

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

ENT 33713:2023 PG 1 of 11
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 May 25 2:48 pm FEE 0.00 BY AR
RECORDED FOR UTAH COUNTY ATTORNEY

CERTIFICATE OF INCORPORATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been a notice of impending boundary action filed in my office for a special service district to be reorganized as a local district known as SOLDIER SUMMIT LOCAL DISTRICT, located in UTAH COUNTY, dated APRIL 28, 2023, complying with Section §17D-1-604, 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 reorganization, referred to above, on file with the Office of the Lieutenant Governor pertaining to the SOLDIER SUMMIT LOCAL DISTRICT, located in UTAH COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 28th day of April, 2023 at Salt Lake City, Utah.



A handwritten signature of Deidre M. Henderson.

DEIDRE M. HENDERSON
Lieutenant Governor

UTAH COUNTY ATTORNEY



Jeffrey S. Gray, Utah County Attorney
Chad E. Grunander, Chief Deputy
Timothy L. Taylor, Chief of Staff
Christine Scott, Major Crimes Division Chief
Ryan McBride, General Crimes Division Chief
Robert J. Moore, Civil Division Chief
Steven G. Adams, Bureau of Investigations Chief
Haley Christensen, Office Manager
Tammy Paynter, Confidential Assistant

100 East Center Street, Suite 2100
Provo, Utah 84606
p: 801.851.8026
f: 801.851.8051

ENT 33713:2023 PG 2 of 11

March 13, 2023

Deidre Henderson
Lt. Governor's Office
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, UT 84114-2325
annexations@utah.gov

Re: NOTICE – Reorganization of the Soldier Summit Special Service District to the Soldier Summit Local District

To Whom it May Concern:

On March 8, 2023, the Board of County Commissioners of Utah County passed Resolution No. 2023-236 reorganizing the Soldier Summit Special Service District into the Soldier Summit Local District pursuant to Utah Code Section 17D-1-604. A copy of the resolution is attached to this letter.

In addition, we have included Utah County Resolution No. 2023-237 appointing the initial members to the Soldier Summit Local District. This was approved in accordance with Utah Code Sections 17B-1-304, 17D-1-604, and 17B-1-306.

Utah County formally requests the Lieutenant Governor's office of the State of Utah to issue a certificate of incorporation of the newly reorganized Soldier Summit Local District pursuant to Utah Code Section 17D-1-604.

Thank you for your attention to this matter. If you have any questions regarding this matter, please feel free to contact me at 801-851-8001.

Sincerely,

A handwritten signature in black ink that reads "TIMOTHY L. TAYLOR".

TIMOTHY L. TAYLOR
Chief of Staff
Utah County Attorney's Office

Resolution No. 2023 - 236**RESOLUTION REORGANIZING THE SOLDIER SUMMIT SPECIAL SERVICE DISTRICT AS A LOCAL DISTRICT**

WHEREAS, on December 21, 2022, the Board of Commissioners of Utah County held a public hearing and subsequently adopted Resolutions 2022-1214 and 2022-1215 which respectively reorganized the Soldier Summit Special District into the Soldier Summit Local District and appointed members to the newly organized local district.

WHEREAS, upon the passage of the aforementioned resolutions, it was realized that Utah Code 17D-1-204 required a 60-day protest period after the public hearing was held before a resolution could be adopted. Therefore, in order to comply with 60-day statutory waiting period, the Board of Commissioners of Utah County resolved to rescind Resolutions 2022-1214 and 2022-1215.

WHEREAS, the 60-day protest period has passed wherein no protests were filed opposing the reorganization of the Soldier Summit Special Service District into the Soldier Summit Local District. Therefore, the Board of Commissioners of Utah County hereby resolves to adopt new resolutions reorganizing the Soldier Summit Special Service District into the Soldier Summit Local District and to appoint members to the newly organized local district.

