY OF Salt Lake )	
The above and foregoing instrument was acknown 2024, by Burke Staker  Woodside Homes of Utah LLC	wledged before me this 6th day of July
2024, by Burke Staker Woodside Homes of Utah, LLC.	_, as <u>VP of Land</u> of
WITNESS my hand and official seal.	
, <sup>2</sup>	87
(SEAL)	Bulling
	Notary Public
My commission expires: 10 12 25	BRITNIE NICOLE HAFEN
	Notary Public State of Utah My Commission Expires on:
	October 12, 2025 Comm. Number: 720894

PETITIONER:

# Property

Parcel ID - 52:504:0004

Parcel ID - 52:504:0002

Parcel ID - 25:058:0040

Parcel ID - 25:058:0036

#### NS PUBLIC INFRASTRUCTURE DISTRICT NO. 2

#### SPECIAL MEETING

Monday, September 23, 2024, at 11:00 am ANCHOR LOCATION: 60 W. 50 N. Suite 300, Salt Lake City UT 84101

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

#### LINK:

https://us06web.zoom.us/j/89940039720?pwd=MihtkZPNyFwbFyngTUPi27KN6x8pG6.1

MEETING ID: 899 4003 9720 PASSCODE: 439975 BY PHONE: 1- 719-359-4580

Trustees	Terms	
Burke Staker - Chair	Term from May 2, 2024 to 6 years from appointment	
Josh Clark – Treasurer/Vice C	air Term from May 2, 2024 to 4 years from appointment	
Ryan Beck – Clerk/Secretary	Term from May 2, 2024 to 4 years from appointment	
Vacant	Term from [date of appointment] to [4 years from appointmen	it]
Vacant	Term from [date of appointment] to [6 years from appointmen	ıt]

### 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: <a href="https://us06web.zoom.us/j/89940039720?pwd=MihtkZPNyFwbFyngTUPi27KN6">https://us06web.zoom.us/j/89940039720?pwd=MihtkZPNyFwbFyngTUPi27KN6</a> x8pG6.1; Meeting ID: 899 4003 9720 Passcode: 439975
- 5. Action Items
  - a. Adopt final operating and capital budget for calendar year 2024
    - i. Adopt Resolution Adopting the 2024 Budget

- b. Approve Minutes from September 5, 2024 Initial Meeting
- c. Approve Proposal from Utah Local Government Trust for General Liability Coverage and authorize legal counsel to bind coverage
- d. Approve Petition for Annexation from New Salem Vision I, LLC
  - i. Adopt Resolution Annexing Property
  - ii. Approve Notice of Impending Boundary Action
- e. Approve Petition for Annexation from Woodside Homes of Utah, LLC
  - i. Adopt Resolution Annexing Property
  - ii. Approve Notice of Impending Boundary Action
- 6. Administrative Non-Action Items
  - a. Discussion Regarding 2024 Bond Issuance
- 7. Adjourn