

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of creation for the WASATCH PEAKS RANCH PUBLIC INFRASTRUCTURE DISTRICT located in MORGAN COUNTY, dated APRIL 3, 2023, complying with Section §17B-1-215, Utah Code Annotated, 1953, as amended.

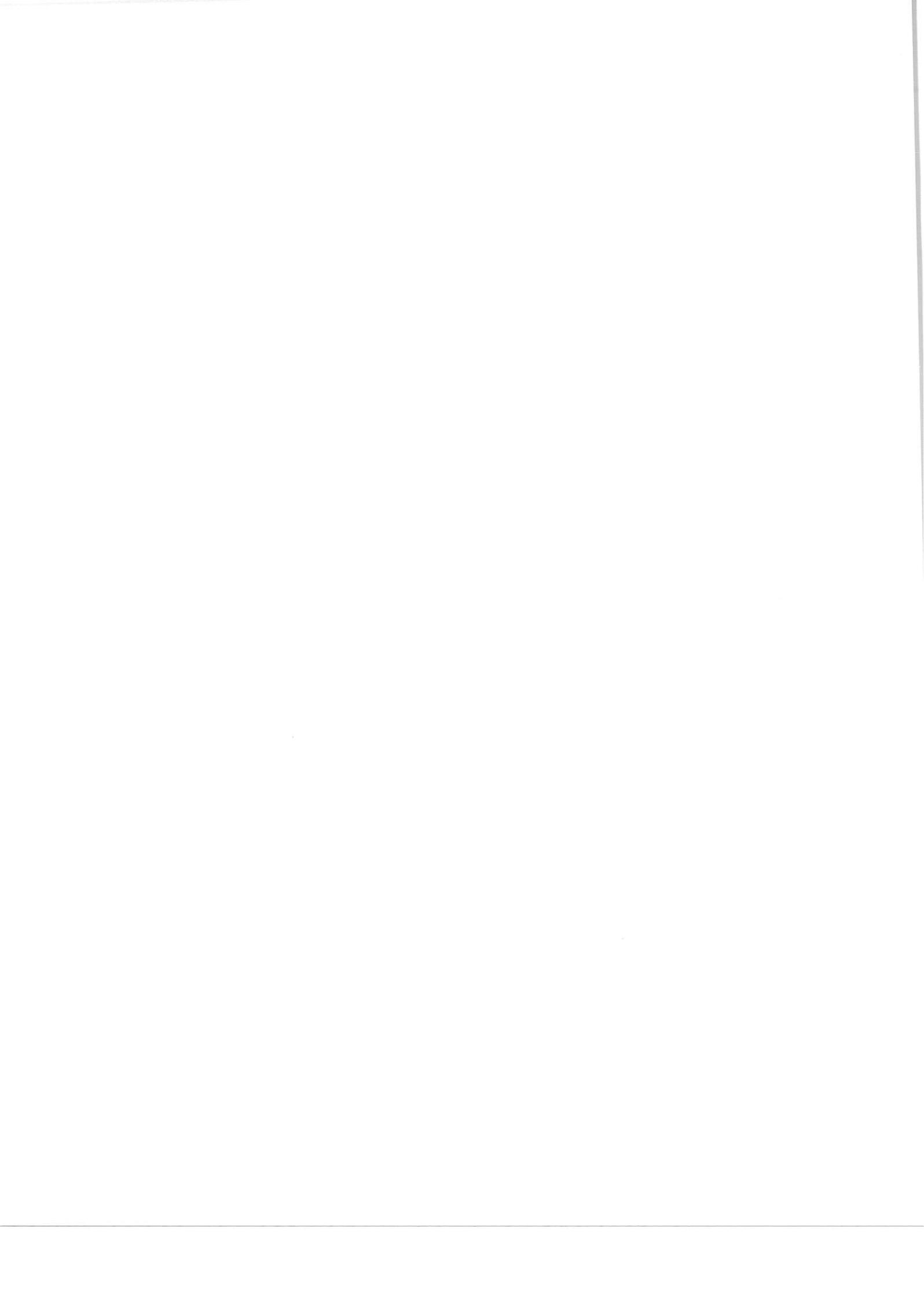
Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the WASATCH PEAKS RANCH PUBLIC INFRASTRUCTURE DISTRICT, located in MORGAN COUNTY, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 3rd day of April, 2023 at Salt Lake City, Utah.

