

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 IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION NO. 2 located in IRON COUNTY, dated DECEMBER 13, 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 IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION NO. 2 located in IRON COUNTY, State of Utah.

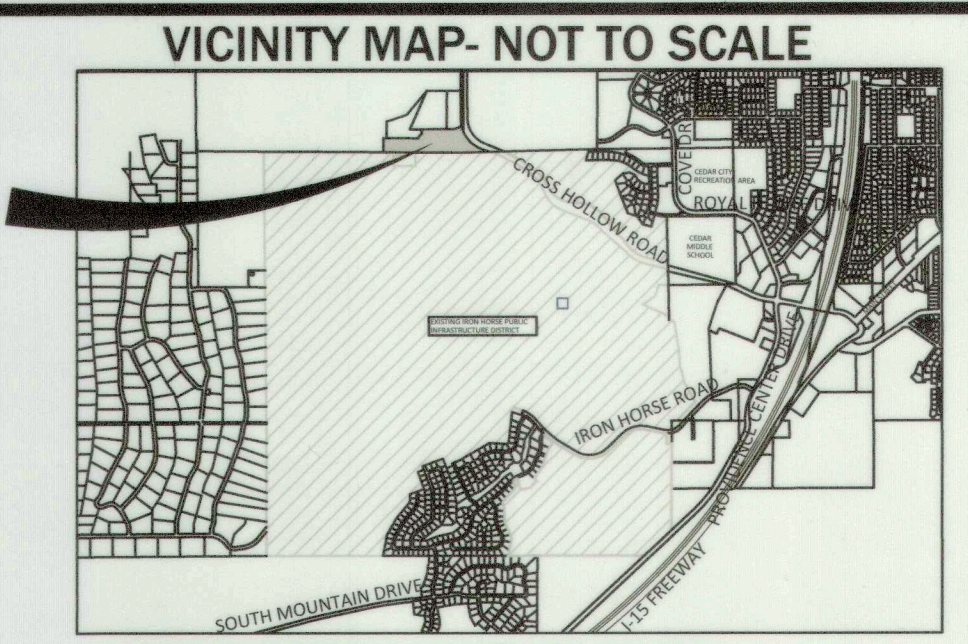
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 27th day of December, 2024 at Salt Lake City, Utah.



