



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 HH PUBLIC INFRASTRUCTURE DISTRICT NO. 3 located in CITY OF HOLLADAY, dated MARCH 7, 2024, 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 incorporation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the HH PUBLIC INFRASTRUCTURE DISTRICT NO. 3, located in SALT LAKE COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 1st day of April, 2024 at Salt Lake City, Utah.

DEIDRE M. HENDERSON
Lieutenant Governor



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06/04/2024 10:16 AM By: Muestergard Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return to HOLLADAY CITY
4580 S. 2300 E HOLLADAY, UT 84117

**DISCLOSURE TO PURCHASERS AND NOTICE OF
LIMITATION OF PROPERTY TAX LEVY
PURSUANT TO SECTION 17D-4-303(3)(A), UTAH CODE AND
GOVERNING DOCUMENT
(HH Public Infrastructure District No. 3)**

The recording of this document shall satisfy the notice requirements set forth in Section 17D-4-303(3)(a), Utah Code as well as the Governing Document disclosure that is required to be provided to purchasers.

Disclosure Pursuant to Section 17D-4-303(3)(a), Utah Code

As required by statute, the following information is provided regarding the HH Public Infrastructure District No. 3 (the "District"):

- A description of the District's initial boundaries and annexation area is attached hereto as **Exhibit A**;
- A copy of the Governing Document for the District is on file at the offices of the City of Holladay, Utah;
- The District may finance and repay infrastructure and other public improvement costs through the levy of a property tax and may pledge that property tax to the repayment of debt; and
- The maximum property tax rate the District may levy shall be no more than \$0.015 per dollar of taxable value of taxable property in the District.

Disclosure Pursuant to Governing Document

The District may only impose a mill levy against commercial property and multi-family residential property. The District may not impose a mill levy against any residential units that are owner-occupied.

Under the maximum property tax rate of the District, a business property valued at \$1,000,000 would have an additional annual property tax of \$15,000 for the duration of the Bonds.

[Signature Page Follows]

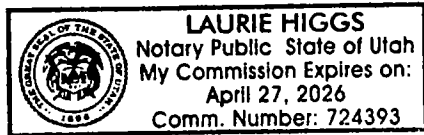
HH Public Infrastructure District No. 3

By: [Signature]
Name: Scott S. Bishop
Title: Member of the Board of Trustees

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

Subscribed and sworn to before me, Laurie Higgs, on this 14th day of May, in the year 2024, by Scott S. Bishop.

Witness my hand and official seal.



(seal)

Laurie Higgs
Notary Public

Exhibit A

Initial District Boundaries

All of Block G, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 20021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Annexation Area

All of Blocks A-C and E-J, of Royal Holladay Hills Subdivision #2 Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

**NOTICE OF IMPENDING BOUNDARY ACTION
(Holladay Hills Public Infrastructure District No. 3)**

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the City Council of the City of Holladay, Utah (the “Council”), acting in its capacity as the creating entity for the Holladay Hills Public Infrastructure District No. 3 (the “District”), at a regular meeting of the Council, duly convened pursuant to notice, on March 7, 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 Salt Lake 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 March 7, 2024.

**CITY COUNCIL, THE CITY OF HOLLADAY,
UTAH, acting in its capacity as the creating
authority for Holladay Hills Public Infrastructure
District No. 3**

By: *Robert M. Bell*
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :ss.
COUNTY OF UTAH)

SUBSCRIBED AND SWORN to before me this March 7, 2024.

Stephanie N. Carlson
NOTARY PUBLIC

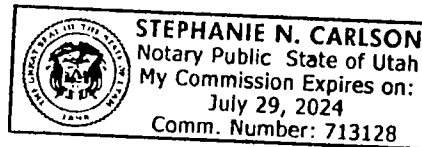


EXHIBIT "A" TO NOTICES OF BOUNDARY ACTION

Copy of the Creation Resolution

RESOLUTION 2024-06

A RESOLUTION OF THE CITY COUNCIL (THE “COUNCIL”) OF THE CITY OF HOLLADAY, UTAH (THE “CITY”), PROVIDING FOR THE CREATION OF HOLLADAY HILLS PUBLIC INFRASTRUCTURE DISTRICT NOS. 1, 2 AND 3 (THE “DISTRICTS”) EACH AS AN INDEPENDENT BODY CORPORATE AND POLITIC; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT AND 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 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 the approval of the creation of three (3) 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, B, 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. on February 15, 2024 at the regular meeting place of the Council 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

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 in the form presented to this meeting and attached hereto as Exhibits B is 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 – Steve Peterson for an initial six-year term.

(b) Trustee 2 – Scott Bishop for an initial four-year term.

(c) Trustee 3 – McKinnon Woodbury for an initial six-year term.

(d) Trustee 4 – Curtis Woodbury for an initial four-year term.

(e) Trustee 5 – Jeff Woodbury for an initial six-year term.

(f) 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 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, the City Manager, the City Attorney, a Council Member, or their designee to make any corrections, deletions, or additions to the Governing Document, 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 Salt Lake 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 Council Member, the City Manager, or the City Attorney.

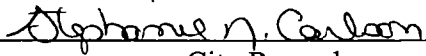
PASSED AND ADOPTED by the City Council of the City of Holladay, Utah, this March 7, 2024.

CITY OF HOLLADAY, UTAH



By: 
Mayor

ATTEST:

By: 
City Recorder

(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting of the Council of the City adjourned.



By: *Robert M. Allen*
Mayor

ATTEST:

By: *Stephanie N. Carlson*
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

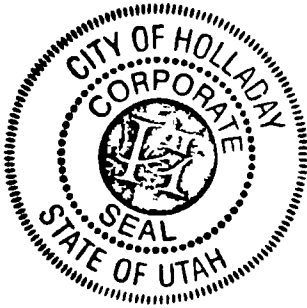
I, Stephanie Carlson, the undersigned duly qualified and acting City Recorder of the City of Holladay, Utah (“the City”), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the City Council (the “Council”), had and taken at a lawful meeting of the Council on March 7, 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 City, this March 7, 2024.

