

STATE OF UTAH



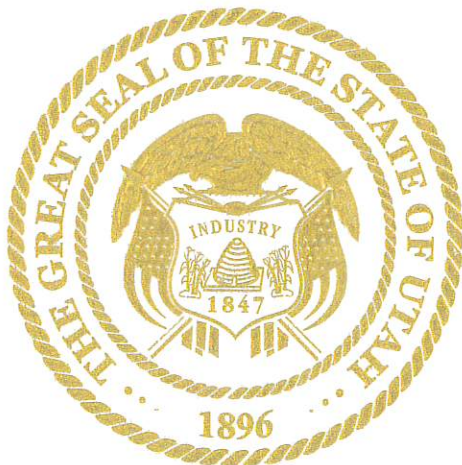
OFFICE OF THE LIEUTENANT GOVERNOR

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 MOONLIGHT VILLAGE PUBLIC INFRASTRUCTURE DISTRICT NO. 1 located in the CITY OF SALEM, dated OCTOBER 2, 2024, complying with §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 MOONLIGHT VILLAGE PUBLIC INFRASTRUCTURE DISTRICT 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 21st day of October, 2024 at Salt Lake City, Utah.



DEIDRE M. HENDERSON
Lieutenant Governor

**NOTICE OF IMPENDING BOUNDARY ACTION
(Moonlight Village Public Infrastructure District No. 1)**

TO: The Lieutenant Governor, State of Utah

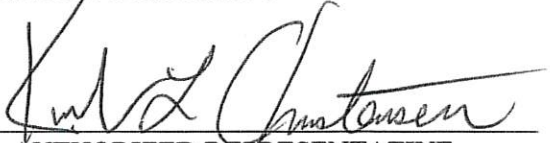
NOTICE IS HEREBY GIVEN that the City Council of the City of Salem, Utah (the "Council"), acting in its capacity as the creating entity for the Moonlight Village Public Infrastructure District No. 1 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on October 2, 2024, adopted a Resolution Providing for the Creation of Public Infrastructure Districts, a true and correct copy of which is attached as EXHIBIT "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 EXHIBIT "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 October 2, 2024.

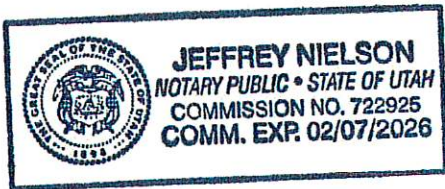
**CITY COUNCIL, THE CITY OF SALEM,
UTAH, acting in its capacity as the creating
authority for Moonlight Village Public
Infrastructure District No. 1**

By: 
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

SUBSCRIBED AND SWORN to before me this October 2, 2024.



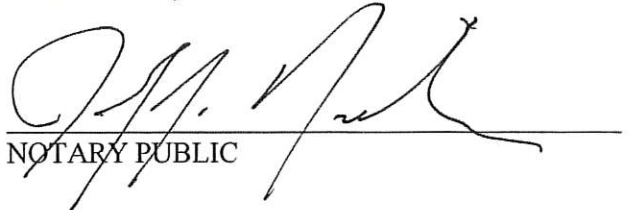

NOTARY PUBLIC

EXHIBIT "A" TO NOTICES OF BOUNDARY ACTION

Copy of the Creation Resolution

RESOLUTION No. 100224

ROLL CALL

VOTING	YES	NO
KURT L CHRISTENSEN Mayor (votes only in case of tie)		
TIM De GRAW City Councilmember	<u>X</u>	
KELLY PETERSON City Councilmember	<u>X</u>	
CRISTY SIMONS City Councilmember	<u>X</u>	
CYNTHIA DEVERAUX REES City Councilmember	<u>X</u>	
PAUL TAYLOR City Councilmember		<u>X</u>

COPY

I MOVE this resolution be adopted: Councilperson Cristy Simons
City Councilmember

I SECOND the foregoing motion: Councilperson Cythia Deveraux Rees
City Councilmember