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

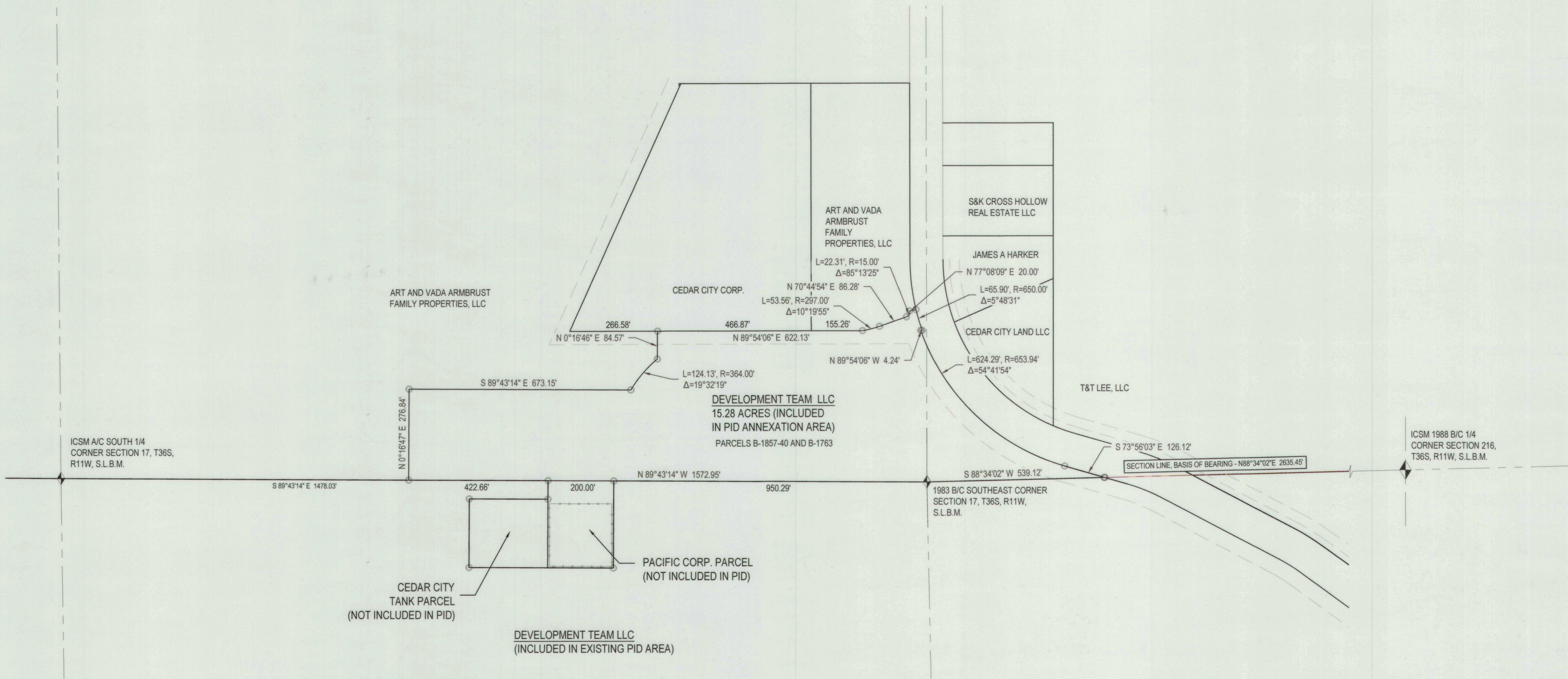
DEIDRE M. HENDERSON
Lieutenant Governor

**IRON HORSE PID
ANNEXATION NO. 2
LOCATION**



**IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT
ANNEXATION NO. 2**

LOCATED WITHIN SECTIONS 16, 17
TOWNSHIP 36 SOUTH, RANGE 11 WEST
SALT LAKE BASE AND MERIDIAN
CEDAR CITY, IRON COUNTY, UTAH



SURVEYOR'S CERTIFICATE
I, BRADLEY N. RHODES, PROFESSIONAL UTAH LAND SURVEYOR LICENSED UNDER TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, HOLDING LICENSE NO. 288645 DO HEREBY CERTIFY THAT AN ANNEXATION PLAT, IN ACCORDANCE WITH SECTION 17-23-20 OF UTAH STATE CODE, WAS MADE BY ME, OR UNDER MY DIRECTION, AND SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID ANNEXATION. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF ANNEXING PROPERTY INTO THE IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT AND DEPICTING THOSE PROPERTIES WITHIN CEDAR CITY THAT WILL BE ANNEXED INTO THE DISTRICT.

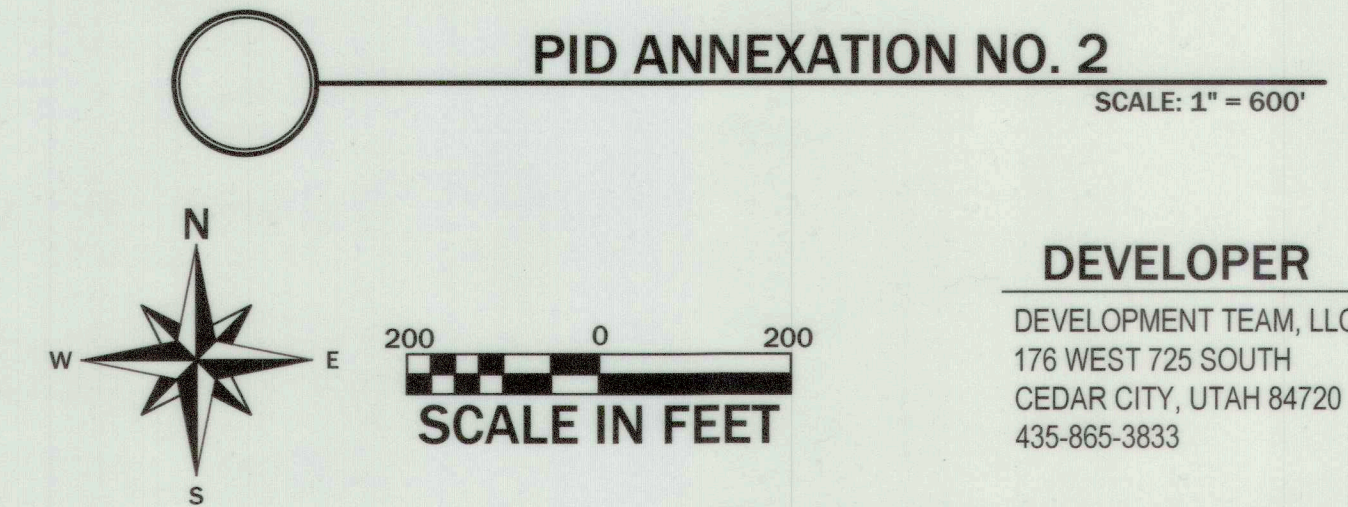
12/5/24
DATE
BRADLEY N. RHODES
STATE OF UTAH
BRADLEY N. RHODES
UTAH P.L.S. 288645

SURVEY NARRATIVE
- THIS SURVEY WAS REQUESTED BY TYLER ROMERIL OF DEVELOPMENT TEAM, LLC.
- THE PURPOSE OF THE SURVEY IS TO DEFINE THE BOUNDARY OF THE ADDITIONAL PROPERTY BEING ANNEXED TO THE IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT IN IRON COUNTY.
- THE BASIS OF BEARING FOR THIS SURVEY IS THE CEDAR CITY COORDINATE SYSTEM.