WHEREAS, the Board of Commissioners of Utah County on July 16, 1984, by its Resolution No. 1984-26, established a special service district known as the Soldier Summit Special Service District ("SSSSD") with authority to provide for or furnish the following services within the district's boundaries: water, garbage, transportation (including street lighting, storm drainage, and other street-related facilities), recreation (including maintenance of the site of the site of the Civil War era soldiers' cemetery) and fire protection; and

WHEREAS, since its establishment, the SSSSD has provided water services (culinary and irrigation water) to the residents and real property located within the SSSSD's boundaries; and

WHEREAS, pursuant to Resolution No. 1984-26 the SSD has been governed by a "triad of officers" which requires one member to be selected from the Board of County Commissioners of Utah County, one member to be from the Board of County Commissioners of Wasatch County and one member who is an owner of real property lying within the boundary of the SSSSD; and

WHEREAS, in 2013 the Utah Legislature enacted legislation which permitted special service districts to reorganize as a local district in accordance with Utah Code Ann. §17D-1-604 (the "Reorganization Statute"); and

WHEREAS, the members of the SSSSD have found that it is in the best interests of the citizens of both Utah County and Wasatch County to reorganize the SSSSD as a local district and to give the local district independent control and to exercise all powers authorized in accordance with §17B-1-103; and

WHEREAS, the property owners within the SSSSD's boundaries currently pay a dedicated property tax to certain service areas for services related to law enforcement, fire protection and development, which services will not be affected by the reorganization into a local district; and

WHEREAS, the Reorganization Statute authorizes the Board of County Commissioners of Utah County to reorganize SSSSD into a completely independent local district and requires that the reorganization may not occur unless each municipality that is included within the SSSSD must consent to the reorganization; and

WHEREAS, the boundaries of the SSSSD do not extend into any municipality and therefore, there are no municipalities which need to consent to the reorganization into a local district.

NOW, THEREFORE, it is hereby resolved by the Board of Commissioners of Utah County:

1. That the Soldier Summit Special Service District is reorganized as a local district in accordance with Utah Code Ann. §17D-1-604.
2. That the newly organized local district will be known as the Soldier Summit Local District ("SSLD").
3. That the boundaries of the SSLD shall be those described in "Exhibit A", which exhibit is attached and made a part of this resolution and which boundaries are the same as those boundaries which comprise the current SSSSD but the italicized language in the description has been clarified by Utah County Surveyor to ensure accuracy.
4. That the SSLD shall have the authority to provide for or furnish the operation of a system for the collection, storage, retention, control, conservation, treatment, supplying distribution, or reclamation of water, including storm, flood, sewage, irrigation, and culinary water.
5. That after its creation, the SSLD may not provide more than four (4) services listed in subsection 1 of Utah Code Ann. §17B-1-202.
6. That in accordance with Utah Code Ann. §17B-1-301, the SSLD shall be governed by a board of trustees, consisting of three (3) persons, which shall manage and conduct the business affairs of the district and shall determine all questions of district policy and be subject to the applicable provisions set forth in Title 17B, Chapter 1 of the Utah Code.
7. That the Board of Commissioners of Utah County ("Appointing entity") will initially appoint three (3) persons as the board of trustees for the SSLD. An administrative control board will not be established as part of the reorganization to a local district. Each trustee will occupy a position on the SSLD board of trustees referred to as either Seat A, Seat B or Seat C and shall meet the board member qualifications set forth in Utah Code Ann. §17B-1-302. Each board of trustee will represent the SSLD at large unless the board of trustees elects to divide the SSLD into divisions as set forth in Utah Code Ann. §17B-1-306.5. The term of service for each member of the board of trustees for the SSLD shall begin upon appointment by the appointing entity and upon

the member taking the oath of office. The appointing entity shall appoint the initial board of trustees to the following terms:

Seat A: Two (2) years. The term will end on December 31, 2024.

Seat B: Four (4) years. The term will end on December 31, 2026.

Seat C: Four (4) years. The term will end on December 31, 2026.

At the conclusion of the initial terms, each trustee shall serve a term of four (4) years.

8. That at the conclusion of the term in office set forth in paragraph 7 of this resolution, the board of trustees shall be elected in accordance with the election procedures described in Utah Code Ann. §17B-1-306.

9. That the board of trustees may receive compensation for serving on the SSLD in accordance with Utah Code Ann. §17B-1-307.

10. That any bond issued, contract or other obligation entered into by the SSSSD before reorganization is a valid action, bond issuance, contract, or other obligation of the newly organized SSLD.

