

STATE OF UTAH



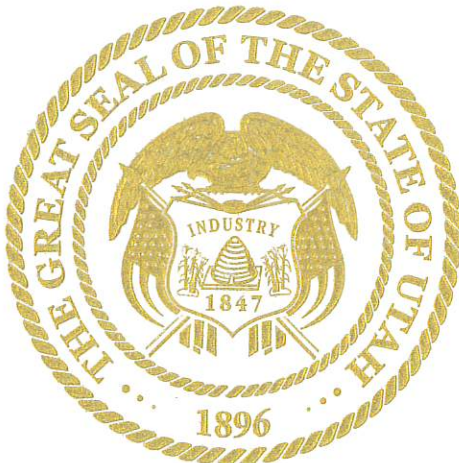
OFFICE OF THE LIEUTENANT GOVERNOR

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 known as the NS-PUBLIC INFRASTRUCTURE DISTRICT #3 - ANNEXATION #1, located in UTAH COUNTY, dated OCTOBER 3, 2024, complying with §17D-4-201 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 #3 - 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 17th 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. 3 (the "District")

NOTICE IS HEREBY GIVEN that the Board of Trustees of the NS Public Infrastructure District No. 3 (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 3 day of October, 2024.

NS PUBLIC INFRASTRUCTURE DISTRICT
NO. 3, 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)

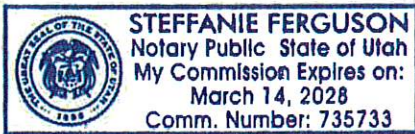
) ss.

COUNTY OF Salt Lake)

The above and foregoing instrument was subscribed and sworn before me this 3 day of
October 2024, by Boyd B. Brown, as an Officer of NS Public Infrastructure
District No. 3.

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. 3
ANNEXING PROPERTY
(ANNEXATION NO. 1)

WHEREAS, NS Public Infrastructure District No. 3 (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, 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; 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 OCTOBER 3, 2024.

DISTRICT:

**NS PUBLIC INFRASTRUCTURE DISTRICT
NO. 3**, a body politic and corporate created and
validly existing under the laws of the State of
Utah

By: Boyd Brown
Boyd Brown (Oct 7, 2024 15:16 MDT)
Officer of the District

Attest:

By: Clay Winder
Clay Winder (Oct 3, 2024 15:22 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Megan J. Murphy
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, October 3, 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 3rd day of October, 2024.

Clay Winder
Clay Winder (Oct 3, 2024 15:22 MDT)

Signature

Clay Winder
Printed Name

Exhibit A

Petition for Annexation

PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 3
CITY OF SALEM, UTAH

Pursuant to the provisions of Utah Code Sections 17D-4-201(3)(a)(iii), BB SOLD, PC, a Utah corporation (the "Petitioner"), hereby respectfully requests that the NS PUBLIC INFRASTRUCTURE DISTRICT NO. 3 (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:

BB Sold, PC
8417 Etienne Way
Sandy, UT 84093

PETITIONER:

BB Sold, PC, a Utah corporation

Boyd B. Brown

Printed Name: BOYD B. BROWN

Title: Mgr / Pres.

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

The above and foregoing instrument was acknowledged before me this 22 day of July 2024, by Boyd B. Brown, as Manager / President of of BB Sold, PC. BB Sold PC, a Utah corporation

WITNESS my hand and official seal.

(SEAL)

Steffanie Ferguson
Notary Public

My commission expires: 3-14-28



Exhibit A

Property

Parcel ID – 25:058:0041

Exhibit B
Final Local Entity Plat

RESOLUTION
OF THE BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 3
ANNEXING PROPERTY
(ANNEXATION NO. 1)

WHEREAS, NS Public Infrastructure District No. 3 (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, 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; 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

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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.

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

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DISTRICT:

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NO. 3**, a body politic and corporate created and
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By: Boyd Brown
Boyd Brown (Oct 7, 2024 15:16 MDT)
Officer of the District

Attest:

By: Clay Winder
Clay Winder (Oct 3, 2024 15:22 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Megan G. Murphy
General Counsel to the District

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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, October 3, 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 3rd day of October,
2024.

Clay Winder
Clay Winder (Oct 3, 2024 15:22 MDT)

Signature

Clay Winder
Printed Name

Exhibit A

Petition for Annexation

PETITION FOR ANNEXATION OF PROPERTY

TO: BOARD OF TRUSTEES OF THE
NS PUBLIC INFRASTRUCTURE DISTRICT NO. 3
CITY OF SALEM, UTAH

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The name and address of the Petitioner are as follows:

BB Sold, PC
8417 Etienne Way
Sandy, UT 84093

PETITIONER:

BB Sold, PC, a Utah corporation

Boyd B. Brown

Printed Name: BOYD B. BROWN

Title: Mgr / Pres.