**AN RESOLUTION CREATION OF MOONLIGHT VILLIAGE (PID)
PUBLIC INFRASTRUCTURE DISTRICT NOS. 1 AND 2**

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 100224

COPY

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF THE CITY OF SALEM, UTAH (THE "CITY"), PROVIDING FOR THE CREATION OF MOONLIGHT VILLAGE PUBLIC INFRASTRUCTURE DISTRICT NOS. 1 AND 2 (THE "DISTRICTS"), EACH AS AN INDEPENDENT BODY CORPORATE AND POLITIC; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT, AN INTERLOCAL AGREEMENT, AND A NOTICES OF BOUNDARY ACTION; DELEGATING TO CERTAIN OFFICERS OF THE CITY THE AUTHORITY TO EXECUTE AND APPROVE THE FINAL TERMS AND PROVISIONS OF THE GOVERNING DOCUMENT, THE INTERLOCAL AGREEMENT, THE NOTICES OF BOUNDARY ACTION AND ANY OTHER DOCUMENTS RELATED THERETO; APPROVING OF AN ANNEXATION AREA; AUTHORIZING THE DISTRICT TO PROVIDE SERVICES RELATING TO THE FINANCING AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE WITHIN THE ANNEXATION AREA; AUTHORIZING THE DISTRICT TO PROVIDE SERVICES RELATING TO THE FINANCING AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE WITHIN THE DISTRICT AREA; APPOINTING A BOARD OF TRUSTEES FOR EACH OF THE DISTRICTS; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the City requesting adoption by resolution of the approval of the creation of two (2) 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 boundaries of the City, and approve an annexation area (the "Annexation Area") which any of the districts may annex into therein without further approval or hearings of the City or the Council, as further described in Governing Document Exhibits A and C (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 a public hearing 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, 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 hearing on the Petition was held at the City Hall because there is no reasonable place to hold a public hearing within the Districts' boundaries, and the hearing at the City Hall was held as close to the applicable area as reasonably possible; and

WHEREAS, the City properly posted the 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 District before the public hearing on the Petition; and

WHEREAS, each board member appointed under this Resolution has previously filed with the City a disclosure of business relationships in compliance with Section 17D-4-202(9) of the PID Act; 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(3)(c) of the PID Act because they are agents of property owners within the District boundaries (as further set forth in the Petition); 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 an Interlocal Agreement between the City and the Districts, attached to the Governing Document as Governing Document Exhibit D; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah a Notices of Boundary Action attached hereto as Exhibit C (the "Boundary Notices") and a Final Entity Plat to be attached thereto 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 a separate entity 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 Plats.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation of any area within the Annexation Area Boundaries into one or more of the Districts without any further action of the Council or the City and further approves withdrawal of any area

within the Initial District Boundaries (as defined in the Governing Document) or Annexation Area Boundaries from the District 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 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 and the Interlocal Agreement in the form presented to this meeting and attached hereto as Exhibits B and Governing Document Exhibit D are hereby authorized and approved and the Districts shall be governed by the terms thereof and applicable law.

7. The District Board for each of the Districts is hereby appointed as follows:

(a) Trustee 1 – Dean Ingram for an initial six-year term.

(b) Trustee 2 – Dave Scoville for an initial four-year term.

(c) Trustee 3 – Mike Scoville for an initial six-year term.

(d) 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 Councilperson to execute the Boundary Notices in substantially the form attached as Exhibit C and such other documents as shall be required to finalize 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 certification of the creation of the Districts by the Office of the Lieutenant Governor of the State of Utah, the Council does hereby authorize the Mayor, a Councilperson, the City Manager, the City Attorney, or their designee to make any corrections, deletions, or additions to the Governing Document, the Interlocal Agreement, 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 (provided that the debt and mill levy limitations established therein may not be modified pursuant to this provision).

10. The Board of Trustees of each District (the "District Board") is hereby authorized and directed to record such Governing Document with the recorder of Utah County within thirty (30) days of the issuance of a 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, the City Manager, or the City Attorney.

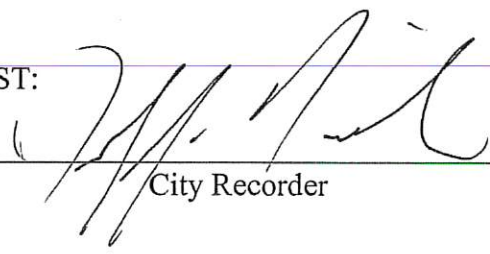
COPY

PASSED AND ADOPTED by the City Council of the City of Salem, Utah, this October 2, 2024.

CITY OF SALEM, UTAH

COPY

By: 
Mayor

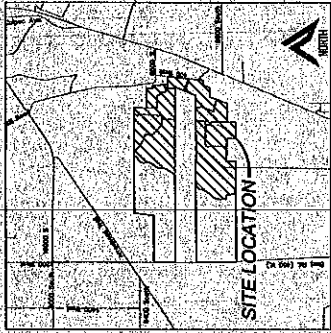
ATTEST: 
By: _____
City Recorder



SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor under the laws of the State of Utah, do hereby certify that the foregoing plat is a true and correct representation of the data furnished to me by the owner and recorded in the office of the Utah County Recorder.