(S E A L)



By: Stephanie N. Carlson
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Stephanie Carlson, the undersigned City Recorder of the City of Holladay, Utah (the "City"), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the "Council") on March 7, 2024, not less than twenty-four (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) causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City'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;

(b) 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; and

(c) causing a copy of such notice, in the form attached hereto as Schedule 1 to be posted on the City's official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2024 Annual Meeting Schedule for the Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the City to be held during the year, by causing said Notice to be posted at least annually (a) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, (b) on the City's official website and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this March 7, 2024.

By: Stephanie N. Carlson
City Recorder



**NOTICE OF PUBLIC HEARING
REGARDING THE CREATION OF PUBLIC INFRASTRUCTURE DISTRICTS
BY HOLLADAY, UTAH**

This notice is furnished to you by the City Council (the “Council”) of Holladay, Utah (the “City”) to provide notice of a public hearing to be held by the Council on **February 15, 2024 at or after 6 P.M.** The public hearing is regarding the proposed creation of Public Infrastructure Districts (the “Proposed Districts”) and to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts.

Because consent to the creation of the Proposed Districts and waiver of the protest period has been obtained from all property owners and registered voters within the boundaries of the Proposed Districts, pursuant to Section 17D-4-201 of the Utah Code, the City may adopt a resolution creating the Proposed Districts immediately after holding the public hearing described herein or on any date thereafter. **Any withdrawal of consent to creation or protest of the creation of the Proposed Districts by an affected property owner must be submitted to the City prior to the public hearing described herein.**

Meeting Information:

Held By: Holladay City Council

Date and Time: February 15, 2024 at or after 6 P.M.

Location: Holladay City Hall 4580 S. 2300 E., Holladay, UT 84117

Proposed District Boundaries:

A legal description and map for the real property where the Proposed Districts will be located is attached as **Appendix A** (“PID Property”). The Proposed Districts’ boundaries will be established in each Public Districts’ Governing Document (“Governing Document”) and may be adjusted through annexation and withdrawal of properties, so long as the Proposed Districts is within the PID Property and certain requirements, as established in the Governing Document, have been met.

Summary of Proposed Resolution:

The resolution regarding the creation of the Proposed Districts contains consideration of approval of the following items:

- Creation of the Proposed Districts within the PID Property.
- Approval of the annexation of or withdrawal from the boundaries of the Proposed Districts of any area within the PID Property without additional approvals or hearings of the City, subject to the conditions of the Governing Document.
- Establishment of a Board of Trustees for the Proposed Districts to be established by the Governing Document.
- Authorization for execution by the City of Notices of Boundary Action and Final Local Entity Plat.
- Approval of a Governing Document for the Proposed Districts.

Proposed Services:

Three Public Infrastructure Districts are proposed to be created as permitted under the Special District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953.

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Wednesday, January 31, 2024 at 11:00 am

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

APPENDIX A

Public Infrastructure District No. 1

All of Block E, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 2

All of Block F, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 3

All of Block G, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Annexation Area

All of Blocks A-C and E-J, of Royal Holladay Hills Subdivision #2 Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah

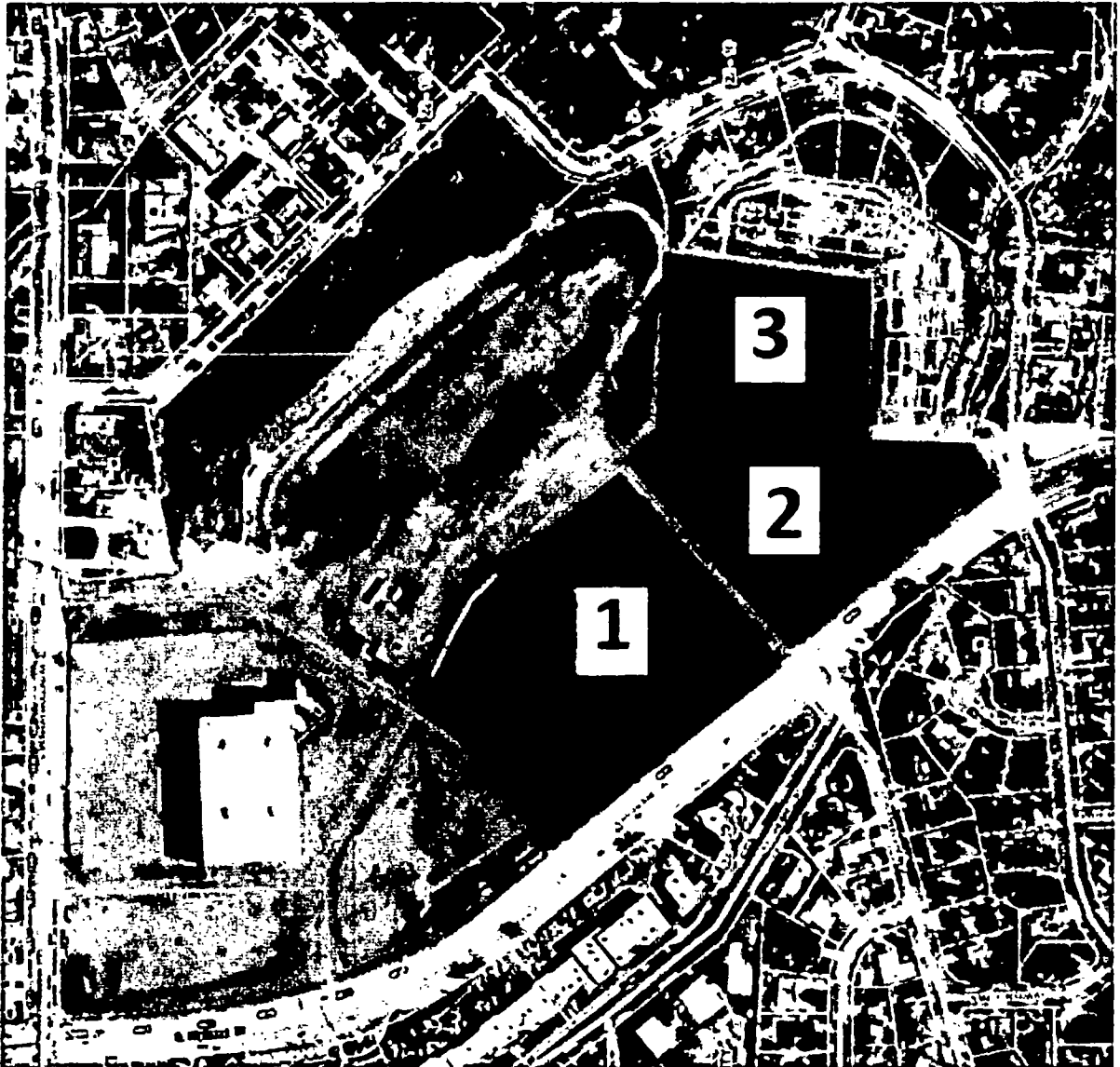
TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