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

The above and foregoing instrument was acknowledged before me this 22 day of July 2024, by Boyd B. Brown, as Manager / President of of BB Sold, PC. BB Sold PC, a Utah corporation

WITNESS my hand and official seal.

(SEAL)

Steffanie Ferguson
Notary Public

My commission expires: 3-14-28



Exhibit A

Property

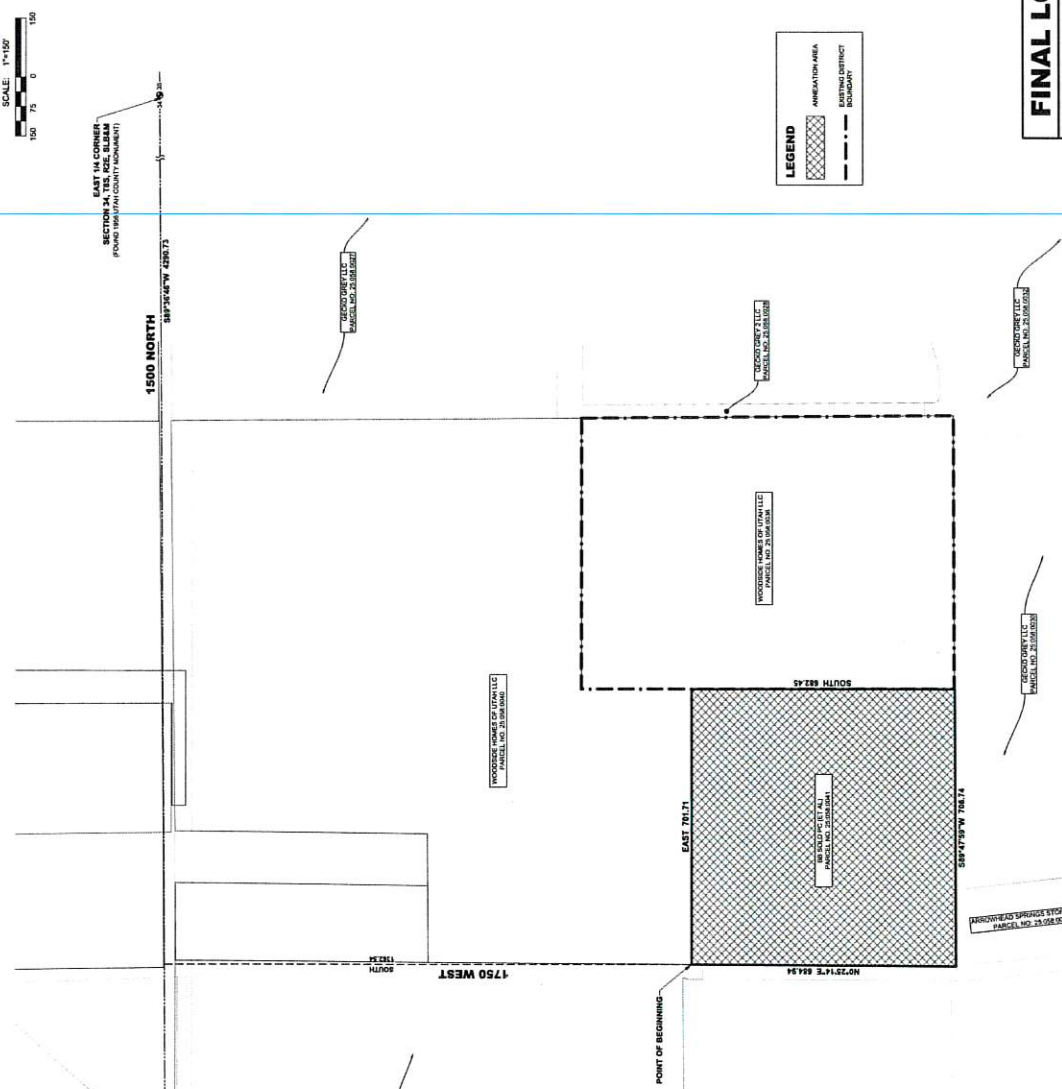
Parcel ID – 25:058:0041



- NOTES**
1. THE BASIS OF BEARING FOR THIS MAP IS DEFINED AS BETWEEN THE WEST 1/4 CORNER OF SECTION 36, T4S, R2E, S42M AND THE EAST 1/4 CORNER OF SECTION 36, T4S, R2E, S42M.
 2. THE BASIS OF BEARING IS DEFINED AS:

WEST 1/4 CORNER OF SECTION 36, T4S, R2E, S42M
 (THIS CORNER IS A POINT OF BEGINNING FOR THE ORIGINAL SURVEY OF SECTION 36, T4S, R2E, S42M, UTAH COUNTY RECORDS)

POINT OF BEGINNING



SURVEYOR'S CERTIFICATE

I, **DAVID L. COOPER**, being duly sworn, depose and say that I am a Professional Land Surveyor, and that I have carefully read the plat and the accompanying field notes, and that I have compared the same with the original records of the Utah County Recorder, and that I have found the same to be correct and true.