Michael H. Hughes III 08/19/2024
DATE



VICINITY MAP

BOUNDARY DESCRIPTION:
BEGINNING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 651.15 FEET; THENCE NORTH 55°37'04" WEST 80°61'17" FEET; THENCE NORTH 14°12'05" WEST 263.05 FEET; THENCE NORTH 89°05'37" WEST 109.19 FEET; THENCE NORTH 277.56 FEET; THENCE NORTH 32°28'06" EAST 185.93 FEET; THENCE NORTH 46°30'16" EAST 103.08 FEET; THENCE NORTH 32°28'06" EAST 200.00 FEET; THENCE NORTH 08°04'54" EAST 109.80 FEET; THENCE NORTH 32°28'06" EAST 90.00 FEET; THENCE NORTH 65°43'07" EAST 132.44 FEET; THENCE NORTH 89°45'37" EAST 714.07 FEET; THENCE SOUTH 50°01'19" EAST 248.82 FEET; THENCE SOUTH 89°58'57" EAST 446.80 FEET; THENCE NORTH 89°53'32" EAST 745.88 FEET; THENCE NORTH 89°13'32" EAST 132.82 FEET; THENCE NORTH 89°40'04" EAST 639.87 FEET; THENCE NORTH 20°49'10" EAST 113.17 FEET; THENCE NORTH 21°27'00" EAST 592.36 FEET; THENCE NORTH 89°52'28" WEST 1105.58 FEET; THENCE NORTH 89°52'35" WEST 690.99 FEET; THENCE NORTH 89°58'03" WEST 608.06 FEET; THENCE NORTH 89°39'36" WEST 242.98 FEET; THENCE SOUTH 89°25'07" WEST 735.60 FEET; THENCE 219.81 FEET ALONG THE ARC OF A 275.15 FOOT RADIUS CURVE TO THE LEFT; (CHORD BEARS NORTH 42°10'45" EAST 214.01 FEET); THENCE 7.89 FEET ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE LEFT; (CHORD BEARS NORTH 42°18'37" EAST 7.69 FEET); THENCE 93.12 FEET ALONG THE ARC OF A 252.59 FOOT RADIUS CURVE TO THE RIGHT; (CHORD BEARS NORTH 50°16'01" EAST 92.99 FEET); THENCE 142.77 FEET ALONG THE ARC OF A 139.259 FOOT RADIUS CURVE TO THE LEFT; (CHORD BEARS NORTH 19°35'34" EAST 139.52 FEET); THENCE 57.98 FEET ALONG THE ARC OF A 530.00 FOOT RADIUS CURVE TO THE RIGHT; (CHORD BEARS NORTH 01°29'32" EAST 57.95 FEET); THENCE NORTH 04°37'33" EAST 78.88 FEET; THENCE 35.39 FEET ALONG THE ARC OF A 70.00 FOOT RADIUS CURVE TO THE RIGHT; (CHORD BEARS NORTH 19°06'21" EAST 35.00 FEET); THENCE NORTH 83°35'10" EAST 245.10 FEET; THENCE 67.29 FEET ALONG THE ARC OF A 112.0 FOOT RADIUS CURVE TO THE LEFT; (CHORD BEARS NORTH 17°31'17" EAST 66.41 FEET); THENCE 165.56 FEET ALONG THE ARC OF A 577.09 FOOT RADIUS CURVE TO THE LEFT; (CHORD BEARS NORTH 04°19'45" WEST 116.36 FEET); THENCE 139.30 FEET ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE RIGHT; (CHORD BEARS NORTH 22°27'30" EAST 183.05 FEET); THENCE NORTH 55°01'56" EAST 374.66 FEET; THENCE NORTH 89°54'59" EAST 721.91 FEET; THENCE SOUTH 01°53'36" WEST 59.79 FEET; THENCE SOUTH 01°53'39" WEST 328.93 FEET; THENCE NORTH 89°54'59" EAST 613.05 FEET; THENCE SOUTH 189.81 FEET; THENCE EAST 85.68 FEET; THENCE SOUTH 218.72 FEET; THENCE EAST 6.22 FEET; THENCE SOUTH 09°41'39" EAST 125.98 FEET; THENCE SOUTH 04°42'36" EAST 124.86 FEET; THENCE NORTH 86°41'21" EAST 221.53 FEET; THENCE SOUTH 03°34'41" EAST 60.89 FEET; THENCE SOUTH 04°08'04" WEST 68.66 FEET; THENCE SOUTH 06°22'22" WEST 703.55 FEET; THENCE SOUTH 06°25'53" WEST 148.02 FEET; THENCE SOUTH 06°10'41" WEST 163.69 FEET; THENCE NORTH 87°21'02" WEST 138.06 FEET; THENCE SOUTH 20°47'45" WEST 219.89 FEET; THENCE SOUTH 88°25'16" WEST 290.45 FEET; THENCE SOUTH 70°30'00" WEST 566.11 FEET; THENCE NORTH 89°24'09" WEST 568.45 FEET; THENCE SOUTH 258.13 FEET; THENCE WEST 495.74 FEET; THENCE NORTH 27°02'36" FEET; THENCE NORTH 89°10'00" WEST 237.57 FEET; THENCE NORTH 89°10'00" WEST 466.78 FEET; THENCE SOUTH 280.50 FEET; THENCE WEST 248.62 FEET TO THE POINT OF BEGINNING.