11. In accordance with the Reorganization Statute, the SSLD:

- A. may impose and collect taxes, fees and other charges for services provided in accordance with applicable law;
- B. shall own all property acquired by the special service district before reorganization; and
- C. shall have a power, right or obligation that the reorganized special service district had before the reorganization, unless otherwise provided by law.

12. That this Resolution shall take effect immediately upon its passage.

13. Resolution 2022-1214 is hereby rescinded.

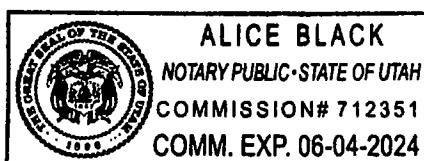
RESOLVED AND ORDERED this 8th day of March, 2023.

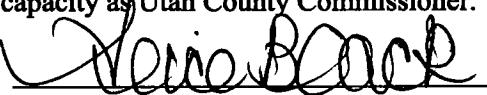
BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH


AMELIA POWERS GARDNER, Chair

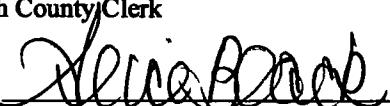
STATE OF UTAH)
)
 ss:
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 16th day of May 2023,
by AMELIA POWERS GARDNER, in her capacity as Utah County Commissioner.




Notary Public

ATTEST:
AARON R. DAVIDSON
Utah County Clerk

By: 
Deputy

APPROVED AS TO FORM AND LEGALITY:
JEFFREY S. GRAY
Utah County Attorney

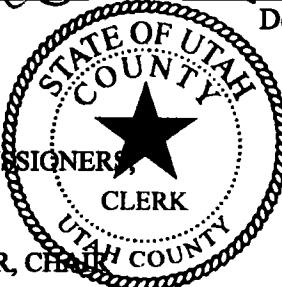
By: 
Deputy Utah County Attorney

BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH

AMELIA POWERS GARDNER, CHAIR

BRANDON GORDON, COMMISSIONER

THOMAS V. SAKIEVICH, COMMISSIONER



VOTE
YEA NAY

X _____
X _____
X _____

Exhibit A

In Wasatch County, State of Utah

Commencing at a point lying South $0^{\circ}13'$ East 417 feet from the North quarter corner of Section 25, Township 10 South, Range 7 East, Salt Lake Base and Meridian; thence as follows (all in Sections 24 and 25 of said township and range):

South $89^{\circ}15'$ East 1320 feet;

North $0^{\circ}13'$ West 1297 feet;

due west 1320 feet, more or less, to the quarter section line dividing the West one-half from the East one-half of Section 24; thence Southerly to the point of beginning.

Also commencing South 16.5 feet and 1290 feet East of the South quarter corner of Section 24, Township 10 South, Range 7 East, Salt Lake Base and Meridian; thence as follows (all in Section 24):

North 629.5 feet

East 550 feet;

South 636.5 feet to the South line of Section 24;

North $89^{\circ}15'$ West 550 feet to the place of beginning.

Also commencing at a point lying 944.5 feet north along the section line from the West quarter corner of Section 30, Township 10 South, Range 8 East, Salt Lake Base and Meridian; thence as follows (all in said Section 30):

North $0^{\circ}8'$ West 1263.0 feet;

North $89^{\circ}52'$ East 262.0 feet;

South $48^{\circ}45'$ East 205.46 feet;

South $22^{\circ}8'$ East 516.98 feet;

South $72^{\circ}8'$ East 690.20 feet;

South $17^{\circ}52'$ West 1041.03 feet;

North 59°44' West 1097.8 feet to the point of beginning.

Also commencing at a point lying South 00°08'43" East 417 feet from the North quarter corner of section 25, Township 10 South, Range 7 East, Salt Lake Base and Meridian; Thence as follows (all in Section 25 of said Township and Range): South 89°15'00" East 1320 feet along the southern boundary of the Townsite of Soldier Summit, Utah;

North 00°13'00" West 413.83 feet more or less along the eastern boundary of the Townsite of Soldier Summit to the North Section line of Section 25;

South 89°06'43" East 1311.84 feet more or less along the section line to the Northeast corner of Section 25;

South 00°28'46" East 2470.31 feet more or less along the section line to a point 225 feet North of the East quarter corner of Section 25;

Thence, North 62°15'00" West 657.30 feet,

Thence, North 86°38'00" West 1263.50 feet,

Thence, North 89°15'00" West 470 feet,

Thence, North 00°13'00" West 100 feet,

Thence, North 89°15'00" West 333.29 feet more or less to the quarter Section Line, said line also being the county line between Utah and Wasatch Counties;

Thence North 00°08'43" West 1603.25 feet more or less to the point of beginning.