Public Infrastructure District Nos. 1-3 and Annexation Area



SCHEDULE 1

NOTICE OF MEETING AND AGENDA



**NOTICE OF A MEETING OF THE
CITY OF HOLLADAY CITY COUNCIL
THURSDAY, MARCH 7, 2024**

- 5:00 p.m.** **Council Dinner** – *Council members will be eating dinner. No city business will be discussed.*
- 5:30 p.m.** **Briefing Session** - *The Council will review and discuss the agenda items; NO decisions will be made*

PUBLIC NOTICE IS HEREBY GIVEN that the Holladay City Council will hold a Council meeting **Thursday, March 7, 2024 at 6:00 pm** It is possible that a member of the Council will be participating by electronic means. The Council Chambers shall serve as the anchor location. * *Agenda items may be moved in order, sequence and time to meet the needs of the Council*

All documents which are available to the City Council are also available on the City's website or are linked in this agenda. Interested parties are encouraged to watch the **live video stream** of the meeting - <http://cityofholladay.com/government/elected-officials/meetings-and-agendas/>

Persons desiring to make public comments or to make comments during any public hearing may provide such comments as follows:

1. **In-person attendance:** at Holladay City Hall
2. **Email** your comments by 5:00 pm on the date of the meeting to scarlson@cityofholladay.com

AGENDA

- I. **Welcome** – Mayor Dahle
- II. **Pledge of Allegiance**
- III. **Public Comments**
Any person wishing to comment on any item not otherwise on the agenda may provide their comment via email to the Council before 5:00 p.m. on the date of the meeting to scarlson@cityofholladay.com, with the subject line: Public Comment. Comments are subject to the Public Comment Policy set forth below
- IV. **Continued Public Hearing Regarding the Creation of Public Infrastructure Districts (PID's) at Royal Holladay Hills** ((i) whether the requested service is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts)
- V. **Consideration of Ordinance 2024-02 Amending the Zone Map for Property Located 2051 and 2061 E Murray Holladay Rd from Residential Multi-Family (RM) zone to the Professional Office (PO) Zone**
- VI. **Consideration of Ordinance 2024-03 Amending Title 13.100.010 Adding Quasi-public (churches) as Permitted Use in the C-2 Zones**

- VII. ***Consideration of Resolution 2024-06 Providing For The Creation Of The Holladay Hills Public Infrastructure District Nos. 1-3 (Collectively, The “Districts”) As Independent Districts; Authorizing And Approving A Governing Document; Appointing Boards Of Trustees; Authorizing Other Documents In Connection Therewith; And Related Matters***
- VIII. ***Consideration of Resolution 2024-07 Amending the Moderate-Income Housing element of the General Plan (The proposed amendment does not apply to any specific location but would apply generally throughout the City and include additional strategies and tasks that will comply with requirements adopted State Legislature during the 2022 Legislative Session.)***
- IX. ***Consideration of Resolution 2024 -08 Approving and Authorizing the Execution of a Franchise Agreement with Teleport Communications America, LLC***
- X. ***Consideration of Resolution 2024 -09 Granting the Advice and Consent for the Appointment of Members to the Tree Committee***
- XI. ***Consent Agenda***
 - a. ***Approval of Minutes –Nov. 16 & Dec 14, 2023, Jan. 4 & 11, 2024***
- XII. ***City Manager Report - Gina Chamness***
- XIII. ***Council Reports & District Issues***
- XIV. ***Recess City Council in a Work Meeting:***
 - a. ***UPD Organizing Restructuring***
 - * ***Update - Chief Mazuran***
 - * ***Discussion on Proposed Interlocal Agreement***
 - b. ***2024 Paving Program – Jared***
 - e. ***Curb, Gutter Replacement Priorities – Jared***
 - f. ***Discussion on Proposed Amendments to Home Occupations***
 - e. ***Calendar***
 - Council Meetings –March 21, April 11 & 25, May 2, 16***
- XV. ***Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss the Physical or Mental Health or Professional Competence of an Individual, Potential Litigation, Property Acquisition and Disposition***
- XVI. ***Adjourn***

Public Comment Policy & Procedure: During each regular Council Meeting there will be a Public Comment Time. The purpose of the Public Comment Time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written request form and present it to the City Recorder. In general, the Chairman will allow an individual three minutes to address the Council. A spokesman, recognized as representing a group in attendance, may be allowed up to five minutes. Comments which cannot be made within these time limits should be submitted in writing to the City Recorder prior to noon the day before the meeting so they can be copied and distributed to the Council. At the conclusion of the Citizen Comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all Public Hearings.

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.cityofholladay.com, the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: Monday, March 4, 2024 at 11:30 am

*Stephanie N. Carlson MMC,
City Recorder City of Holladay*

Reasonable accommodations for individuals with disabilities or those needing language interpretation services can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

PUBLIC NOTICE
2024 REGULAR CITY COUNCIL MEETING SCHEDULE
FOR THE CITY OF HOLLADAY

Pursuant to section 52-4-202(2) of the Utah Code, the City of Holladay hereby gives notice that the Holladay City Council will hold its regular City Council Meetings for the 2024 calendar year on the first and third Thursdays of each month. The regular meetings begin at 6:00 p.m. and are held in the Holladay City Council Chambers located at 4580 S 2300 E, Holladay, UT. A briefing session is held at 5:30 p.m. before each Council meeting in the Mt. Olympus Room at the same address listed above. The Council also meets on the second Thursday of every month for a work meeting beginning at 5:30 pm.