LINE TABLE

LINE	IRECTION	LENGTH
1	S02°00'00"W	188.17
2	N89°24'09"W	568.45
3	S07°00'00"W	280.45
4	N07°00'00"W	103.74
5	N07°00'00"W	270.56
6	N89°10'00"W	337.57
7	N89°10'00"W	466.78
8	S09°10'00"W	300.45
9	N89°25'07"W	735.60

LINE TABLE

LINE	IRECTION	LENGTH
10	N42°10'45"E	214.01
11	N07°00'00"E	7.69
12	N42°18'37"E	7.69
13	N50°16'01"E	92.99
14	N19°35'34"E	139.52
15	S01°29'32"E	57.95
16	N04°37'33"E	78.88
17	S35°10"E	245.10
18	N17°31'17"E	66.41
19	N16°36"E	116.36
20	N22°27'30"E	183.05
21	N55°01'56"E	374.66
22	N89°54'59"E	721.91
23	S01°53'36"W	59.79
24	S01°53'39"W	328.93
25	N89°54'59"E	613.05
26	S189°81"E	218.72
27	E85°68'	85.68
28	S09°41'39"	125.98
29	S04°42'36"	124.86
30	N86°41'21"	221.53
31	S03°34'41"	60.89
32	S06°22'22"	703.55
33	S06°25'53"	148.02
34	S06°10'41"	163.69
35	N87°21'02"	138.06
36	S20°47'45"	219.89
37	S88°25'16"	290.45
38	S70°30'00"	566.11
39	S258°13'	258.13
40	N495°74'	495.74
41	N237°57'	237.57
42	N89°10'00"	280.50
43	W248°62'	248.62

CURVE TABLE

LINE	START POINT	END POINT	CHORD BEARS	CHORD LENGTH
10	10.00000000	10.00000000	142°10'45"	214.01000000
11	11.00000000	11.00000000	07°00'00"	7.69000000
12	12.00000000	12.00000000	17°31'17"	66.41000000
13	13.00000000	13.00000000	16°36'00"	116.36000000
14	14.00000000	14.00000000	22°27'30"	183.05000000
15	15.00000000	15.00000000	55°01'56"	374.66000000
16	16.00000000	16.00000000	89°54'59"	721.91000000
17	17.00000000	17.00000000	01°53'36"	59.79000000
18	18.00000000	18.00000000	01°53'39"	328.93000000
19	19.00000000	19.00000000	89°54'59"	613.05000000
20	20.00000000	20.00000000	189°81'00"	218.72000000
21	21.00000000	21.00000000	85°68'00"	85.68000000
22	22.00000000	22.00000000	09°41'39"	125.98000000
23	23.00000000	23.00000000	04°42'36"	124.86000000
24	24.00000000	24.00000000	86°41'21"	221.53000000
25	25.00000000	25.00000000	03°34'41"	60.89000000
26	26.00000000	26.00000000	06°22'22"	703.55000000
27	27.00000000	27.00000000	06°25'53"	148.02000000
28	28.00000000	28.00000000	06°10'41"	163.69000000
29	29.00000000	29.00000000	87°21'02"	138.06000000
30	30.00000000	30.00000000	20°47'45"	219.89000000
31	31.00000000	31.00000000	88°25'16"	290.45000000
32	32.00000000	32.00000000	70°30'00"	566.11000000
33	33.00000000	33.00000000	258°13'00"	258.13000000
34	34.00000000	34.00000000	495°74'00"	495.74000000
35	35.00000000	35.00000000	237°57'00"	237.57000000
36	36.00000000	36.00000000	89°10'00"	280.50000000
37	37.00000000	37.00000000	248°62'00"	248.62000000

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.

Michelle Cantu COUNTY SURVEYOR
DATE: 8-19-2024

SALEM CITY ACCEPTANCE
APPROVED THIS 19th DAY OF AUGUST 2024 AS FINAL INFRASTRUCTURE DISTRICT NO. 1 MOONLIGHT VILLAGE PUBLIC

Scott R. Johnson COUNTY SURVEYOR
DATE: 8-19-2024

Mark E. Christensen COUNTY SURVEYOR
DATE: 8-19-2024

FINAL LOCAL ENTITY PLAT
MOONLIGHT VILLAGE
PUBLIC INFRASTRUCTURE DISTRICT NO. 1
SALEM, UTAH COUNTY, UTAH

RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, UTAH COUNTY, UTAH, ON 08/19/2024 AT 10:45 AM.