In Utah County, State of Utah

Commencing on the county line (which is quarter section line extending North and South through the South quarter corner of Section 24, Township 10 South, Range 7 East, Salt Lake Base and Meridian) at a point 463 feet North of the South quarter corner of Section 24, Township 10 South, Range 7 East, Salt Lake Base and Meridian; thence as follows (all in sections 24 and 25 of said township and range):

due West 378 feet;

South 680 feet, more or less, to the Denver and Rio Grande Western Railroad property line;

Southeasterly along said property line to a point lying South 0°13' East 577 feet of the North quarter corner of Section 25;

thence Northerly to the point of beginning.

Also, Block 56 as currently platted and shown on the official records of the Utah County Recorder for the Addition to Soldier Summit.

Also, commencing at the North quarter corner of Section 25, Township 10 South, Range 7 East, Salt Lake Base and Meridian, thence as follows:

South 88°46'49" West 1324.66 feet;
South 0°09'28" West 888.60 feet;
South 89°46'27" East 693.09 feet;
South 0°13'33" West 150 feet;
South 89°46'27" East 630.10 feet more or less, to the quarter section line, said line also being the County line between Utah and Wasatch Counties;
Northerly 1040 feet, more or less, along said quarter Section line to the point of beginning;

Excluding therefrom that portion of the above described territory within the Townsite of Soldier Summit, Utah.

Also:

Commencing at a point located N. 0°5'16" E. along the section line 2618.33 feet from the Southeast corner of Section 26, Township 10 South, Range 7 East, Salt Lake Base and Meridian; thence as follows (all in Township 10 South, Range 7 East):

N. 0°5'16" E. 895.18 feet;
S. 21°36'10" W. 5520.16 feet;
S. 63°47'30" W. 840.00 feet;
S. 63° 47'30" W. 1549.30 feet;
S. 55°9'12" W. 4372.74 feet to the South of $\frac{1}{4}$ corner of Section 34;
N. 88°50'31" W. along the section line 2599.83 feet to the

Southwest corner of Section 34:

N. 0°38'41" W. along the section line 1719.97 feet;
N. 45°32'0" E. 770.83 feet;
N. 74°30'0" E. 388.00 feet;
N. 20°0'0" E. 750.00 feet;
N. 43°15'0" E. 2163.00 feet
N. 14°45'0" E. 284.00 feet;
N. 1°45'0" E. 890.00 feet;
N. 7°10'0" W. 1090.00 feet;
S. 86°10'0" E. 372.00 feet;
N. 1°0'0" W. 1089.38 feet;
N. 12°30'0" E. 249.39 feet;
N. 42°50'0" 565.00 feet;
N. 55°19'0" E. 690.00 feet;
N. 73°59'0" E. 653.00 feet;
N. 12°13'0" E. 505.00 feet;
N. 16°8'0" W. 612.00 feet;
N. 70°15'0" E. 800.00 feet;
S. 69°0'0" E. 890.00 feet;
S. 54°2'0" E. 666.65 feet;
S. 47°38'0" E. 881.84 feet;
N. 46°30'0" E. 1219.97 feet;
N. 42°30'0" E. 1280.00 feet;
S. 0°9'16" E. 600.00 feet;
S. 89° 8'55" E. 1311.74 feet to the Northeast corner of

Section 26;

N. 0°5'16" E. 495.12 feet to the Southerly right-of-way line
of the Denver Rio Grande Western Railroad;
S. 60°23'31" E. along said Southerly right-of way line 1521
feet;

S. $0^{\circ}9'28''$ W. 2179.98 feet;
S. $79^{\circ}30'0''$ W. 157.45 feet;
S. $47^{\circ}30'0''$ W. 630.00 feet;
N. $50^{\circ}0'0''$ W. 152.44 feet;
405.29 feet along the arc of a 580.53 foot radius curve to the
left (chord bears N. $70^{\circ}0'0''$ W. 397.11 feet);
W. 212.42 feet to the point of beginning.