BOUNDARY DESCRIPTION
15.28 ACRES
BEGINNING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE ALONG THE SECTION LINE N89°43'14"W 1,572.95 FEET; THENCE LEAVING SAID SECTION LINE N0°16'47"E, 276.84 FEET; THENCE S89°43'14"E, 673.15 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 364.00 FEET AND A CENTRAL ANGLE OF 19°32'19" (RADIUS POINT BEARS S59°10'58"E); THENCE ALONG THE ARC OF SAID CURVE 124.13 FEET; THENCE N0°16'46"E, 84.57 FEET TO THE SOUTH LINE OF THE CEDAR CITY POND PARCEL; THENCE ALONG SAID PARCEL N89°54'06"E, 622.13 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 297.00 FEET AND A CENTRAL ANGLE OF 10°19'55" (RADIUS POINT BEARS N08°55'11"W); THENCE ALONG THE ARC OF SAID CURVE 53.56 FEET; THENCE N70°44'54"E, 86.28 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 85°13'25" (RADIUS POINT BEARS N19°15'06"W); THENCE ALONG THE ARC OF SAID CURVE 22.31 FEET TO A POINT ON A 20' PUBLIC UTILITY EASEMENT ALONG CROSS HOLLOW ROAD; THENCE N77°08'09"E, 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF CROSS HOLLOW ROAD AND A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 5°48'31" (RADIUS BEARS N76°26'43"E); THENCE ALONG THE ARC OF SAID CURVE 65.90 FEET; THENCE N89°54'06"W, 4.24 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 653.94 FEET AND A CENTRAL ANGLE OF 54°41'54" (RADIUS POINT BEARS N70°45'51"E); THENCE ALONG THE ARC OF SAID CURVE 624.29 FEET; THENCE S73°56'03"E, 126.12 FEET TO THE SECTION LINE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE SECTION LINE, S88°34'02"W, 539.12 FEET TO THE POINT OF BEGINNING.

DRAWING LEGEND

- SECTION CORNER AS NOTED
- SECTION LINE
- EASEMENT LINE



<p>IRON HORSE PID BOARD CHAIR I, DANE O. LEAVITT, CHAIRMAN OF THE BOARD FOR IRON HORSE PID, DO HEREBY CERTIFY THAT THIS PLAT OF THE IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION #2, HAS BEEN APPROVED AND ACCEPTED BY THE BOARD ON THIS 13TH DAY OF DECEMBER, 2024. <i>Dane O. Leavitt</i> IRON HORSE PID BOARD CHAIR 13 Dec 2024 DATE</p>	<p>IRON HORSE PID BOARD CLERK THIS IS TO CERTIFY THAT WE, THE BOARD OF THE IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT (PID) DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN. THE 13 DAY OF DECEMBER, 2024. <i>[Signature]</i> IRON HORSE PID BOARD CLERK</p>	<p>IRON COUNTY SURVEYOR I, CLAY TOLBERT, DEPUTY IRON COUNTY SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION NO. 2, HAS BEEN EXAMINED AND APPROVED ACCORDING TO COUNTY ORDINANCE ON THIS 16TH DAY OF DECEMBER, 2024. <i>Clay Tolbert</i> CLAY TOLBERT, DEPUTY IRON COUNTY SURVEYOR 12/16/24 DATE</p>	<p>CERTIFICATE OF RECORDING I, CARRI JEFFERIES, COUNTY RECORDER OF IRON COUNTY, DO HEREBY CERTIFY THAT THIS PLAT FOR IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION NO. 2 WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____, 2024. BOOK: _____ PAGE: _____ COUNTY RECORDER- CARRI JEFFERIES ENTRY NO. _____ FEE: _____ RECORDED AT THE REQUEST OF _____</p>
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REVISIONS:

NO	DESCRIPTION	DATE	BY
1			
2			
3			
4			

RED HOLLOW ENGINEERING
176 WEST 725 SOUTH
CEDAR CITY, UTAH
PHONE (435) 865-3833

PROJECT:
IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT ANNEXATION NO. 2
DEVELOPMENT TEAM, LLC
LOCATED IN SECTIONS 16, 17, 20, 21, 28, & 29 T36S, R11 W, SL&M, CEDAR CITY, IRON COUNTY, UT

SHEET TITLE:
ANNEXATION PLAT

CHECKED: -
DRAWN: RJL
DATE: 12/2/24

SCALE: 1" = 200'

SHEET NO:
1 of 1

December 6, 2024

The Board of Trustees (the “Board”) of the Iron Horse Public Infrastructure District, held a special meeting on December 6, 2024, at the hour of 11:00 a.m., with the following members of the Board being present:

Dane Leavitt	Trustee
G. Tyler Romeril	Trustee
Ronald J. Larsen	Trustee
Brett L. Warby	Trustee

Also present:

J. Tyler King	General Counsel
Michael Jensen	Special District Specialist

Absent:

Eric O. Leavitt	Trustee
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After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Clerk presented to the Board a Certificate of Compliance with Open Meeting Law with respect to this December 6, 2024, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Tyler Romeril and seconded by Ronald Larsen, was adopted by the following vote:

AYE: Unanimous

NAY:

The resolution is as follows:

RESOLUTION NO. 2024-11

A RESOLUTION OF THE BOARD OF TRUSTEES (THE “BOARD”) OF IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT (THE “DISTRICT”) TO CERTIFY A PETITION FOR ANNEXING APPROXIMATELY 15.28 ACRES INTO THE DISTRICT; AUTHORIZING THE PLAT AND OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE PUBLICATION OF NOTICE OF THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, a petition (the “Petition”) was filed with the District requesting and consenting to the annexation of approximately 15.28 acres pursuant to Utah Code §17D-4-201(3)(a) of the Public Infrastructure District Act, Title 17D, Chapter 4 of the Utah Code (the “PID Act”) and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the “Act”); and

WHEREAS, the Petition contains the consenting signatures of 100% of the surface property owners (hereafter the “Property Owners”) within the area proposed to be annexed; and

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

WHEREAS, the area to be annexed under this resolution is particularly described in the Petition attached as Exhibit B to this Resolution and is hereafter referred to as the “Property”; and

WHEREAS, with the filing of the Petition, the Act allows the District to annex the Property by adopting a resolution to annex the area, provided that the governing document of the District (hereafter the “Governing Document”) allows for the annexation; and

WHEREAS, the Governing Document defines an annexation area within which the District may annex property without seeking further consent or approval from the District’s creating entity; and

WHEREAS, the Property is within the allowable future annexation area as defined in the Governing Document; 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 Notice of Impending Boundary Action attached hereto as Exhibit C (the “Boundary Notice”) and Final Local Entity Plat to be attached to the Boundary Notice upon finalization as Exhibit B (the “Annexation Plat”).

