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the following resolution in written form, was called by the Chairman for consideration by the Board. After due discussion of the matters contained in said resolution, a call for a vote of adoption and approval thereof was made by the Chairman, whereupon the resolution was adopted and approved by the following vote:

Aye: Chairman Barker
Commissioner Shimuzu

Nay: None.

Upon the completion of the meeting, the resolution was signed by the Chairman, attested by the County Clerk, recorded in the official records of the Board and is as follows:

SALT LAKE COUNTY, UTAH

CREATION OF AN IMPROVEMENT DISTRICT

Resolution No. 1409

Adopted May 28, 1986

A RESOLUTION CREATING AND ESTABLISHING THE LITTLE COTTONWOOD GAS IMPROVEMENT DISTRICT; DEFINING THE BOUNDARIES THEREOF; DEFINING THE POWERS AND DUTIES OF THE DISTRICT; APPOINTING THE INITIAL BOARD OF TRUSTEES OF THE DISTRICT; AND RELATED MATTERS.

BE IT KNOWN AND REMEMBERED:

A. Salt Lake County, Utah (the "County"), is a county duly organized and validly existing under the Constitution and laws of the State of Utah.

B. The Board of County Commissioners of the County (the "Board"), as the duly constituted governing body of the County, is authorized by the provisions of Title 17, Chapter 6, Utah Code Annotated 1953, as amended (the "Act"), to create an improvement district within the boundaries of the County for the purposes of acquiring and operating systems for the transmission of natural or manufactured gas, to the extent and in the manner authorized by the Act, in order to facilitate gas utility service within the district.

C. On April 30, 1986, the Board adopted a resolution (the "Resolution"), declaring that the public health, convenience and necessity requires the creation of a gas improvement district to be known as the Little Cottonwood Gas Improvement District (the "District"), defining the boundaries of the District and the purposes for which the District is

to be created, providing for the holding of a public hearing on the creation of the District, directing the giving of notice of such public hearing and of its intention to create the District and related matters.

D. Public notice of the intention of the Board to create the District and of the date, time and place of a public hearing thereon (the "Notice"), was duly published in The Salt Lake Tribune and the Deseret News, newspapers published and of general circulation in the County and the District, once a week for four (4) successive weeks as follows:

First publication	May 5, 1986
Second publication	May 12, 1986
Third publication	May 19, 1986
Fourth publication	May 26, 1986

E. A public hearing on the creation of the District was held by the Board in Room 404 of the City and County Building, Salt Lake City, Utah, at 10:00 A.M. on May 28, 1986, which date was not more than forty (40) days nor less than twenty-one (21) days after the first publication of the Notice, during which public hearing all persons desiring to be heard were heard either in support of or in opposition to the creation of the District, all written statements filed with the County Clerk before or during the public hearing, or submitted to the Board at the public hearing, were received, and the Board gave full consideration to all such oral and written statements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SALT LAKE COUNTY, UTAH, AS FOLLOWS:

Section 1. The Board hereby finds and determines:

(a) Public notice of the intention of the Board to create the District and of the holding of a public hearing thereon was duly given by publishing the Notice in The Salt Lake Tribune and the Deseret News, newspapers published and of general circulation in the County and the District, once a week for four successive weeks on May 5, 1986, May 12, 1986, May 19, 1986 and May 26, 1986, in satisfaction of the requirements of the Act and as directed by the Resolution.

(b) A public hearing on the creation of the District was held and conducted by the Board as described in the Notice and in full compliance with the provisions of the Act and the Resolution, on May 28, 1986, a date not less than twenty-one (21) nor more than forty (40) days after the first publication of the Notice, and during such public hearing, all interested parties were given full opportunity to appear before the Board and be heard, or to present written statements, either in support of or in opposition to the creation of the District.

(c) The following persons filed written protests against the establishment of the District, before or during the public hearing, which written protests were not withdrawn prior to the adoption of this resolution:

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NAME

ADDRESS

None.

Such written protests have been checked against the last assessment roll for county taxes completed prior to the publishing of the Notice and the persons signing said protests represent less than 25 percent, in number, of the real property owners within the District.

(d) After careful and full consideration of all factors involved and of all oral comments and all written statements submitted to the Board at the public hearing or filed with the County Clerk before or during the public hearing, it has been and is hereby found, determined and declared that natural or manufactured gas utility service is not currently available in the District, that all property included within the boundaries of the District, as such boundaries are set out in the Resolution, the Notice, and Section 2 hereof, will be benefited by the proposed improvements to be acquired by the District, and that all proceedings taken in establishing the District have been in compliance with law.

