

# STATE OF UTAH



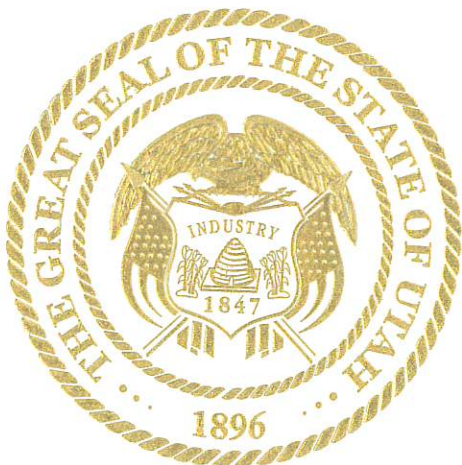
OFFICE OF THE LIEUTENANT GOVERNOR

## 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 SHUNDAHAI PUBLIC INFRASTRUCTURE DISTRICT NO. 2 located in GARDEN CITY, dated DECEMBER 12, 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 SHUNDAHAI PUBLIC INFRASTRUCTURE DISTRICT NO. 2, located in RICH COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 17<sup>th</sup> day of January, 2025 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  
(Shundahai Public Infrastructure District No. 2)**

**TO: The Lieutenant Governor, State of Utah**

**NOTICE IS HEREBY GIVEN** that the City Council of the Town of Garden City, Utah (the "Council"), acting in its capacity as the creating entity for Shundahai Public Infrastructure District No. 2 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on December 12, 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 Rich 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 December 12, 2024.

**CITY COUNCIL OF THE TOWN OF  
GARDEN CITY, UTAH, acting in its  
capacity as the creating authority for  
Shundahai Public Infrastructure District No.  
2**

By:   
\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

**VERIFICATION**

STATE OF UTAH    )  
                          :SS.  
COUNTY OF RICH )

SUBSCRIBED AND SWORN to before me this December 12, 2024.



  
\_\_\_\_\_

RESOLUTION 2024-09

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF THE TOWN OF GARDEN CITY, UTAH (THE "TOWN"), PROVIDING FOR THE CREATION OF THE SHUNDAHAI PUBLIC INFRASTRUCTURE DISTRICT NOS. 1 AND 2 (TOGETHER, THE "DISTRICTS") AS INDEPENDENT DISTRICTS; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT, NOTICES OF BOUNDARY ACTION; APPROVING AN ANNEXATION AREA; AUTHORIZING THE DISTRICTS TO PROVIDE SERVICES RELATING TO FINANCING AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE; APPOINTING BOARDS OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the Town requesting adoption by resolution of the approval of the creation of a Public Infrastructure District 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 Town, and the annexation or withdrawal of any portion of the boundaries of the Districts therefrom without further approval or hearings of the Town or the Council, as further described in the Governing Document (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the Town 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 a district (the "Property Owners"); and

WHEREAS, the Petition, containing the consent of such Property Owners, has been certified by the Recorder of the Town 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 Town, prior to consideration of this Resolution, held public hearings 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, the hearing on the Petition was held at the City Council Chambers because there is no reasonable place to hold a public hearing within the Districts' boundaries, and the hearing at the City Council Chambers was held as close to the applicable area as reasonably possible; and

WHEREAS, the Town properly published 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 Districts before the public hearing on the Petition; and

WHEREAS, according to attestations filed with the Town, 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(c) of the PID Act because they are agents of property owners within the Districts' boundaries (as further set forth in the Petition); 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 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

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 for the Districts a Notice of Boundary Action attached hereto as Exhibit C (the "Boundary Notice") and Final Entity Plat attached to the Boundary Notice as 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 Town 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 Plat.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation or withdrawal of any area within the Annexation Area (as defined in the Governing Document) into or from either District without any further action, hearings, or resolutions of the Council or the Town, 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 and without the Annexation Area upon annexation thereof into a District without further request of such District to the Town to provide such services under 17B-1-407, Utah Code Annotated 1953, as amended, or resolutions of the Town under 17B-1-408, Utah Code Annotated 1953, as amended.