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT, 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 Board and by officers of the Board directed toward the annexation of the Property, are hereby ratified, approved and confirmed.

2. The Property, which is particularly described and shown on the Annexation Plat, is hereby annexed into the District.

3. Notice of this Resolution may be published in substantially the following form:

NOTICE OF DISTRICT ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to Section 313, Chapter 1, Title 17B, Utah Code Annotated 1953, that on December 6, 2024, the Board of Trustees (the "Board") of Iron Horse Public Infrastructure District (the "District") adopted a resolution to annex the following particularly described property in Iron County, State of Utah:

15.28 ACRES

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE ALONG THE SECTION LINE N89°43'14"W 1,572.95 FEET; THENCE LEAVING SAID SECTION LINE N0°16'47"E, 276.84 FEET; THENCE S89°43'14"E, 673.15 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 364.00 FEET AND A CENTRAL ANGLE OF 19° 32'19" (RADIUS POINT BEARS S59°10'58"E); THENCE ALONG THE ARC OF SAID CURVE 124.13 FEET; THENCE N0°16'46"E, 84.57 FEET TO THE SOUTH LINE OF THE CEDAR CITY POND PARCEL; THENCE ALONG SAID PARCEL N89°54'06"E, 622.13 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 297.00 FEET AND A CENTRAL ANGLE OF 10°19'55" (RADIUS POINT BEARS N08°55'11"W); THENCE ALONG THE ARC OF SAID CURVE 53.56 FEET; THENCE N70°44'54"E, 86.28 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 85°13'25" (RADIUS POINT BEARS N19°15'06"W); THENCE ALONG THE ARC OF SAID CURVE 22.31 FEET TO A POINT ON A 20' PUBLIC UTILITY EASEMENT ALONG CROSS HOLLOW ROAD; THENCE N77°08'09"E, 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF CROSS HOLLOW ROAD AND A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 5°48'31" (RADIUS BEARS N76°26'43"E); THENCE ALONG THE ARC OF SAID CURVE 65.90 FEET; THENCE N89°54'06"W, 4.24 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 653.94 FEET AND A CENTRAL ANGLE OF 54°41'54" (RADIUS POINT BEARS N70°45'51"E); THENCE ALONG THE ARC OF SAID CURVE 624.29 FEET; THENCE S73°56'03"E, 126.12 FEET TO THE SECTION LINE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE SECTION LINE, S88°34'02"W, 539.12 FEET TO THE POINT OF BEGINNING.

Parcel Parcels B-1857-40 and B-1763

NOTICE IS FURTHER GIVEN that any person in interest may file an action in district court to contest the regularity, formality, or legality of the Resolution within 30 days after the first date of publication (hereafter the "30-Day Contest Period"). If the Resolution is not contested by filing an action in district court within the 30-Day Contest Period, no person may contest the regularity, formality, or legality of the Resolution after the expiration of the 30-Day-Contest Period.

4. The Board does hereby authorize the Chair (or Vice-Chair) to execute the Boundary Notice in substantially the form attached as Exhibit C, the Annexation Plat, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.

5. Prior to certification of the annexation of the Property by the Office of the Lieutenant Governor of the State of Utah, the Board does hereby authorize any Board Member, the District General Counsel, or the District's surveyor, to make any corrections, deletions, or additions to the Boundary Notice 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 the provisions of the laws of the State of Utah or the United States.

6. 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.

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

8. This Resolution shall be effective upon passage by the Board of Trustees (hereafter the "Effective Date").

PASSED AND ADOPTED by the Board of Trustees of Iron Horse Public Infrastructure District effective as of the Effective Date set forth above.

IRON HORSE PUBLIC
INFRASTRUCTURE DISTRICT

By: 

Chair

ATTEST:



By: _____
Secretary/Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Tyler Romeril, the undersigned clerk (or assistant clerk) of Iron Horse Public Infrastructure District (the “the District”), do hereby certify that I gave written public notice of the agenda, date, time and place of the special meeting held by the Board of Trustees of the District (the “Board”) on December 6, 2024, not less than 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) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location 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; and

(c) By 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.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 6, 2024.

By: *Tyler Romeril*

Clerk

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

PUBLIC NOTICE AND AGENDA
IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT
Board of Trustees
Public Hearing and Special Meeting

NOTICE IS HEREBY GIVEN THAT THE BOARD OF TRUSTEES OF IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT WILL HOLD A MEETING ON DECEMBER 6, 2024, AT SNOW JENSEN & REECE, P.C., 912 W. 1600 S., SUITE B-200, ST. GEORGE, UTAH 84770
AT 11:00 A.M.