BOUNDARY DESCRIPTION

THE POINTS OF THIS SURVEY ARE PARTICULARLY DESCRIBED AS FOLLOWS: IN THE EAST 1/4 CORNER OF SECTION 36, T4S, R2E, S42M, UTAH COUNTY RECORDS, THERE IS A POINT OF BEGINNING FOR THE ORIGINAL SURVEY OF SECTION 36, T4S, R2E, S42M, UTAH COUNTY RECORDS. THE POINT OF BEGINNING IS A POINT OF BEGINNING FOR THE ORIGINAL SURVEY OF SECTION 36, T4S, R2E, S42M, UTAH COUNTY RECORDS. THE POINT OF BEGINNING IS A POINT OF BEGINNING FOR THE ORIGINAL SURVEY OF SECTION 36, T4S, R2E, S42M, UTAH COUNTY RECORDS.

David L. Cooper
 PROFESSIONAL LAND SURVEYOR
 REGISTRATION NO. 501182
 DATE **SEPTEMBER 26, 2024**

SCALE: 1"=100'

EAST 1/4 CORNER OF SECTION 36, T4S, R2E, S42M
 (POINT OF BEGINNING FOR COUNTY RECORDS)

1500 NORTH
 S89°55'47"W 200.73

WOODSIDE HOMES OF UTAH LLC
 PARCEL NO. 21500000

WOODSIDE HOMES OF UTAH LLC
 PARCEL NO. 21500000

WOODSIDE HOMES OF UTAH LLC
 PARCEL NO. 21500000

WOODSIDE HOMES OF UTAH LLC
 PARCEL NO. 21500000

WOODSIDE HOMES OF UTAH LLC
 PARCEL NO. 21500000

EAST 761.31

SOUTH 882.45

S89°47'07"W 708.74

N02°51'E 604.94

1750 WEST

LEGEND

ANNEXATION AREA

EXISTING DISTRICT BOUNDARY

COUNTY SURVEY



ACCEPTANCE BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT PURSUANT TO UTAH CODE ANNOTATED 192-20-1002.

Edley Lamb
 COUNTY SURVEYOR

NS-PUBLIC INFRASTRUCTURE DISTRICT #3 ACCEPTANCE

APPROVED BY THE DISTRICT #3 SUPERVISOR AS THE FINAL LOCAL ENTITY PLAT FOR THE NS-PUBLIC INFRASTRUCTURE DISTRICT #3.

SIGNATURE: *Paul B. Brann*
 TITLE: **Chairman of the District**
 ATTEST: *Shawn J. Johnson*
 COUNTY CLERK

FINAL LOCAL ENTITY PLAT

NS-PUBLIC INFRASTRUCTURE DISTRICT #3 - ANNEXATION #1

SALER CITY UTAH COUNTY, UTAH

SCALE: 1" = 100 FEET



SHEET 1 OF 1

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

Thursday, October 3, 2024, at 10:00 am

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/89776796175?pwd=hDI4Xi1DPcSgdw4mogI5riY9rbay5T.1>

MEETING ID: 897 7679 6175

PASSCODE: 368366

BY PHONE: 1-720-707-2699

Trustees

Terms

Boyd Brown - Chair	Term from May 2, 2024 to 6 years from appointment
Jonny Christensen – Treasurer/Vice Chair	Term from May 2, 2024 to 4 years from appointment
Clay Winder – Clerk/Secretary	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. Action Items
 - a. Approve draft minutes from September 19, 2024 Special Joint Meeting
 - a. Approve Petition for Annexation from BB Sold, PC (No. 3)
 - i. Adopt Resolution Annexing Property (Annexation No. 1)
 - ii. Approve Notice of Impending Boundary Action Annexation of Property (Annexation No. 1)
 - b. Bond Issuance (No. 1)
 - i. Approve Engagement of Gilmore & Bell, P.C. as Bond Counsel

- ii. Approve Engagement of The Connexion Group – Civil, LLC as Project Engineer (No. 1)
 - iii. A RESOLUTION OF THE BOARD OF TRUSTEES OF NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1 ESTABLISHING THE TERMS AND CONDITIONS OF AN ASSESSMENT ORDINANCE FOR NS ASSESSMENT AREA NO. 1 (THE “ASSESSMENT AREA”), AUTHORIZING THE EXECUTION OF A DESIGNATION RESOLUTION AND AN ASSESSMENT ORDINANCE FOR THE ASSESSMENT AREA; APPROVING THE APPRAISAL FOR THE ASSESSMENT AREA; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS
-

c. Administrative Non-Action Items

- i. Discuss 2025 Tentative Budget

5. Adjourn