All City Council meetings and work sessions are open to the public unless closed pursuant to Sections 52-4-2044 and 52-4-205 of the Utah Code relative to the applicable provisions of the Utah Open Meetings Act. Special or emergency meetings in addition to those specified may be held as circumstances require. A minimum of 24 hours notice will be given for such meetings.

In accordance with the Americans with Disabilities Act, the City of Holladay will accommodate reasonable requests to assist the disabled to participate in the meetings. Request for assistance can be made by calling the City Offices at 272-9450 from 8:00 a.m. to 5:00 p.m. Monday through Friday at least 48 hours in advance of the meeting to be attended.

Scheduled regular City Council meeting dates for the 2024 calendar year are as follows:

January 4, 2024	July 11, 2024 *
January 18, 2024	July 18, 2024
February 1, 2024	August 1, 2024
February 15, 2024	August 15, 2024
March 7, 2024	September 5, 2024
March 21, 2024	September 19, 2024
April 4, 2024	October 3, 2024
April 18, 2024	October 17, 2024
May 2, 2024	November 7, 2024
May 16, 2024	November 21, 2024
June 6, 2024	December 5, 2024
June 20, 2024	December 12, 2024*

* 2nd Thursday

Dated this 14TH day of December, 2023.

BY ORDER OF THE HOLLADAY CITY COUNCIL

Stephanie N. Carlson, MMC
Holladay City Recorder

EXHIBIT B
GOVERNING DOCUMENT

GOVERNING DOCUMENT
FOR
HH PUBLIC INFRASTRUCTURE DISTRICT NOS. 1-3
HOLLADAY, UTAH

Prepared By:



2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122
(303) 858-1800

APPROVED ON: March 7, 2024

LIST OF EXHIBITS

- | | |
|------------------|--|
| EXHIBIT A | Legal Descriptions |
| EXHIBIT B | Map of Initial District Boundaries and Annexation Area |
| EXHIBIT C | Estimated Public Improvement Costs |

I. INTRODUCTION

A. Purpose and Intent. The Districts are independent units of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Governing Document, their activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Governing Document. It is intended that the Districts will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the Districts. The primary purpose of the Districts will be to finance the construction of these Public Improvements.

B. Objective of the City Regarding Districts' Governing Document. The City's objective in approving the Governing Document for the Districts is to authorize the Districts to provide for the planning, design, acquisition, construction, installation, relocation and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the Districts. All Debt is expected to be repaid by a tax mill levy no higher than the Maximum Debt Mill Levy for commercial and residential properties, and/or repaid by Assessments. All residential development will be multi-family, for-rent units and there will be no owner-occupied residential units in the Project. Therefore, the Maximum Debt Mill Levy imposed on residential property will be paid entirely by the underlying property owner, as opposed to the residents residing within the for-rent units. Debt which is issued within these parameters will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Governing Document is intended to establish a limited purpose for the Districts and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Operational activities are allowed, but only through an Interlocal Agreement with the City, provision through a relevant public entity, or if statutory changes occur subsequent to approval of this Governing Document that allow the Districts to directly provide for operational activities.

It is the intent of the Districts to dissolve upon payment or defeasance of all Debt incurred or upon a determination that adequate provision has been made for the payment of all Debt, and if the Districts have authorized operating functions, to retain only the power necessary to impose and collect taxes or Fees to pay for these costs.

C. Limitation on Applicability. This Governing Document is not intended to and does not create any rights or remedies in favor of any party other than the City. Failure of the Districts to comply with any terms or conditions of this Governing Document shall not relieve any party of an obligation to the Districts or create a basis for a party to challenge the incorporation or operation of the Districts, or any Debt issued by the Districts.

II. DEFINITIONS

In this Governing Document, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Annexation Area: means the property shown in **Exhibit B**, highlighted in red.

Assessment: means assessments levied in an assessment area created within the Districts.

Board: means the Board of Trustees of a District.

Bond, Bonds or Debt: means bonds or other obligations, including loans of any property owner, for the payment of which any District has promised to impose an *ad valorem* property tax mill levy, and/or collect Assessments.

City: means Holladay, Utah.

City Code: means the City Code of Holladay, Utah.

City Council: means the City Council of Holladay, Utah.

C-PACE Act: means Title 11, Chapter 42a of the Utah Code, as amended from time to time and any successor statute thereto.

C-PACE Bonds: means bonds, loans, notes, or other structures and obligations of the Districts issued pursuant to the C-PACE Act, including refunding C-PACE Bonds.

C-PACE Assessments: means assessments levied under the C-PACE Act.

District: means any one of the HH Public Infrastructure District Nos. 1-3.

Districts: means two or more HH Public Infrastructure District Nos. 1-3.

Districts' Area: means the property within the Initial Districts' Boundary Maps and the Annexation Area Boundary Map.

Fees: means any fee imposed by any Districts for administrative or operational services provided by such Districts.

General Obligation Debt: means a Debt that is directly payable from and secured by ad valorem property taxes that are levied by the Districts and does not include Limited Tax Debt.

Governing Document: means this Governing Document for the Districts approved by the City Council.

Governing Document Amendment: means an amendment to the Governing Document approved by the City Council in accordance with the City's ordinance and the applicable state law and approved by the Boards in accordance with applicable state law.

Initial Districts' Boundaries: means the boundaries of the Districts described in the Initial Districts' Boundaries Map.

Initial Districts' Boundaries Map: means the map attached hereto as **Exhibit B**, describing the initial boundaries of the Districts, highlighted in blue.

Initial Trustees: means the Trustees for each District as appointed in accordance with Section VI.A. below.

Limited Tax Debt: means a debt that is directly payable from and secured by ad valorem property taxes that are levied by the Districts which may not exceed the Maximum Debt Mill Levy.

Maximum Debt Mill Levy: means the maximum mill levy a District is permitted to impose for payment of Debt as set forth in Section VII.C below.