A. Call to Order

B. Public Comment

C. Public Hearing

1. 2025 Budget Hearing

D. Consent Items

1. Approve the minutes of the Board meeting held on November 22, 2024.

E. Action Items

1. Consider for adoption Budget Resolution 2024-10 adopting the 2025 Budget.
2. Adoption of the 2025 Annual Meeting Schedule
3. Annexation Resolution 2024-11

F. Administrative Non-Action Items

1. Open Public Meeting Training

G. Other Items From Board Members

H. Adjourn

The District complies with the Americans with Disabilities Act by providing accommodations and auxiliary communicative aids and services for all those in need of assistance. Persons requesting these accommodations for public meetings should call Kristi Barker at 435-628-3688 at least one full business day before the meeting.

This meeting will be simulcast via Zoom so members of the Board and the public may participate electronically.

Motions relating to any of the items listed above, including final action, may be taken. Meetings may be closed for reasons allowed by statute. This meeting can be accessed through Zoom at:

Join Zoom Meeting

<https://us06web.zoom.us/j/86130980844?pwd=OcmbAeHbEEFGU7mr5HhpSRa1ofJy6o.1>

Meeting ID: 861 3098 0844

Passcode: 916026

EXHIBIT B

ANNEXATION PETITION

**PETITION TO ANNEX PROPERTY INTO
IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT**

TO: **IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT**, a Utah public infrastructure district

FROM: **Development Team, LLC**, a Utah limited liability company (“**Petitioner**”)

DATE: December 6, 2024

This Petition to Annex Property into Iron Horse Public Infrastructure District (the “**District**”) is submitted in accordance with Title 17D, Chapter 4, Section 201(3)(a), Utah Code Annotated 1953.

Petitioner hereby petitions and consents to the annexation by the District of approximately 15.28 acres of property in Cedar City, Iron County, Utah, as more particularly described in EXHIBIT A (hereafter the “**Property**”). Petitioner acknowledges that upon receipt of this signed Petition, the District may enact a resolution to annex the Property.

The undersigned Petitioner is designated a sponsor, and the contact sponsor, of this Petition.

In support of this Petition, Petitioner affirmatively represents, acknowledges, and certifies the following matters:

1. When fully executed, this Petition contains the signatures of 100% of the surface property owners of the Property;
2. There are no registered voters residing in the Property;
3. The correct mailing address for Petitioner is provided on the signature page below;
4. Petitioner is the title owner of the Property as of the date of this Petition, and Petitioner will not convey any interest in any part of the Property within thirty (30) days of the date of this Petition (or following the recording of the annexation final local entity plat, in which case the conveyance is permitted);
5. Petitioner petitions and consents to the District’s annexation of the Property that is particularly described in EXHIBIT A and generally shown in the map attached hereto as EXHIBIT B;
6. The Property so described is located within the approved Annexation Area of the District;
7. The Petitioner authorizes the recording of a final local entity plat and notice of impending boundary action on the Property to confirm the new District boundaries; and

8. Petitioner acknowledges that the District intends to issue bonds and may make special assessments on all property within the District, specifically including the Property.

Each individual who signs on behalf of a trust or business entity represents that he or she has authority to do so and to petition for the annexation on behalf of the trust or business entity, and further represents that there is no legal impediment to the trust or business entity's signing of this Petition.

The Petitioner, for itself and for its successors in title and assigns, hereby waives any and all rights for contesting, protesting, or challenging the legality or validity of the creation and establishment of Iron Horse Public Infrastructure District and the adoption of any resolutions or ordinances by Cedar City in connection therewith. The Petitioner further acknowledges and understands that the District is governed by an appointed board of trustees that is currently constituted with the following members:

Dane Leavitt
G. Tyler Romeril
Eric O. Leavitt
Ronald J. Larsen
Brett L. Warby

The Petitioner represents and certifies that it does not challenge the right of any board member to hold his or her position or office.

This Petition may be signed electronically and executed in counterparts, all of which may be treated for all purposes as an original and shall constitute and be one and the same Petition.

IN WITNESS WHEREOF, the Petitioner has executed this Petition as of the date indicated above.

(signature pages follow)

Made effective as of the date first set forth above.

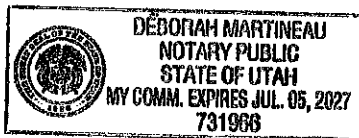
Development Team, LLC,
a Utah limited liability company
176 W. 725 S.
P.O. Box 1027
Cedar City, UT 84721




By: G. Tyler Romeril
Its: President of LLI, Member-Manager

STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On this 5th day of December 2024, personally appeared before me G. Tyler Romeril, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn did say that he is the President of LLI, Member-Manager of Development Team, LLC, and acknowledged to me that he executed the foregoing on behalf of said company.