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

DEIDRE M. HENDERSON
Lieutenant Governor



**NOTICE OF IMPENDING BOUNDARY ACTION
(Wasatch Peaks Ranch Public Infrastructure District)**

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the County Commission of the Morgan County, Utah (the "Commission"), acting in its capacity as the creating entity for the Wasatch Peaks Ranch Public Infrastructure (the "District"), at a regular meeting of the Commission, duly convened pursuant to notice, on February 21, 2023 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, 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 Morgan County, Utah, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Commission 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 Commission 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 22 day of February, 2023.

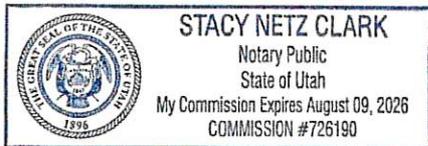
**COUNTY COMMISSION OF MORGAN COUNTY, UTAH,
acting in its capacity as the creating authority for the
Wasatch Peaks Ranch Public Infrastructure District,**

By: 
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :ss.
COUNTY OF MORGAN)

SUBSCRIBED AND SWORN to before me this 22 day of
February, 2023.




NOTARY PUBLIC

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

Copy of the Creation Resolution

Morgan, Utah

February 21, 2023

The County Commission (the "Commission") of the Morgan County, Utah (the "County"), met in regular session (including by electronic means) on February 21, 2023, at its regular meeting place in Morgan, Utah at 5:00 p.m., with the following members of the Commission being present:

Mike Newton	Chair
Jared Andersen	Commission Member
Blaine Fackrell	Commission Member
Robert McConnell	Commission Member
Matt Wilson	Commission Member

Also present:

Julie Rees	Commission Executive Assistant
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Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the County Commission Executive Assistant presented to the Commission a Certificate of Compliance with Open Meeting Law with respect to this February 21, 2023, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, read in full and pursuant to motion duly made by Commission Member Andersen and seconded by Commission Member Fackrell adopted by the following vote:

AYE: Commissioners - Andersen, Wilson, McConnell, Fackrell, & Newton

NAY: N/A

The resolution was later signed by the Chair and recorded by the County Clerk in the official records of the County. The resolution is as follows:

RESOLUTION CR-23-54

A RESOLUTION OF THE COUNTY COMMISSION (THE "COMMISSION") OF THE COUNTY OF MORGAN COUNTY, UTAH (THE "COUNTY"), RATIFYING THE CREATION OF THE WASATCH PEAKS RANCH PUBLIC INFRASTRUCTURE DISTRICT (THE "DISTRICT") AS AN INDEPENDENT DISTRICT; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT AND INTERLOCAL AGREEMENT; APPROVING OF AN ANNEXATION AREA; APPOINTING BOARDS OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was previously filed with the County requesting adoption by resolution 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 - Local Districts, Title 17B (together with the PID Act, the "Act") within the boundaries of the County and approve an annexation area (the "Annexation Area") which the District may annex into or withdrawal therefrom without further approval or hearings of the County or the Commission, as further described in Governing Document Exhibits A and C (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, on June 1, 2021 the County previously adopted a resolution authorizing the creation of the District (the "Original Resolution"); and

WHEREAS, the time to submit the Original Resolution to the Office of the Lieutenant Governor has lapsed, and the petitioners desire the County to ratify such creation; and

WHEREAS, pursuant to the terms of the Act, the County may create one or more public infrastructure districts by adoption of a resolution of the Commission and with consent of 100% of all surface property owners proposed to be included in the District (the "Property Owners"); and

WHEREAS, it is necessary to ratify the creation of the District 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 District 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 County and the District, 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 Notice") and Final Entity Plats attached thereto as Boundary Notice Exhibit B (the "Plat").