Municipal Advisor: means a consultant that: (i) advises Utah governmental entities on matters relating to the issuance of securities by Utah governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be a qualified municipal advisor or firm; and (iii) is not an officer or employee of the Districts and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Petitioners: means the entities who signed that certain Petition requesting the creation of the Districts which was submitted to the City in advance of the public hearing on this Governing Document.

Project: means the development or property known as Holladay Hills.

PID Act: means Title 17D, Chapter 4 of the Utah Code, as amended from time to time and any successor statute thereto.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Special District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Districts' Area as determined by the Board.

Special District Act: means Title 17B of the Utah Code, as amended from time to time.

State: means the State of Utah.

Taxable Property: means real or personal property within the Districts' Area subject to ad valorem taxes imposed by the Districts.

Trustee: means a member of a Board.

Trustee Transition Threshold: means each occurrence at which twenty percent (20%) of the land area within a District is sold, transferred or owned by a single person or entity other than the Petitioners and their related or affiliated entities.

Utah Code: means the Utah Code Annotated 1953, as amended.

III. BOUNDARIES

The area of the Initial Districts' Boundaries includes approximately 41 acres. A legal description of the Initial Districts' Boundaries is attached hereto as **Exhibit A**. It is anticipated that the Districts' Boundaries may change from time to time as they undergo annexations and withdrawals pursuant to Section 17B-4-201, Utah Code. The project will consist of approximately 15 acres of residential and commercial property, 9 acres of civic/open space and parks, and 17 acres of impervious surfaces.

IV. BENEFITS OF DISTRICTS

The Districts anticipate providing many benefits to the City and surrounding areas including: parking structures and any related improvements, including but not limited to, sewer and wastewater improvements, water lines, common area landscaping, streets, curbs, and sidewalks.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the Districts and Governing Document Amendment. The Districts shall have the power and authority to provide the Public Improvements within and without the boundaries of the Districts as such power and authority is described in the PID Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein. The estimated cost of the public improvements are set for in **Exhibit C**.

B. Operations and Maintenance Limitation. The purpose of the Districts is to plan for, design, acquire, construct, install, relocate, redevelop and finance the Public Improvements. Where required, the Districts shall dedicate the Public Improvements to the City or other appropriate public entity in a manner consistent with rules and regulations of the City and applicable provisions of the City Code. The Districts shall be authorized, but not obligated, to own, operate and maintain Public Improvements not otherwise required to be dedicated to the City or other public entity, including, but not limited to street improvements (including roads, curbs, gutters, culverts, sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, and other street improvements), traffic and safety controls, retaining walls, park and recreation improvements and facilities, trails, open space, landscaping, drainage improvements (including detention and retention ponds, trickle channels, and other drainage facilities), irrigation system improvements (including wells, pumps, storage facilities, and distribution facilities), and all necessary equipment and appurtenances incident thereto.

C. Construction Standards Limitation. To the extent that the Districts construct any Public Improvements, they will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The Districts will obtain applicable permits for construction and installation of Public Improvements prior to performing such work. Land easements, or improvements to be conveyed or dedicated to the City and any other local government entity shall be conveyed in accordance with the related standards at no cost to the City. All public infrastructure within the Districts which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity.

The Districts shall be subject to City zoning, subdivision, building codes, and all other applicable City ordinances and regulations. Approval of the Governing Document shall not bind the City to approve other matters which the Districts or developer may request. The Districts shall pay all fees and expenses as provided in the Governing Document.

The Districts shall be subject to the State of Utah's procurement statutes and regulations. At a minimum, the acquisition of completed or partially completed improvements shall be for fair market value, as reasonably determined by a surveyor or engineer.

D. Annexation and Withdrawal.

(a) The City, by approval of this Governing Document, has consented to the annexation of any area within the Districts' Area into any District. Such area may only be annexed after obtaining consent of all property owners and registered voters, if any, within the area proposed to be annexed and the passage of a resolution of the Board of the District approving the annexation. The Districts shall not annex within their boundaries any property outside the Districts' Area without the prior written consent of the City.

(b) The City, by approval of this Governing Document, has consented to the withdrawal from the Districts of any property within the Districts' Area. Such area may only be withdrawn from a District after obtaining consent of all property owners and registered voters, if any, within the area proposed to be withdrawn and the passage of a resolution of the Board of the District approving the withdrawal.

(c) Any annexation or withdrawal shall be in accordance with the requirements of the PID Act.

(d) Upon any annexation or withdrawal, the Districts shall provide the City a description of the revised Districts' Boundaries.

(e) Annexation or withdrawal of any area in accordance with this section shall not constitute an amendment of this Governing Document.

E. Governing Document Amendment Requirement. This Governing Document has been designed with sufficient flexibility to enable the Districts to provide required facilities under evolving circumstances without the need for numerous amendments. Subject to the limitations and exceptions contained herein, this Governing Document may be amended by passage of a resolution of the City and the applicable District approving such amendment.

F. Total Debt Issuance Limitation. The Districts shall not issue Debt in excess of an aggregate amount of Eighty Million Dollars (\$80,000,000). This amount excludes any portion of bonds issued to refund a prior issuance of debt by the Districts. In addition, any C-PACE Bonds do not count against the foregoing limitation and there is no limit to the amount of C-PACE Bonds the Districts may issue so long as such issuances are in accordance with the provisions of the C-PACE Act.

G. Bankruptcy Limitation. All of the limitations contained in this Governing Document, including, but not limited to, those pertaining to the Maximum Debt Mill Levy, have been established under the authority of the City to approve a Governing Document with conditions pursuant to Section 17D-4-201(5), Utah Code. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Governing Document Amendment; and

(b) Are, together with all other requirements of Utah law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable non-bankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

H. Multiple District Structure. It is anticipated that the Districts, collectively, will undertake the financing and construction of the Public Improvements. The nature of the functions and services to be provided by each District may be clarified in an interlocal agreement between and among one or more of the Districts. All such agreements will be designed to help assure the orderly development of the Public Improvements and essential services in accordance with the requirements of this Governing Document. The Districts may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof, any end user for the costs of Improvements.