NOTARY PUBLIC

EXHIBIT A
LEGAL DESCRIPTION OF THE ANNEXATION PROPERTY

15.28 ACRES

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE ALONG THE SECTION LINE N89°43'14"W 1,572.95 FEET; THENCE LEAVING SAID SECTION LINE N0°16'47"E, 276.84 FEET; THENCE S89°43'14"E, 673.15 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 364.00 FEET AND A CENTRAL ANGLE OF 19° 32'19" (RADIUS POINT BEARS S59°10'58"E); THENCE ALONG THE ARC OF SAID CURVE 124.13 FEET; THENCE N0°16'46"E, 84.57 FEET TO THE SOUTH LINE OF THE CEDAR CITY POND PARCEL; THENCE ALONG SAID PARCEL N89°54'06"E, 622.13 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 297.00 FEET AND A CENTRAL ANGLE OF 10°19'55" (RADIUS POINT BEARS N08°55'11"W); THENCE ALONG THE ARC OF SAID CURVE 53.56 FEET; THENCE N70°44'54"E, 86.28 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 85°13'25" (RADIUS POINT BEARS N19°15'06"W); THENCE ALONG THE ARC OF SAID CURVE 22.31 FEET TO A POINT ON A 20' PUBLIC UTILITY EASEMENT ALONG CROSS HOLLOW ROAD; THENCE N77°08'09"E, 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF CROSS HOLLOW ROAD AND A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 5°48'31" (RADIUS BEARS N76°26'43"E); THENCE ALONG THE ARC OF SAID CURVE 65.90 FEET; THENCE N89°54'06"W, 4.24 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 653.94 FEET AND A CENTRAL ANGLE OF 54°41'54" (RADIUS POINT BEARS N70°45'51"E); THENCE ALONG THE ARC OF SAID CURVE 624.29 FEET; THENCE S73°56'03"E, 126.12 FEET TO THE SECTION LINE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE SECTION LINE, S88°34'02"W, 539.12 FEET TO THE POINT OF BEGINNING.

Parcels B-1857-40 and B-1763

EXHIBIT C

NOTICE OF BOUNDARY ACTION

NOTICE OF IMPENDING BOUNDARY ACTION

Annexation No. 2

by

Iron Horse Public Infrastructure District

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Trustees of Iron Horse Public Infrastructure District (the "Board"), at a special meeting of the Board, at a special meeting of the Board, duly convened pursuant to notice, and, pursuant to Utah Code Ann. §17D-4-201(3)(a) and other applicable provisions of Utah law, effective December 6, 2024, adopted a *Resolution to Annex Approximately 15.28 Acres*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Annexation Resolution").

A copy of the Final Local Entity Plat – Annexation No. 2 satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Iron County Surveyor, as well as the legal description of the property depicted on the plat, are attached as EXHIBIT "B", hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the annexation by the District, as more particularly described in the Annexation Resolution, have been met. The annexation is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. § 67-1a-6.5.

DATED this 13 day of December, 2024.

IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT



Dane O. Leavitt, Chair

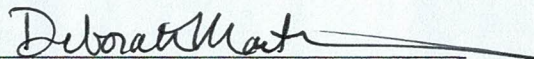
STATE OF UTAH)

:ss.

IRON COUNTY)

On the 13 day of December, 2024, personally appeared before me Dane O. Leavitt, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this NOTICE OF IMPENDING BOUNDARY ACTION, and acknowledged that he executed the same voluntarily for its stated purpose on behalf of Iron Horse Public Infrastructure District pursuant to his authority by law as its duly appointed chair.

[] Notarial act performed by audio-visual communication (if checked).


NOTARY PUBLIC

**EXHIBIT "A" TO NOTICE OF BOUNDARY ACTION
(Annexation No. 1)**

Copy of the Annexation Resolution

EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(Annexation No. 2)

Legal Description – Annexation No. 2

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE ALONG THE SECTION LINE N89°43'14"W 1,572.95 FEET; THENCE LEAVING SAID SECTION LINE N0°16'47"E, 276.84 FEET; THENCE S89°43'14"E, 673.15 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 364.00 FEET AND A CENTRAL ANGLE OF 19° 32'19" (RADIUS POINT BEARS S59°10'58"E); THENCE ALONG THE ARC OF SAID CURVE 124.13 FEET; THENCE N0°16'46"E, 84.57 FEET TO THE SOUTH LINE OF THE CEDAR CITY POND PARCEL; THENCE ALONG SAID PARCEL N89°54'06"E, 622.13 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 297.00 FEET AND A CENTRAL ANGLE OF 10°19'55" (RADIUS POINT BEARS N08°55'11"W); THENCE ALONG THE ARC OF SAID CURVE 53.56 FEET; THENCE N70°44'54"E, 86.28 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 85°13'25" (RADIUS POINT BEARS N19°15'06"W); THENCE ALONG THE ARC OF SAID CURVE 22.31 FEET TO A POINT ON A 20' PUBLIC UTILITY EASEMENT ALONG CROSS HOLLOW ROAD; THENCE N77°08'09"E, 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF CROSS HOLLOW ROAD AND A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 5°48'31" (RADIUS BEARS N76°26'43"E); THENCE ALONG THE ARC OF SAID CURVE 65.90 FEET; THENCE N89°54'06"W, 4.24 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 653.94 FEET AND A CENTRAL ANGLE OF 54°41'54" (RADIUS POINT BEARS N70°45'51"E); THENCE ALONG THE ARC OF SAID CURVE 624.29 FEET; THENCE S73°56'03"E, 126.12 FEET TO THE SECTION LINE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE SECTION LINE, S88°34'02"W, 539.12 FEET TO THE POINT OF BEGINNING.

Containing 15.28 Acres

Parcels B-1857-40 and B-1763

**PETITION TO ANNEX PROPERTY INTO
IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT**

TO: **IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT**, a Utah public infrastructure district

FROM: **Development Team, LLC**, a Utah limited liability company (“**Petitioner**”)

DATE: December 6, 2024

This Petition to Annex Property into Iron Horse Public Infrastructure District (the “**District**”) is submitted in accordance with Title 17D, Chapter 4, Section 201(3)(a), Utah Code Annotated 1953.

