



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 OQUIRRH POINT IMPROVEMENT DISTRICT located in ERDA CITY, dated JULY 12, 2024, complying with §17B-1-215, Utah Code Annotated, 1953, as amended.

Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of incorporation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the OQUIRRH POINT IMPROVEMENT DISTRICT, located in TOOELE COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 12<sup>th</sup> day of August, 2024 at Salt Lake City, Utah.



DEIDRE M. HENDERSON  
Lieutenant Governor



**EXHIBIT A**  
**TO NOTICE OF IMPENDING BOUNDARY ACTION**

**LEGAL DESCRIPTION**

**EHD Investment, LLC**

**01-422-0-0009**

**A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. LOCATED IN TOOELE COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT LOCATED NORTH 00°19'31" WEST 1324.81 FEET ALONG THE QUARTER SECTION LINE FROM THE FOUND MONUMENT REPRESENTING THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°39'31" WEST 1320.00 FEET; THENCE NORTH 00°19'31" WEST 1275.34 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ERDA WAY; THENCE NORTH 89°46'23" EAST 958.50 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST LINE OF A PARCEL HAVING THE ENTRY NO. 284396 AS RECORDED IN THE OFFICE OF THE TOOELE COUNTY RECORDER; THENCE SOUTH 00°19'31" EAST 343.01 FEET ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH 89°40'29" EAST 361.50 FEET ALONG THE SOUTH LINE OF SAID PARCEL TO A POINT ON THE QUARTER SECTION LINE; THENCE SOUTH 00°19'31" EAST 930.31 FEET ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING.**

**SURVEYED DESCRIPTION ACCORDING TO ENTRY NO. 594464. 35.76 AC**

**01-422-0-0014**

**A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. LOCATED IN TOOELE COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE FOUND MONUMENT REPRESENTING THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°39'30" WEST 2510.01 FEET ALONG THE SECTION LINE TO THE EAST RIGHT-OF-WAY LINE OF SR-36; THENCE NORTH 00°24'53" WEST 1324.82 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 89°39'31" EAST 2512.08 FEET TO A POINT ON THE QUARTER SECTION LINE; THENCE SOUTH 00°19'31" EAST 1324.81 FEET ALONG SAID QUARTER SECTION LINE, TO THE POINT OF BEGINNING.**

**SURVEYED DESCRIPTION ACCORDING TO ENTRY NO. 594464. 76.37 AC**

**01-401-0-0001**

**A PARCEL OF LAND SITUATE IN THE NORTH HALF OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. LOCATED IN TOOELE COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS**

**FOLLOWS:**

**BEGINNING AT THE FOUND MONUMENT REPRESENTING THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 89°39'26" EAST 2641.18 FEET TO THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°25'27" EAST 1224.23 FEET TO AND ALONG THE WEST LINE OF PASS CANYON 5 ACRE RANCHETTES, WHICH IS RECORDED UNDER ENTRY NO. 218773 IN THE OFFICE OF THE TOOELE COUNTY RECORDER; THENCE SOUTH 89°38'38" WEST 2641.22 FEET; THENCE SOUTH 89°38'56" WEST 1028.68 FEET; THENCE NORTH 00°25'27" WEST 1225.02 FEET; THENCE NORTH 89°39'30" EAST 1028.72 FEET TO THE POINT OF BEGINNING. SURVEYED DESCRIPTION ACCORDING TO ENTRY NO. 594463. 103.18 AC**

**01-401-0-0002**

**A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. LOCATED IN TOOELE COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT LOCATED SOUTH 89°39'30" WEST 1028.72 FEET FROM THE FOUND MONUMENT REPRESENTING THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°25'27" EAST 1225.02 FEET; THENCE SOUTH 89°38'56" WEST 1481.49 FEET TO THE EAST RIGHT-OF-WAY LINE OF SR-36; THENCE NORTH 00°24'53" WEST 554.68 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTH LINE OF D.R. DAVIS PUD AMENDED WHICH IS RECORDED UNDER ENTRY NO. 252513 IN THE OFFICE OF THE TOOELE COUNTY RECORDER; THENCE NORTH 89°39'30" EAST 908.42 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 00°25'43" WEST 670.59 FEET ALONG THE EAST LINE OF SAID SUBDIVISION; THENCE NORTH 89°39'30" EAST 573.03 FEET TO THE POINT OF BEGINNING. SURVEYED DESCRIPTION ACCORDING TO ENTRY NO. 594463. 27.68 AC**