Section 2. In accordance with the provisions of the Act, there is hereby created and established within Salt Lake County, Utah, an improvement district to be known as the "Little Cottonwood Gas Improvement District." The boundaries of the District shall be as follows:

BEGINNING at the North East Corner of unsurveyed Section 5, Township 3 South, Range 3 East, Salt Lake Base and Meridian; thence N. 89° 41' W. 2636.70 feet, more or less, to the 1/4 Section Corner on the North Boundary of Section 5, Township 3 South, Range 3 East, thence S. 27° 02' W. 313.80 ft., more or less, to Corner No.1 of the Columbus No.2, M.S. 4991, thence S. 65° 13' W. 1200 ft., more or less, to Corner No.2 of the Columbus No. 2, M.S. 4991, thence S. 24° 47' E. 500 ft., more or less, to Corner No.3 of the Columbus No. 7, M.S. 6056, thence S. 65° 13' W. 600 ft., more or less, to Corner No.2 of the Columbus No. 7, M.S. 6056, thence N. 24° 47' W. 15 ft., more or less, to Corner No. 4 of the Dwyer, M.S. 5489, thence N. 24° 47' W. 600 ft., more or less, to Corner No. 1 of the Dwyer, M.S. 5489 thence S. 65° 13' W. 1408.5 ft., more or less, to the intersection of line 4-1 of the Hellgate No.3, M.S. 5282, thence S. 77° 44' W. to Corner No.1 of the Hellgate No.4, M.S. 5282, thence S. 80° 22' W. 1325.8 ft., more or less, to Corner No.4 of the Hellgate No.4, M.S. 5282, thence S. 3° 26' E. 320 ft., more or less, to the intersection of line 4-1 of the Hellgate No.2,

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M.S. 5282, thence N. 66° 37' W. 401.7 ft., more or less, to Corner No.4 of the Hellgate No.2, M.S. 5282, thence S. 22° 40' W. 600 ft., more or less, to Corner No. 3 of the Hellgate No.2, M.S. 5282, thence S. 72° W. 2250 ft., more or less, to Corner No. 4 of the Ogarita, Lot No.133, thence S. 62° 20' W. 940 ft., more or less to Corner No.4 of the Consolidated, M.S. 5913 thence S. 9° 31' E. 1140 ft., more or less, to a point where the center line of State Highway No. 210, By-Pass road (Project S-0152) intersects the West end line of the Anna, M.S. 5913, thence S. 30° E. 1490 ft. to a point, thence N. 61° 45' E. 2850 ft., more or less, to the South Corner No.3 of the Snowbird Mine, M.S. 5152, thence N. 22° 45' E. 1030 ft., more or less, to the intersection of the north side line 2-1 of the Nina, M.S. 5897 thence N. 49° 42' E. 779.4 ft., more or less, to Corner No.1 of the Nina, 5897, thence N. 49° 42' E. 1308.2 ft., more or less, to Corner No. 1 of the Martha, M.S. 5897 thence S. 40° 18' E. 225 ft., more or less, to the intersection of line 3-4 of the Dwyer No.4, M.S. 5489, thence N. 65° 13' E. 911 ft., more or less, to the intersection of line 2-3 of the Columbus No.6, M.S. 5488, thence S. 1° 1' E. 861 ft., more or less, to corner No. 3 of the Columbus No. 6, M.S. 5488, thence N. 65° 13' E. 600 ft., more or less, to Corner No.4 of the Columbus No. 6, M.S. 5488, thence S. 1° 1' E. 300 ft., more or less, to Corner No. 3 of the Columbus No.3, M.S. 4991, thence N. 65° 5' E. 1200 ft., more or less, to Corner No. 4 of the Columbus No.5, M.S. 4991, thence East 2550 ft., more or less, to a point, thence North 2600 ft. more or less, back to the point of beginning.

- POOR COPY -
CO. RECORDER

Section 3. Any property owner who, on or before the date of the public hearing held in connection with the creation of the District, filed a written protest with the County Clerk of Salt Lake County, Utah, against the establishment of the District and whose property has been included within the boundaries of the District notwithstanding the protest, may, within 30 days after the adoption of this resolution, apply to the District Court of the Third Judicial District, State of Utah, for a writ of review of the actions of the Board in establishing the District, but only upon the ground that his property included within the District will not be benefited by the proposed improvements or upon the ground that the proceedings in establishing the District have not been in compliance with the provisions of the Act. A failure to apply for such writ of review within the specified time shall foreclose all owners of property within the District as established from the right further to object to the establishment of the District.