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION, 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 Commission and by officers of the Commission directed toward the creation and establishment of the District, are hereby ratified, approved and confirmed.
2. Creation of the District as a separate entity from the County in accordance with the Governing Document and the Act is hereby ratified and approved. The boundaries of the District shall be as set forth in the Governing Document and the Plat.
3. Pursuant to the terms of the PID Act, the Commission does hereby ratify approval the annexation of any area within the Annexation Area Boundaries into the District without any further action of the Commission or the County 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 Commission or the County, upon compliance with the terms of the PID Act and the Governing Document.
4. The Commission does hereby ratify the authorization of the District to provide services relating to the financing and construction of public infrastructure, including within the Annexation Area upon annexation thereof into the District without further request of the District to the County to provide such service under 17B-1-407, Utah Code Annotated 1953 or resolutions of the County under 17B-1-408, Utah Code Annotated 1953.
5. It is hereby found and determined by the Commission that the creation of the District is appropriate to the general welfare, order and security of the County, and the organization of the District 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 District shall be governed by the terms thereof and applicable law.
7. The Board of the District is hereby appointed as follows:
 - (a) Trustee 1 – Ed Schultz for an initial six-year term.
 - (b) Trustee 2 – Jenny Robinson for an initial four-year term.
 - (c) Trustee 3 – Vance Bostock 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 Commission does hereby authorize the Chair or a Commission Member to execute the Boundary Notice in substantially the form attached as Exhibit C and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Commission for submission to the Office of the Lieutenant Governor of the State of Utah.

9. Prior to certification of the creation of the District by the Office of the Lieutenant Governor of the State of Utah, the Commission does hereby authorize any Commissioner, the County Attorney, or the Planning Director of the County to make any corrections, deletions, or additions to the Governing Document, the Interlocal Agreement, 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 Commission 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 the District (the "District Board") is hereby authorized and directed to record such Governing Document with the recorder of Morgan County within 30 days of the issuance of an issuance of the 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 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 a Commissioner, the County Attorney, or the Planning Director.

PASSED AND ADOPTED by the County Commission of the Morgan County,
Utah, this February 21, 2023.

MORGAN COUNTY, UTAH

By: 
Chair

ATTEST:

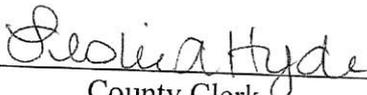
By: 
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

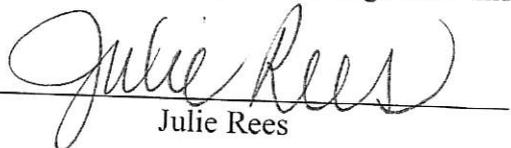
I, Julie Rees, the undersigned of the Morgan County, Utah (the "the County"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Commission (the "Commission") on February 21, 2023, not less than 24 hours in advance of the meeting. 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 County's principal offices 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 addition, the Notice of 2023 Annual Meeting Schedule for the Commission of (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Commission of the County to be held during the year, by causing said Notice to be (i) posted on 2-16-23, at the principal office of the County, (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on 2-16-23 and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this February 21, 2023.

By: 
Julie Rees

SCHEDULE 1

NOTICE OF MEETING AND AGENDA



PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a regular commission meeting in the Commission Meeting Room at 48 West Young Street, Morgan, Utah on

MORGAN COUNTY COMMISSION MEETING AGENDA
FEBRUARY 21st, 2023 5:00 pm

5:00 COMMENCEMENT OF MEETING

A) Opening Ceremonies-

1. Welcome
2. Invocation and/or Moment of Reflection
3. Pledge of Allegiance

B) Consent Items-

1. Approval of February 7th, 2023 Meeting Minutes

C) Commissioner Declarations of Conflict of Interest

D) Public Comments (please limit comments to 3 minutes)

E) Presentations – None

F) Action Items –

1. **Attorney Garrett Smith/Aaron Wade - Discussion/Decision – Legal**
 - i. Wasatch Peaks Ranch Public Infrastructure District Ratification.
2. **Josh Cook – Discussion/Decision – Planning**
 - i. Approval of the Rose Hill Subdivision Phase 4 Plat Amendment No. 1 to divide the existing lot into two lots. Application No.: 22.064, 5684 Garnet Drive, Wendy Wilkinson Revocable Trust. 0.62 acres, Village Low Density Residential. Current Zoning R1-12.
3. **Commission Vice Chair Fackrell – Discussion/Decision – Fairgrounds**
 - i. Fairgrounds Plan Discussion

6:00 PUBLIC HEARING

G) Leslie Hyde Public Hearing – Budget 2022

1. Amendment of Morgan County's 2022 Budget.

Request for a motion to adjourn public meeting and convene public hearing.
Public Comments (please limit comments to 3 minutes)
Request for motion to adjourn public hearing and reconvene public meeting.