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 Town, and the organization of the Districts pursuant to the PID Act is hereby approved.

6. The Governing Document in the form presented to this meeting and attached hereto as Exhibit B is hereby authorized and approved and the Districts shall be governed by the terms

thereof and applicable law.

7. The Trustees of the Board of each District are hereby appointed as follows:

- (a) Trustee 1 – Larry Myler, for an initial 6-year term;
- (b) Trustee 2 – James Horsley, for an initial 6-year term
- (c) Trustee 3 – Trey Orsak, for an initial 4-year term;

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 Council Member to execute the Boundary Notice in substantially the form attached as Exhibit C, the Plat, and such other documents as shall be required to accomplish 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 recordation of a certificate of creation for the Districts, the Council does hereby authorize the Mayor, a Council Member, the Town Attorney, or the Town Manager to make any corrections, deletions, or additions to the Governing Document and 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 any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

10. The Board of Trustees of the Districts (the “District Board”) is hereby authorized and directed to record such Governing Document with the recorder of Rich County, Utah within thirty (30) days of the issuance of the Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

11. The Districts shall be named “Shundahai Public Infrastructure District No. 1” and “Shundahai Public Infrastructure District No. 2”, respectively.

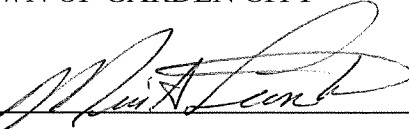
12. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

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

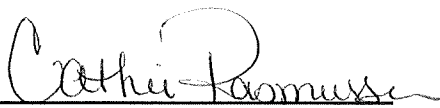
14. This resolution shall take effect immediately.

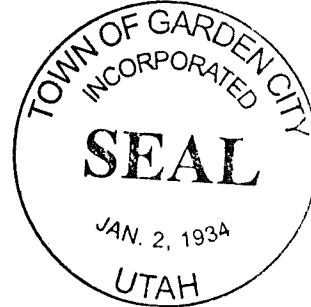
PASSED AND ADOPTED by the City Council of the Town of Garden City, Utah, this December 12, 2024.

TOWN OF GARDEN CITY

By:   
Mike Leonhardt, Mayor

ATTEST:

By: 



STATE OF UTAH )  
 : ss.  
TOWN OF GARDEN CITY )

I, Cathie Rasmussen, the undersigned duly qualified and acting Town Clerk of the Town of Garden City, Utah (the "Town"), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council of the Town (the "Council"), had and taken at a lawful meeting of the Council on December 12, 2024, commencing at the hour of 7:00 p.m., as recorded in the regular official book of the proceedings of the Council kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this December 12, 2024.

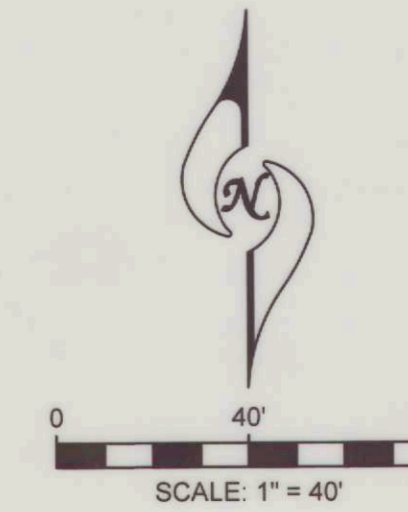
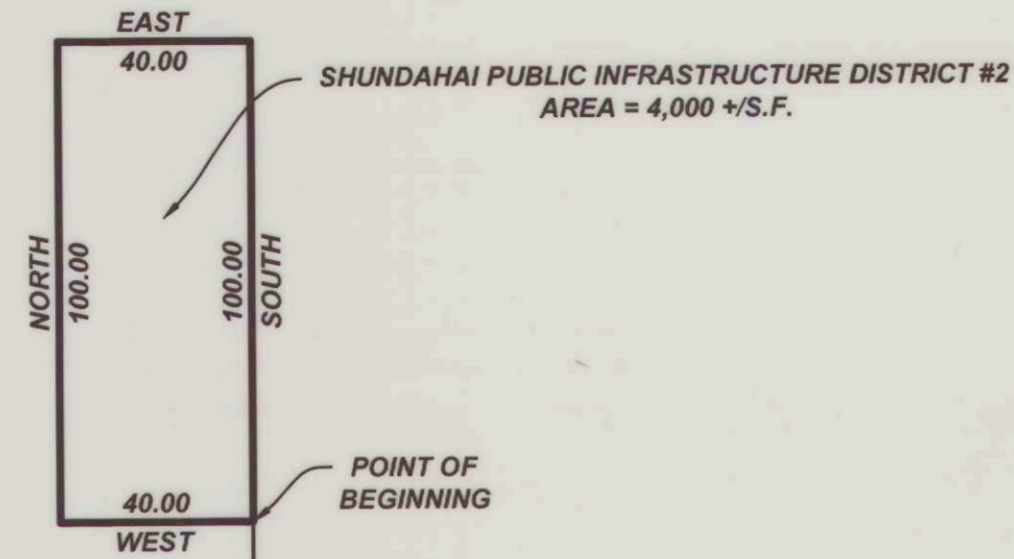