I. Alternative District Types. If it is determined, in the sole discretion of the Board of any District, that the particular District is not adequately serving the project, the Board may convert or replace the District with an alternative type of local district, special service district or other statutorily created governmental entity whether in existence at the time of approval of this Governing Document or established subsequent to the approval of this Governing Document. At the direction of a Board, any District may, in accordance with applicable law be converted from a public infrastructure district to an alternative governmental entity.

VI. THE BOARD OF TRUSTEES

A. Board Composition. Each Board shall be comprised of five (5) Trustees, who shall initially be appointed by the City Council pursuant to the PID Act. All Trustees shall be at-large seats. Trustee terms for each District shall be staggered with initial terms as follows: Trustees 3, 4, and 5 shall serve an initial term of 4 years; Trustees 1 and 2 shall serve an initial term of 6 years; and all subsequent terms shall be 4 years. All initial 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. In accordance with the PID Act, appointed Trustees shall not be required to be residents of such District.

B. Board Transition. Upon the occurrence of an event that satisfies the Trustee Transition Threshold, the new land ownership entity shall be offered one seat on the Board of Trustees for the District in which the subject property is located. For the sake of clarity, each time the Trustee Transition Threshold is met (i.e. 20%, 40%, 60%, 80% or 100%) a Board seat will be offered. The entity acquiring the property is not obligated to accept the offered Board seat and

may decline to do so. If the offered Board seat is accepted, the new Trustee shall meet the qualifying and eligibility requirements set forth in Section 17D-4-202, Utah Code and must be appointed by the City. Under no circumstances will a Board seat transition to an individual or entity, other than those related to or affiliated with the Petitioners, that does not own at least twenty percent (20%) of the real property within a District.

C. Appointments and Vacancies. Any change in the composition of a Board's membership, including filling a vacancy, shall be approved by the City. The appointed Trustee shall meet all qualifying and eligibility requirements set forth in Section 17D-4-202, Utah Code. If a Trustee is unable or unwilling to serve on a Board, and thereby creates a vacancy, the City, acting in good faith, will endeavor to fill the vacancy with an individual representing the same landowner interests as were previously represented by the Trustee creating the vacancy.

VII. FINANCIAL PLAN

A. General.

The Districts shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from their revenues and by and through the proceeds of Debt to be issued by the Districts.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. The maximum interest rate on any Debt is not to exceed twelve percent (12%) for fixed rate Debt and fifteen percent (15%) for variable rate Debt. The maximum underwriting discount shall be three percent (3%). Debt, when issued, will comply with all relevant requirements of this Governing Document, State law and Federal law as then applicable to the issuance of public securities. The maximum term for the bonds will be 40 years, not including refundings.

C. Maximum Debt Mill Levy.

(a) The "Maximum Debt Mill Levy" shall be the maximum mill levy the Districts are permitted to impose upon the taxable property within such Districts for payment of Limited Tax Debt shall be \$0.015 per dollar of taxable value of taxable property in such Districts; provided that such levy shall be subject to adjustment as provided in Section 17D-4-301(8), Utah Code. The Districts may only impose a mill levy against commercial property and multi-family residential property. The Districts may not impose a mill levy against any residential units that are owner-occupied.

(b) Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy, shall be deemed a material modification of this Governing Document and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Governing Document Amendment.

(c) Such Maximum Debt Mill Levy may only be amended pursuant to a Governing Document Amendment and as provided in Section 17D-4-202, Utah Code.

D. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the Districts shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the Districts authorizing the issuance of this Bond and in the Governing Document for creation of the Districts.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Governing Document shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the Districts.

E. Security for Debt.

The Districts shall not pledge as security any land, assets, funds, revenue or property of the City, or property to be conveyed to the City, as security for the indebtedness set forth in this Governing Document. Approval of this Governing Document shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Governing Document be construed so as to create any responsibility or liability on the part of the City in the event of default by the Districts in the payment of any such obligation. All debt issued by the Districts for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.

F. Bond and Disclosure Counsel; Municipal Advisor.

It is the intent of the City that the Districts shall use competent and nationally recognized bond counsel, disclosure counsel and a Municipal Advisor with respect to the Districts' Bonds to ensure proper issuance and compliance with this Governing Document.

Prior to the issuance of any Debt, the Districts shall obtain the certification of a Municipal Advisor in a form that is substantially similar to the following:

We are [I am] a Municipal Advisor within the meaning of the District's Governing Document.

We [I] certify that (1) the net effective interest rate to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

VIII. ANNUAL REPORT

A. General. In addition to all reporting requirements required by state law, the Districts shall be responsible for submitting an annual report to the City Recorder's Office no later than 210 days following the end of the District's fiscal year, beginning with fiscal year 2024.

B. Reporting of Significant Events. The annual report shall include information as to any of the following:

1. Names and terms of Board members and officers;
2. Districts' office contact information, if changed;
3. A summary of any litigation which involves the Districts as of the last day of the prior fiscal year, if any;
4. A summary of the total debt authorized and total debt issued by the Districts as well as any presently planned debt issuances;
5. Notice of any uncured events of default by the Districts, which continue beyond a ninety (90) day period, under any Debt instrument; and
6. Any inability of the Districts to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

IX. DISSOLUTION

Upon an independent determination of each District Board that the purposes for which such District was created have been accomplished, the District shall file petitions for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until such District has provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes and disbursed of all assets of such District.

X. DISCLOSURE TO PURCHASERS

Within thirty (30) days of the Office of the Lieutenant Governor of the State of Utah issuing a certificate of creation for the Districts, the Board shall record a notice with the recorder of Salt Lake County and provide a copy of the notice to the City. Such notice shall (a) contain a description of the boundaries and annexation area of the Districts, (b) state that a copy of this Governing Document is on file at the office of the City, (c) if applicable, state that the debt may convert to general obligation debt and outlining the provisions relating to conversion, and state that the Districts may finance and repay infrastructure and other improvements through the levy of a property tax; (d) state the maximum rate the Districts may levy; and (e) include substantially the following language in bold:

“Under the maximum property tax rate of the Districts, a business property valued at \$[insert average anticipated commercial property value] would have an additional annual property tax of \$_____ for the duration of the Bonds.”