**01-401-0-0007**

**A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. LOCATED IN TOOELE COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE WEST LINE OF BROOKFIELD ESTATES, WHICH IS RECORDED UNDER ENTRY NO. 231748 IN THE OFFICE OF THE TOOELE COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 00°26'21" EAST 1324.85 FEET ALONG THE NORTH-SOUTH RUNNING QUARTER SECTION LINE FROM THE FOUND MONUMENT REPRESENTING THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°25'21" EAST 1324.85 FEET ALONG SAID WEST LINE OF BROOKFIELD ESTATES AND THE NORTH-SOUTH RUNNING QUARTER SECTION LINE TO A POINT ON THE EAST-WEST RUNNING QUARTER SECTION LINE;**

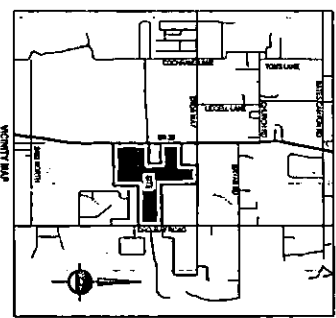
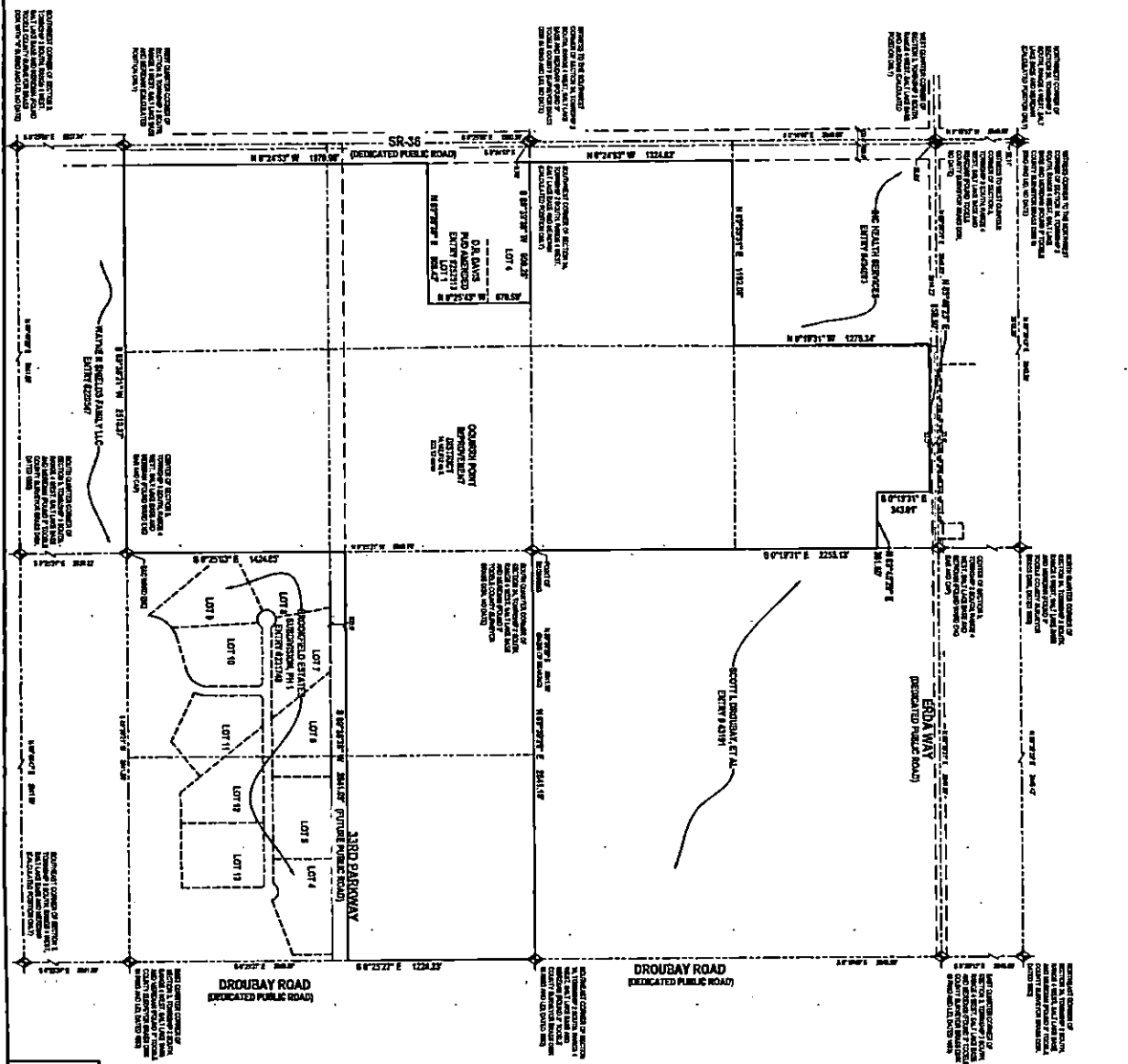
THENCE SOUTH 89°38'21" WEST 2510.37 FEET ALONG SAID EAST-WEST RUNNING QUARTER SECTION LINE TO THE EAST RIGHT-OF-WAY LINE OF SR-36; THENCE NORTH 00°24'53" WEST 1300.46 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 26.07 FEET ALONG THE ARC OF A 50.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CENTER BEARS SOUTH 89°35'07" WEST AND THE LONG CHORD BEARS NORTH 14°31'26" EAST 25.78 FEET THROUGH A CENTRAL ANGLE OF 29°52'37"); THENCE NORTH 89°38'56" EAST 2503.54 FEET TO THE SAID NORTH-SOUTH RUNNING QUARTER SECTION LINE, AND THE POINT OF BEGINNING.  
SURVEY DESCRIPTION ACCORDING TO ENTRY NO. 594464. 76.36 AC