Petitioner hereby petitions and consents to the annexation by the District of approximately 15.28 acres of property in Cedar City, Iron County, Utah, as more particularly described in EXHIBIT A (hereafter the “**Property**”). Petitioner acknowledges that upon receipt of this signed Petition, the District may enact a resolution to annex the Property.

The undersigned Petitioner is designated a sponsor, and the contact sponsor, of this Petition.

In support of this Petition, Petitioner affirmatively represents, acknowledges, and certifies the following matters:

1. When fully executed, this Petition contains the signatures of 100% of the surface property owners of the Property;
2. There are no registered voters residing in the Property;
3. The correct mailing address for Petitioner is provided on the signature page below;
4. Petitioner is the title owner of the Property as of the date of this Petition, and Petitioner will not convey any interest in any part of the Property within thirty (30) days of the date of this Petition (or following the recording of the annexation final local entity plat, in which case the conveyance is permitted);
5. Petitioner petitions and consents to the District’s annexation of the Property that is particularly described in EXHIBIT A and generally shown in the map attached hereto as EXHIBIT B;
6. The Property so described is located within the approved Annexation Area of the District;
7. The Petitioner authorizes the recording of a final local entity plat and notice of impending boundary action on the Property to confirm the new District boundaries; and

8. Petitioner acknowledges that the District intends to issue bonds and may make special assessments on all property within the District, specifically including the Property.

Each individual who signs on behalf of a trust or business entity represents that he or she has authority to do so and to petition for the annexation on behalf of the trust or business entity, and further represents that there is no legal impediment to the trust or business entity's signing of this Petition.

The Petitioner, for itself and for its successors in title and assigns, hereby waives any and all rights for contesting, protesting, or challenging the legality or validity of the creation and establishment of Iron Horse Public Infrastructure District and the adoption of any resolutions or ordinances by Cedar City in connection therewith. The Petitioner further acknowledges and understands that the District is governed by an appointed board of trustees that is currently constituted with the following members:

Dane Leavitt
G. Tyler Romeril
Eric O. Leavitt
Ronald J. Larsen
Brett L. Warby

The Petitioner represents and certifies that it does not challenge the right of any board member to hold his or her position or office.

This Petition may be signed electronically and executed in counterparts, all of which may be treated for all purposes as an original and shall constitute and be one and the same Petition.

IN WITNESS WHEREOF, the Petitioner has executed this Petition as of the date indicated above.

(signature pages follow)

Made effective as of the date first set forth above.

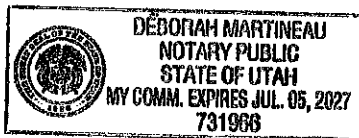
Development Team, LLC,
a Utah limited liability company
176 W. 725 S.
P.O. Box 1027
Cedar City, UT 84721



By: G. Tyler Romeril
Its: President of LLI, Member-Manager

STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On this 5th day of December 2024, personally appeared before me G. Tyler Romeril, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn did say that he is the President of LLI, Member-Manager of Development Team, LLC, and acknowledged to me that he executed the foregoing on behalf of said company.