By: Cathie Rasmussen  
Town Clerk



VICINITY MAP  
NTS

DATE OF PREPARATION  
DECEMBER 18, 2024



**SURVEYOR'S CERTIFICATE**  
I, CURTIS BOWN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12606452-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY THAT A FINAL LOCAL ENTITY PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND WAS MADE IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID FINAL LOCAL ENTITY PLAT.

*Curtis Bown*  
CURTIS BOWN  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 12606452-2201

*December 17, 2024*  
DATE

**BOUNDARY DESCRIPTION**  
A portion of the SE1/4 of Section 20, Township 14 North, Range 5 East, Salt Lake Base & Meridian, located in Rich County, Utah, more particularly described as follows:  
Beginning at a point located N85°01'49"W along the Section line 670.49 feet and North 713.31 feet from the South 1/4 Corner of Section 20, T14N, R5E, SLB&M; thence West 40.00 feet; thence North 100.00 feet; thence East 40.00 feet; thence South 100.00 feet to the point of beginning.  
Contains: 4,000 s.f.

**APPROVAL AND ACCEPTANCE BY THE GARDEN CITY COUNCIL**  
WE THE GARDEN CITY COUNCIL HAVE REVIEWED THE HEREON PLAT AND BY AUTHORIZATION OF SAID GARDEN CITY COUNCIL RECORDED IN THE MINUTES OF ITS MEETING OF THE 12<sup>TH</sup> DAY OF December, 20 24. HEREBY ACCEPT THE SAID PLAT WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE RICH COUNTY RECORDER.

ATTEST: *Cathie Baomussen* 12/19/24  
GARDEN CITY RECORDER DATE

*Rick Lee* 12-19-24  
GARDEN CITY MAYOR DATE

**RICH COUNTY SURVEYOR**  
I HEREBY CERTIFY THAT THE RICH COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL THE CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE RICH COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

THIS 27<sup>th</sup> DAY OF December, A.D. 20 24

*Eric Kien*  
RICH COUNTY SURVEYOR

FINAL LOCAL ENTITY PLAT  
OF  
**SHUNDAHAI**  
PUBLIC INFRASTRUCTURE DISTRICT  
No. 2  
LOCATED IN THE SE1/4 OF SECTION 20, T14N, R5E, SLB&M  
RICH COUNTY, UTAH

|  |                 |
|--|-----------------|
| RECORDED #   | RECORDER'S SEAL |
| STATE OF UTAH, COUNTY OF RICH, RECORDED AND FILED AT THE REQUEST OF: |                 |
| DATE: _____ TIME: _____  |                 |
| BOOK: _____ PAGE: _____  |                 |
| \$ FEE   |                 |
| RICH COUNTY RECORDER   |                 |

**civilsolutionsgroup inc.**

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SALT LAKE | P: 801.216.3192  
UTAH VALLEY | P: 801.874.1432  
info@civilsolutionsgroup.net  
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