Resolution amending Morgan County's 2022 Budget.

PUBLIC HEARING

H) Josh Cook – Public Hearing – Planning Department

1. M&D Nelson Rezone

Application No.: 22.065, Mark Nelson, Location – West of the Old Highway Road and Cottonwood Canyon Road. Current Zoning A-20, Commercial, 44.75 acres, Rezone to Town Center

- Request for a motion to adjourn public meeting and convene public hearing
- Public Comments (please limit comments to 3 minutes)
- Request for motion to adjourn public hearing and reconvene public meeting

Commissioner Comments

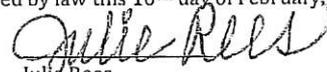
- Commissioner Wilson
- Commissioner Andersen
- Commission Chair Newton
- Commissioner McConnell
- Commission Vice Chair Fackrell

I) Adjourn –

Note: The Commission may vote to discuss certain matters in Closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205.

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 16TH day of February, 2023.


Julie Rees

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Julie Rees at 801-845-4013 at least 24 prior to this meeting. This meeting is streamed live.

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

MORGAN COUNTY PLANNING COMMISSION

NOTICE is hereby given that the Annual Meeting schedule of the Morgan County Planning Commission for the 2023 calendar year is as follows:

January 12, 2023	July 13, 2023
January 26, 2023	July 27, 2023
February 9, 2023	August 10, 2023
February 23, 2023	August 24, 2023
March 9, 2023	September 14, 2023
March 23, 2023	September 28, 2023
April 13, 2023	October 12, 2023
April 27, 2023	October 26, 2023
May 11, 2023	November 9, 2023
May 25, 2023	December 7, 2023
June 8, 2023	December 21, 2023
June 22, 2023	

If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.

DATED this 12th day of January, 2023.

MORGAN COUNTY PLANNING COMMISSION

By: Gary Ross, Chairman

1. Morgan County will post written notice of the annual meeting schedule in the offices of the County and provide a copy of such notice to at least one newspaper of general circulation within the geographic jurisdiction of the county, or to a local media correspondent and to all persons who request a copy of such notice.
2. This Resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED THIS 12th DAY OF JANUARY, 2023.
MORGAN COUNTY PLANNING COMMISSION