NOTARY PUBLIC

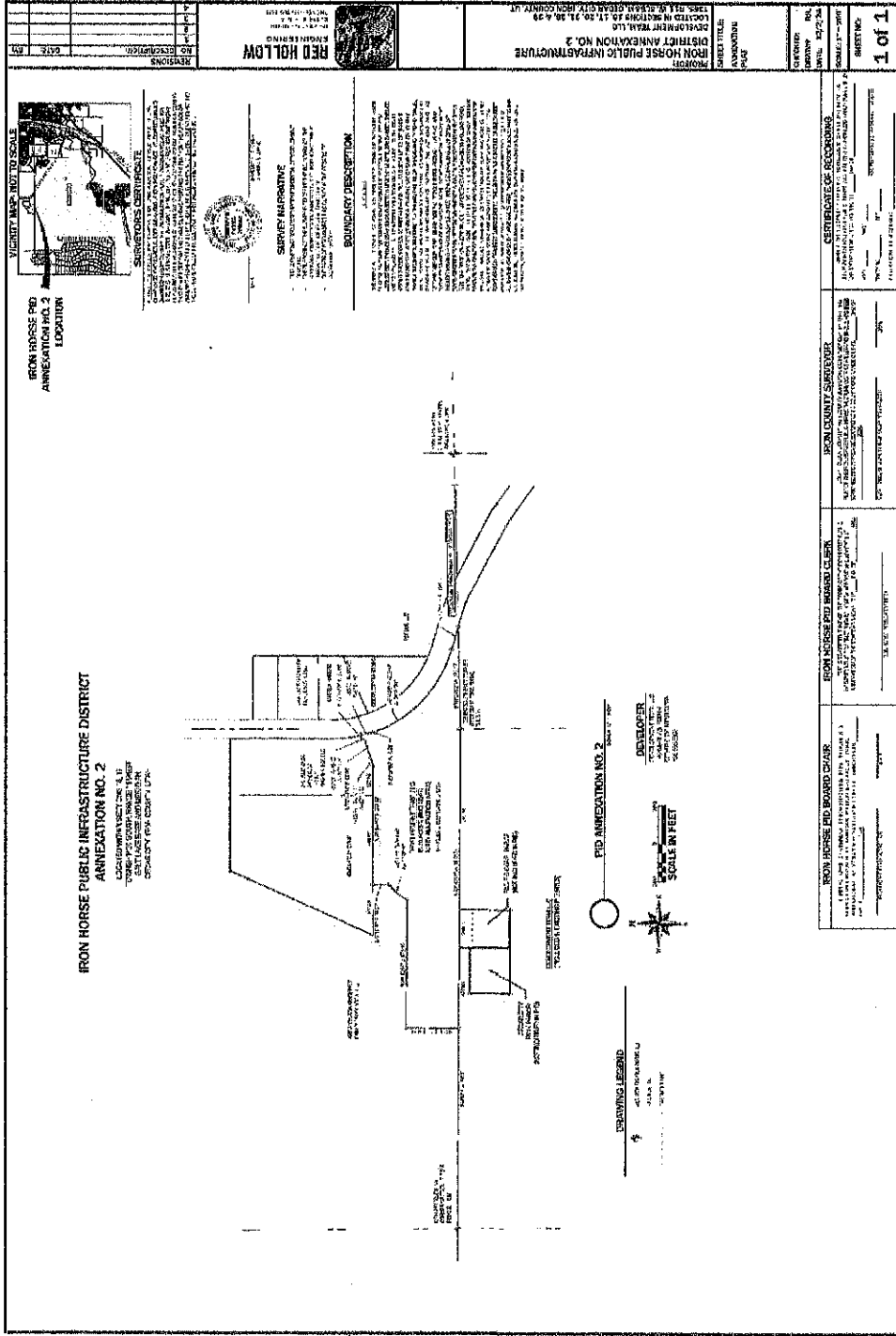
EXHIBIT A
LEGAL DESCRIPTION OF THE ANNEXATION PROPERTY

15.28 ACRES

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE ALONG THE SECTION LINE N89°43'14"W 1,572.95 FEET; THENCE LEAVING SAID SECTION LINE N0°16'47"E, 276.84 FEET; THENCE S89°43'14"E, 673.15 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 364.00 FEET AND A CENTRAL ANGLE OF 19° 32'19" (RADIUS POINT BEARS S59°10'58"E); THENCE ALONG THE ARC OF SAID CURVE 124.13 FEET; THENCE N0°16'46"E, 84.57 FEET TO THE SOUTH LINE OF THE CEDAR CITY POND PARCEL; THENCE ALONG SAID PARCEL N89°54'06"E, 622.13 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 297.00 FEET AND A CENTRAL ANGLE OF 10°19'55" (RADIUS POINT BEARS N08°55'11"W); THENCE ALONG THE ARC OF SAID CURVE 53.56 FEET; THENCE N70°44'54"E, 86.28 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 85°13'25" (RADIUS POINT BEARS N19°15'06"W); THENCE ALONG THE ARC OF SAID CURVE 22.31 FEET TO A POINT ON A 20' PUBLIC UTILITY EASEMENT ALONG CROSS HOLLOW ROAD; THENCE N77°08'09"E, 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF CROSS HOLLOW ROAD AND A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 5°48'31" (RADIUS BEARS N76°26'43"E); THENCE ALONG THE ARC OF SAID CURVE 65.90 FEET; THENCE N89°54'06"W, 4.24 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE LEFT HAVING A RADIUS OF 653.94 FEET AND A CENTRAL ANGLE OF 54°41'54" (RADIUS POINT BEARS N70°45'51"E); THENCE ALONG THE ARC OF SAID CURVE 624.29 FEET; THENCE S73°56'03"E, 126.12 FEET TO THE SECTION LINE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE SECTION LINE, S88°34'02"W, 539.12 FEET TO THE POINT OF BEGINNING.

Parcels B-1857-40 and B-1763

EXHIBIT B MAP OF ANNEXATION PROPERTY



NOTICE OF IMPENDING BOUNDARY ACTION

Annexation No. 2

by

Iron Horse Public Infrastructure District

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Trustees of Iron Horse Public Infrastructure District (the "Board"), at a special meeting of the Board, at a special meeting of the Board, duly convened pursuant to notice, and, pursuant to Utah Code Ann. §17D-4-201(3)(a) and other applicable provisions of Utah law, effective December 6, 2024, adopted a *Resolution to Annex Approximately 15.28 Acres*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Annexation Resolution").

A copy of the Final Local Entity Plat – Annexation No. 2 satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Iron County Surveyor, as well as the legal description of the property depicted on the plat, are attached as EXHIBIT "B", hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the annexation by the District, as more particularly described in the Annexation Resolution, have been met. The annexation is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. § 67-1a-6.5.

DATED this 13 day of December, 2024.

IRON HORSE PUBLIC INFRASTRUCTURE DISTRICT



Dane O. Leavitt, Chair

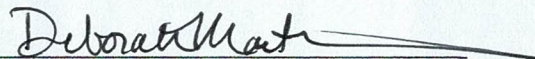
STATE OF UTAH)

:ss.

IRON COUNTY)

On the 13 day of December, 2024, personally appeared before me Dane O. Leavitt, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this NOTICE OF IMPENDING BOUNDARY ACTION, and acknowledged that he executed the same voluntarily for its stated purpose on behalf of Iron Horse Public Infrastructure District pursuant to his authority by law as its duly appointed chair.

[] Notarial act performed by audio-visual communication (if checked).


NOTARY PUBLIC

**EXHIBIT "A" TO NOTICE OF BOUNDARY ACTION
(Annexation No. 1)**

Copy of the Annexation Resolution

EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(Annexation No. 2)

Legal Description – Annexation No. 2

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