# FINAL LOCAL ENTRY PLAT

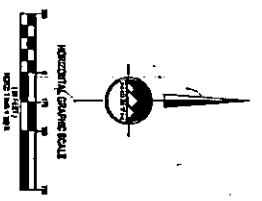
## OQUIRH POINT IMPROVEMENT DISTRICT

LOCATED IN SECTION 16, TOWNSHIP 20 NORTH, RANGE 3 EAST, BLK 4 WEST, SALT LAKE BASIN AND RESERVA, CITY OF EDOU, TROBLE COUNTY, UTAH



**LEGEND**

- PUBLIC RIGHT-OF-WAY
- EASEMENT
- PROPERTY LINE
- ADJACENT PART OF AN
- SURVEY
- SURVEY TO BE SUPERSEDED BY THIS
- SECTION CORNER



**ENGIN**

Professional Engineer  
No. 12345  
State of Utah  
123 Main Street  
Edou, Utah 84304  
Phone: (435) 555-1234  
Fax: (435) 555-5678  
www.engin.com

**COUNTY REGISTERED INSTRUMENT**  
APPROVED FOR FILING BY \_\_\_\_\_  
COUNTY CLERK  
DATE: \_\_\_\_\_



**SIGNATORY CERTIFICATE**

I, \_\_\_\_\_, Surveyor General of the State of Utah, do hereby certify that the foregoing plat is a true and correct copy of the original as filed in my office, and that the same has been duly recorded in the public records of the County of \_\_\_\_\_, State of Utah, in accordance with the provisions of the laws of this State.

**RECORDED**

FILED \_\_\_\_\_  
COUNTY CLERK  
DATE: \_\_\_\_\_

**ACCEPTANCE BY APPROVING AUTHORITY**

THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLAT ACT AND THE UTAH SURVEYING ACT. THE SURVEYING AND PLATTING WORK HAS BEEN FOUND TO BE IN ACCORDANCE WITH THE STANDARDS OF THE PROFESSION AND THE REQUIREMENTS OF THE LAWS OF THE STATE OF UTAH.

\_\_\_\_\_  
Surveyor General

**FINAL LOCAL ENTRY PLAT**  
**OQUIRH POINT IMPROVEMENT DISTRICT**

LOCATED IN SECTION 16, TOWNSHIP 20 NORTH, RANGE 3 EAST, BLK 4 WEST, SALT LAKE BASIN AND RESERVA, CITY OF EDOU, TROBLE COUNTY, UTAH

**LOCAL COUNTY RECORDS**

FILED \_\_\_\_\_  
COUNTY CLERK  
DATE: \_\_\_\_\_

**ERDA, UTAH**  
**RESOLUTION 24-04**

A RESOLUTION OF THE CITY COUNCIL OF ERDA CITY, UTAH (THE "CITY"), ACKNOWLEDGING RECEIPT AND CERTIFICATION OF A REQUEST FOR CERTAIN SERVICES SIGNED BY 100% OF THE PROPERTY OWNERS IN THE PROPOSED SERVICE AREA; DECLINING TO PROVIDE THE REQUESTED SERVICES, AND ACKNOWLEDGING THE RECEIPT AND CERTIFICATION OF A PETITION FOR CREATION OF THE MID-VALLEY IMPROVEMENT DISTRICT, AND THE INABILITY OF ANY OTHER PARTIES TO FILE AN ADEQUATE PROTEST TO THE CITY'S PROPOSED ACTION.