Section 4. The purpose of the District is to acquire and operate pipelines and such other facilities, systems and improvements as may be necessary for the transmission of natural or manufactured gas from a gas plant, as defined in Section 54-2-1(16) of the Utah Code Annotated 1953, as amended (the "Code"), of a gas corporation, as defined in Section 54-2-1(17) of the Code, regulated under Section 54-4-1 of the Code, located at or near the mouth of Little Cottonwood Canyon, to a distribution system of such gas corporation located wholly or partially within the District, for the purpose of facilitating gas utility service within the District if such gas utility service is not available within the District prior to the acquisition or construction of such pipelines, systems or improvements. Such new gas utility service shall be provided by a regulated gas corporation under Section 54-4-1 of the Code, and not by the District. The provisions of the Resolution, the Notice and this Resolution shall not be considered to be a limitation on the

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rights of the District to issue bonds in whatever amount and for whatever improvements, consistent with the purposes for which the District is organized, as may be found desirable after the District has been organized.

Section 5. The District shall have and exercise all rights, powers and privileges conferred upon districts created under the Act for the purposes set forth in Section 4, by the laws and Constitution of the State of Utah, as they may exist from time to time.

Section 6. The District does not overlap any other improvement district created under the Act which currently owns or operates facilities or systems of the kind authorized to be owned and operated by the District.

Section 7. The governing body of the District shall consist of a Board of Trustees of three (3) members who shall be appointed or elected as provided by law. There being no incorporated municipality which is contained entirely within, or which has boundaries coinciding with, the boundaries of the District, the following individuals, each of whom is a taxpayer and a qualified voter in the District, are hereby appointed as the initial trustees of the District:

William H. Levitt
Charles B. Morton
Peter Q. Lawson.

Each of the initial trustees appointed under this Section shall serve until a successor trustee, elected at an election of the District to be held as required or permitted by law, qualifies for office in accordance with law. The County Clerk shall cause the initial trustees of the District to be notified of their appointment. The initial trustees shall qualify as trustees, shall meet and shall organize as a Board of Trustees of the District as required or permitted by law.

Section 8. The Board of Trustees of the District shall have, and is hereby vested with all of the rights, powers and privileges ordinarily exercised by the governing body of an improvement district created under the Act, and conferred by the Act and the laws and Constitution of the State of Utah, as they may from time to time exist. The Board of Trustees of the District shall exercise all powers and authority of the District and shall perform all duties and functions required in connection with the operation of the properties, facilities and improvements of the District.

Section 9. All acts, proceedings and resolutions pertaining to the creation of the District are hereby approved and ratified, except that all acts and resolutions or parts of resolutions that may be inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. 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.

Section 11. The officers and employees of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 12. This Resolution shall take effect immediately upon its approval and adoption by the Board.

APPROVED and ADOPTED this 28th day of May, 1986.


SALT LAKE COUNTY, UTAH

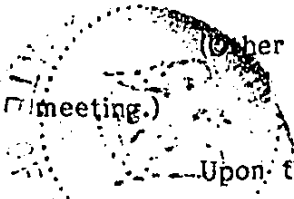


Chairman,
Board of County Commissioners

[SEAL]

ATTEST:

By 
Salt Lake County Clerk



(Other business not pertinent to the above appears in the minutes of the meeting.)

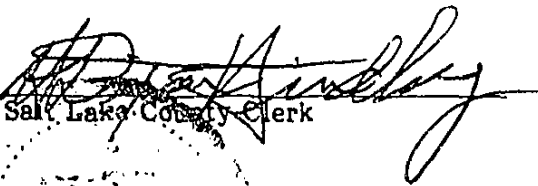
Upon the completion of all items on the agenda, the regular meeting of the Board was adjourned.

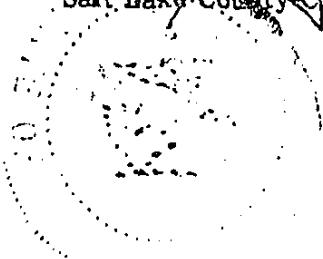


Chairman, Board of County
Commissioners

[SEAL]

Attest:


Salt Lake County Clerk



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STATE OF UTAH)
)
COUNTY OF SALT LAKE)

I, H. Dixon Hindley, the duly qualified and acting County Clerk of Salt Lake County, Utah, and Clerk of the Board of County Commissioners do hereby certify, according to the records of the Board of County Commissioners of Salt Lake County, Utah, in my official possession, that the above and foregoing constitutes a true and correct copy of excerpts from the minutes of a regular public meeting of the Board of County Commissioners held on May 28, 1986, including a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Salt Lake County, Utah, this 28th day of May, 1986.

H. Dixon Hindley
Salt Lake County Clerk

[SEAL]



RJS:dms:950543-h

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KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH
No Fee
JUN 6 12 58 PM '86
S.L.C. Commissioner
REC OF _____
\$ _____
Katie L. Dixon
Clerk
SALT LAKE COUNTY
CLERK