Failure to provide any disclosures required by this Section shall not relieve any property owner of the obligation to pay taxes imposed by the Districts.

XI. ENFORCEMENT.

In accordance with Section 17D-4-201(5) of the Utah Code, the City may impose limitations on the powers of the Districts through this Governing Document. The City shall have the right to enforce any of the provision, limitations or restricts in this Governing Document against the Districts, through any and all legal or equitable means available to the City, including, but not limited to, injunctive relief.

EXHIBIT A

Legal Descriptions

Public Infrastructure District No. 1

All of Block E, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

TOGETHER WITH

All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 2

All of Block F, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Public Infrastructure District No. 3

All of Block G, of Royal Holladay Hills Subdivision #2, Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah.

Annexation Area

All of Blocks A-C and E-J, of Royal Holladay Hills Subdivision #2 Amending Royal Holladay Hills Subdivision #1 recorded on June 25, 2021 in Book 2021P at Page 171 as Entry No. 13700581, in the Office of the County Recorder of Salt Lake County, Utah

TOGETHER WITH

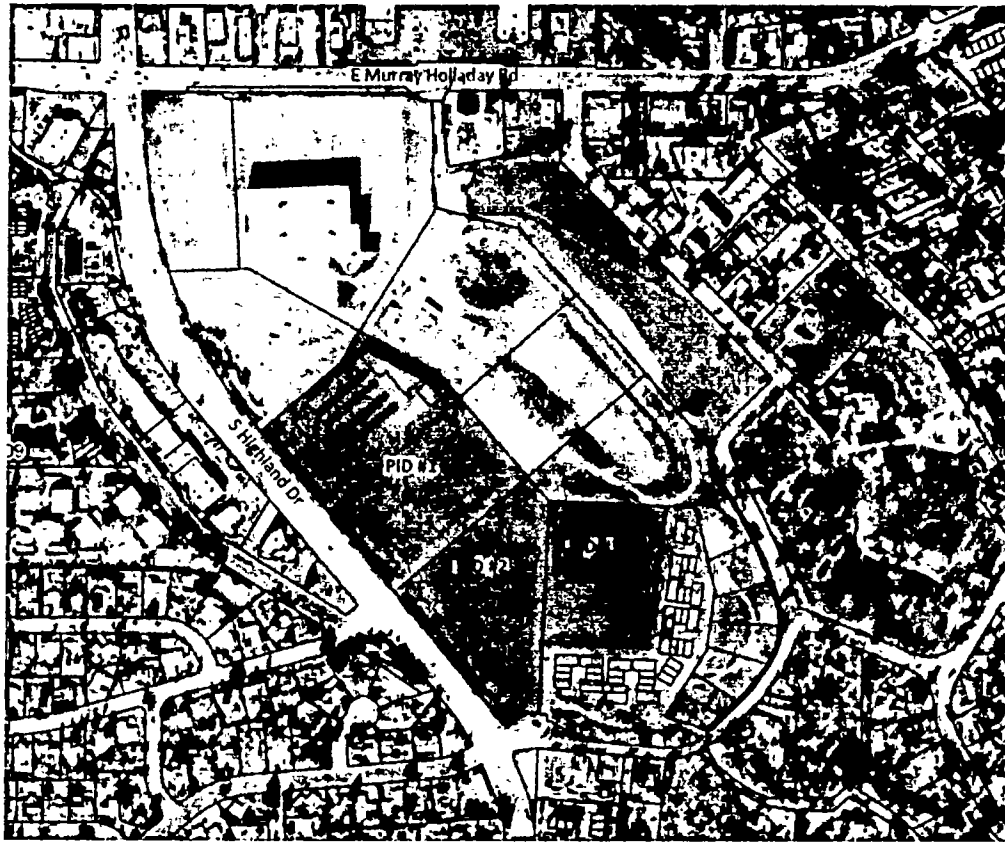
All of Block D, of Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

LESS AND EXCEPTING THEREFROM

Units 501-516 and Garage Numbers 1-16 within Block D, Royal Holladay Hills Block D Condominium, recorded November 23, 2022, at Book 2022P, at Page 299 in the Office of County Recorder of Salt Lake County, Utah.