EXHIBIT B
GOVERNING DOCUMENT

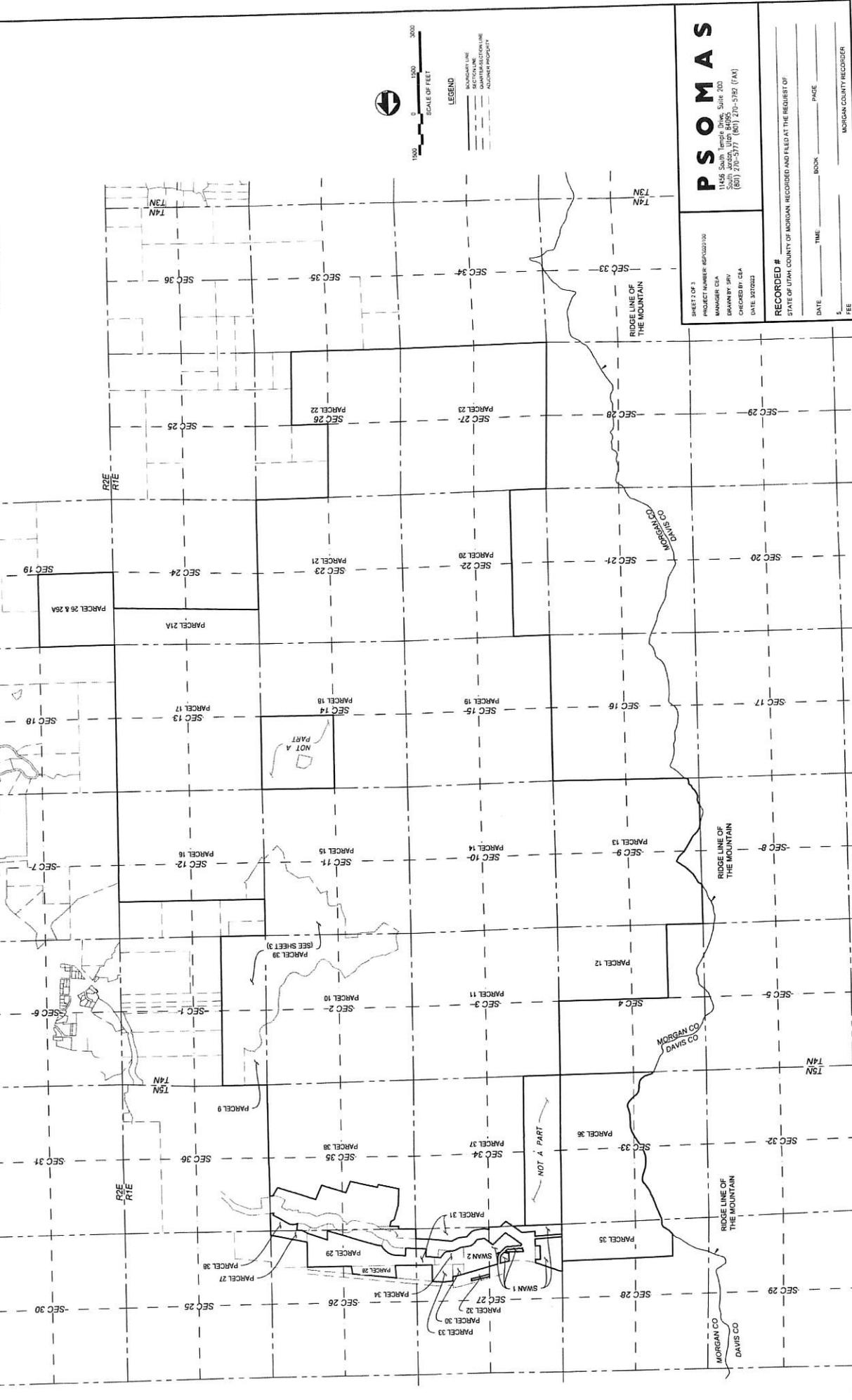
[Intentionally Omitted]

**EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Final Local Entity Plat

[TO BE SEPARATELY SUBMITTED]

FINAL LOCAL ENTITY PLAT
WASATCH PEAKS RANCH PUBLIC INFRASTRUCTURE DISTRICT
 LOCATED IN SECTIONS 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25 & 27 TOWNSHIP 4 NORTH, RANGE 1 EAST, SLS 8 & M
 AND IN SECTION 19, TOWNSHIP 4 NORTH, RANGE 2 EAST, SLS 2 & M
 AND IN SECTIONS 26, 27, 28, 33, 34 AND 35 OF TOWNSHIP 9 NORTH, RANGE 1 EAST, SLS 2, SLS 6 & M
 MORGAN COUNTY, UTAH



<p>PSOMAS 11456 South Temple Drive, Suite 200 West Valley City, UT 84117 (801) 278-5777 (801) 278-5782 (FAX)</p>		<p>RECORDED # _____ STATE OF UTAH, COUNTY OF MORGAN, RECORDED AND FILED AT THE REQUEST OF _____</p>
<p>SHEET OF 3 PROJECT NUMBER: MP2022100 MANAGER: CEA DRAWN BY: SPV CHECKED BY: CEA DATE: 3/27/2023</p>	<p>DATE: _____ TIME: _____ BOOK: _____ PAGE: _____</p>	<p>MORGAN COUNTY RECORDER \$ FEE: _____</p>