**WHEREAS**, on February 20th, 2024, the City received a Request for Services for certain public utility services, including culinary water, wastewater management, and sewer services (the "Request"), signed by 100% of the property owners in the proposed service area, a copy of which is attached hereto as Exhibit B; and

**WHEREAS**, pursuant to Utah Code §17B-1-206, the City Recorder certified the Request within thirty (30) days of receipt and delivered the Request to the City Council for consideration and a notice of certificate to the contact sponsor; and

**WHEREAS**, pursuant to Utah Code §17B-1-210, the City Council scheduled a public hearing to be held on at its regularly scheduled meeting on Thursday, March 28, 2024; and

**WHEREAS**, the City Council conducted said public hearing and received input and comment on the Request from members of the public; and

**WHEREAS**, the City Council now hereby adopts this resolution declining to provide the services requested in the Request; and

**WHEREAS**, the City Council acknowledges receipt of a Petition for creation of a new improvement district to be called Mid-Valley Improvement District (Mid-Valley Improvement District has subsequently changed its name to the "Oquirrh Point Improvement District), to provide the services requested in the Request, said Petition having been certified by the City Recording, including as being signed by 100% of the property owners in the same proposed service area, and a copy of which is attached hereto as Exhibit C; and

**WHEREAS**, the City Council acknowledges that the City Recorder has reviewed the Petition and certified the same pursuant to Utah Code §17B-1-209; and

**WHEREAS**, Utah Code §17B-1-213 provides the procedure and the time period for the filing of a protest against the City's proposed action herein; however, because 100% of the property owners have signed the Request and Petition, and no registered voters reside in the proposed service boundary, there are no other parties eligible to file an adequate protest as defined in the Utah Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ERDA CITY, UTAH, 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 City Council and by officers of the City directed toward the amendments contemplated herein, are hereby ratified, approved, and confirmed.
2. The City Council acknowledges receipt of the Request for Service attached as Exhibit B (the "Request") on February 20, 2024, and certification of the Request on March 14th, 2024, including as being signed by 100% of the property owners in the proposed service area boundary, and that there are no registered voters residing in the proposed service area boundary.
3. The Request received and certified by the City requested that the city provide (hereafter, the "Requested Services"):
  - a. the supply, treatment, and distribution of water;
  - b. the collection, treatment, and disposition of sewage; and
  - c. the collection, retention, and disposition of storm and flood waters.
4. The City Council conducted a public hearing during its regular meeting on Thursday, March 28, 2024, and received comments and input from the general public at that time, as required by Utah Code §17B-1-210, having given notice of the same as required by §17B-1-211.
5. The City Council, having taken public input and comment at the public hearing, hereby declines to provide the Requested Services.
6. The City Council acknowledges that it also received, on February 20th, 2024, a Petition, attached as Exhibit B, for creation of an improvement district to be governed by Chapter 2a, Part 4, of Title 17B of the Utah Code, the Limited Purpose Local Government Entities – Special Districts (the "Petition"), said improvement district to be known as the Oquirrh Point Improvement District ( Mid-Valley Improvement District has subsequently changed its name to the "Oquirrh Point Improvement District).
7. The Petition has been certified by the City Recorder on March 14th, 2024, including as being signed by 100% of the property owners in the proposed service area boundary, and that there are no registered voters residing in the proposed boundary.
8. The proposed annexation area of the proposed improvement district, which would allow for annexation of additional property into the boundary of the proposed improvement district, is the entire municipal boundary of the City.
9. The Petition falls under the exception set forth in Utah Code §17B-1-214(3)(a), and as a result no election is required for creation of the proposed improvement district,



nor is the City Council required to adopt a resolution to approve creation of the proposed district (see also §17B-1-215(1)(b)(ii)).

10. The Request and the Petition both being signed by 100% of the affected property owners, and no registered voters residing within the boundaries of the proposed service area/district boundary, there are no other parties who are eligible to file an "adequate protest" against the City's proposed action, as defined in Utah Code §17B-1-213.

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. Following creation of the proposed improvement district, the district and the City shall negotiate in good faith to enter an interlocal agreement which provides that (a) as vacancies may occur on the board of trustees of the district, the City Council shall appoint a person nominated by one or more property owners to fill each such vacancy; and (b) the City shall have the option but not the obligation, beginning on the date which is ten (10) years from the date of this Resolution, to assume control of the district by appointing to the board of trustees anyone eligible under law whom they choose, even if not a property owner or agent or officer of a property owner.

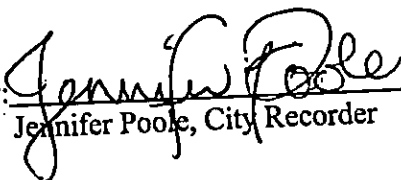
14. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council of Erda City, Utah, this 28th day of March 2024.

ERDA CITY, UTAH

By:   
Craig Smith, Council Vice-Chair

ATTEST:

By:   
Jennifer Poole, City Recorder