EXHIBIT B

Initial Districts' Boundaries and Annexation Area



Legend



-  Annexation Area
-  PID Districts



EXHIBIT C

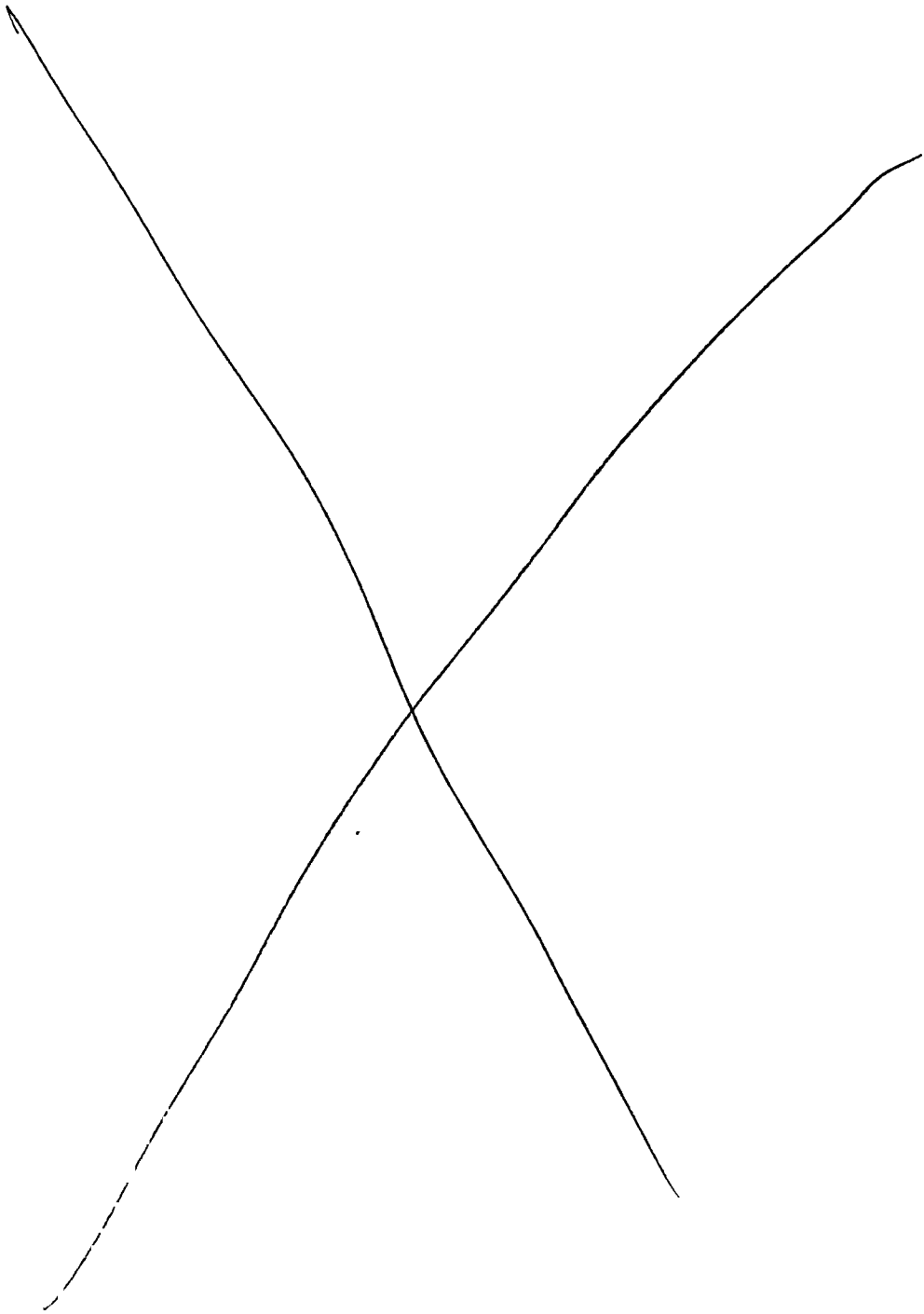
Estimated Public Improvement Costs

NO	DESCRIPTION	QUANTITY	UNIT	UNIT COST	ITEM COST
EROSION CONTROL & EARTHWORK					
	Erosion Control BMP's	1	LS	\$20,000	\$20,000
	Excavate Block B Parking Garage & Haul Material Off Site	8,700	CY	\$45	\$391,500
	Excavate for Block HIJ Concrete Retaining Wall	25,000	CY	\$40	\$1,000,000
	Backfill Block HIJ Concrete Retaining Wall	20,000	CY	\$50	\$1,000,000
	Excavate Block HIJ Parking Garage and Place & Compact in Block	12,500	CY	\$60	\$750,000
	Fine Grading for Block B Parking Garage Phase 1	75,000	SF	\$8	\$600,000
	Fine Grading for Block HIJ Parking Garage Phase 1	45,000	SF	\$8	\$360,000
	Fine Grading for Block HIJ Parking Garage Phase 2	45,000	SF	\$8	\$360,000
	Fine Grading for Block HIJ Surface Parking W/ Asphalt & Curbs	75,000	SF	\$10	\$750,000
TOTAL EROSION CONTROL & EARTHWORK					\$6,000,000
PUBLIC PARKING					
	Block B Parking Garage (Per Stall) (3 Stories)	514	EA	\$25,000	\$12,850,000
	Block HIJ Parking Garage Phase 1 (Per Stall) (3 Stories)	345	EA	\$25,000	\$8,625,000
	Block HIJ Parking Garage Phase 2 (Per Stall) (3 Stories)	390	EA	\$25,000	\$9,750,000
	Block HIJ Surface Parking (Per Stall)	255	EA	\$2,900	\$739,500
TOTAL PUBLIC PARKING					\$31,964,500
CONCRETE RETAINING WALLS					
10	Block B 10" Thick Concrete Retaining Wall	4,200	SF	\$26	\$108,888
18	Block B 18" Thick Concrete Retaining Wall	3,000	SF	\$41	\$124,444
22	Block B 22" Thick Concrete Retaining Wall	2,400	SF	\$57	\$138,888
96	Block B Footing for Concrete Retaining Wall (8' Wide x 1' Thick)	240	LF	\$248	\$59,533
380	Block B Footing for Concrete Retaining Wall (15' Wide x 2' Thick)	300	LF	\$933	\$280,700
10	Block HIJ 10" Thick Concrete Retaining Wall	4,500	SF	\$28	\$118,887
18	Block HIJ 18" Thick Concrete Retaining Wall	6,000	SF	\$41	\$247,890
22	Block HIJ 22" Thick Concrete Retaining Wall	6,000	SF	\$57	\$342,722
96	Block HIJ Footing for Concrete Retaining Wall (8' Wide x 1' Thick)	400	LF	\$248	\$99,520
380	Block HIJ Footing for Concrete Retaining Wall (15' Wide x 2' Thick)	750	LF	\$333	\$250,000
	Veneer of Facade for Portion of wall Exposed to Lifetime Fitness	6,000	SF	\$8	\$48,000
	Guard Rail Along Top of wall (Along Fitness Center Amenity Area)	450	LF	\$80	\$36,000
TOTAL CONCRETE RETAINING WALLS					\$2,301,288
COST SUMMARY					
					\$5,000,000
					\$31,964,500
					\$2,301,288
TOTAL					\$39,265,788
SOFT COSTS & FEES					
	Contingency @ 20%	1	LS	\$7,853,158	\$7,853,158
	Engineering @ 5%	1	LS	\$1,963,289	\$1,963,289
	Mobilization @ 1%	1	LS	\$392,758	\$392,758
	Construction Testing @ 1%	1	LS	\$392,758	\$392,758
	Construction Stamping @ 2%	1	LS	\$785,516	\$785,516
TOTAL SOFT COSTS & FEES					\$11,387,479
TOTAL					\$50,652,868

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EXHIBIT "B" TO NOTICES OF BOUNDARY ACTION

Final Local Entity Plats



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