



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation known as the OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT #1 - ANNEXATION #1 located in TOOELE COUNTY, dated SEPTEMBER 26, 2024, complying with §67-1a-6.5, 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 annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the QUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT #1 - ANNEXATION #1 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 14th day of November, 2024 at Salt Lake City, Utah.



DEIDRE M. HENDERSON
Lieutenant Governor

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF TRUSTEES (THE “BOARD”) OF OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT NO. 1 (THE “DISTRICT”) TO CERTIFY A PETITION FOR ANNEXING APPROXIMATELY 283.28 ACRES INTO THE DISTRICT; AUTHORIZING THE PLAT AND OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE PUBLICATION OF NOTICE OF THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, a petition (the “Petition”) is anticipated to be filed with the District requesting and consenting to the annexation of approximately 283.28 acres pursuant to Utah Code §17D-4-201(3)(a) of the Public Infrastructure District Act, Title 17D, Chapter 4 of the Utah Code (the “PID Act”) and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the “Act”); and

WHEREAS, the Petition is anticipated to contain the consenting signatures of 100% of the surface property owners (hereafter the “Property Owners”) within the area proposed to be annexed; and

WHEREAS, there are no registered voters within the area to be annexed;

WHEREAS, the area to be annexed under this resolution is particularly described in the Petition attached as Exhibit B to this Resolution and is hereafter referred to as the “Property”; and

WHEREAS, with the filing of the Petition, the Act allows the District to annex the Property by adopting a resolution to annex the area, provided that the governing document of the District (hereafter the “Governing Document”) allows for the annexation; and

WHEREAS, the Governing Document defines an annexation area within which the District may annex property without seeking further consent or approval from the District’s creating entity; and

WHEREAS, the Property is within the allowable future annexation area as defined in the Governing Document; 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 Notice of Impending Boundary Action attached hereto as Exhibit C (the “Boundary Notice”) and Final Local Entity Plat to be attached to the Boundary Notice upon finalization as Exhibit B (the “Annexation Plat”).

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT, 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 Board and by officers of the Board directed toward the annexation of the Property, are hereby ratified, approved and confirmed.

2. The Property, which is particularly described and shown on the Annexation Plat, is hereby annexed into the District.

3. Notice of this Resolution may be published in substantially the following form:

NOTICE OF DISTRICT ANNEXATION

NOTICE IS HEREBY GIVEN pursuant to Section 313, Chapter 1, Title 17B, Utah Code Annotated 1953, that on September 19, 2024, the Board of Trustees (the "Board") of Oquirrh Point Public Infrastructure District No. 1 (the "District") adopted a resolution to annex the following particularly described property in Tooele County, State of Utah:

Parcel "A"

A parcel of land, situate in the Northwest Quarter of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Erda, Tooele County, Utah, more particularly described as follows:

Beginning at a point on the north line of Erda Way, said point being North 89°39'31" East 1,451.60 feet along the Quarter Section Line and North 15.73 feet from the West Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 0°30'05" West 60.00 feet;
thence North 89°58'55" East 50.25 feet;
thence South 0°01'05" East 60.00 feet, to the north line of Erda Way;
thence South 89°58'55" West 49.75 feet along said north line, to the Point of Beginning.

Contains 3,000 square feet or 0.07 acres.

Parcel "B"

Located in Section 34, Township 2 South, Range 4 West, and the North half of Section 3, Township 3 South, Range 4 West, Salt Lake Base and Meridian, City of Erda, Tooele County, Utah.

Beginning at the South Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 89°39'26" East 2641.18 feet along the East-West running Section line to the Southeast Corner of said Section 34;
thence South 0°25'27" East 1224.23 feet along the East Section line of said Section 34 to the Northerly Right of Way line of 33 rd Parkway;

thence South 89°38'38" West 2641.09 feet along said Northerly Right of Way line to North-South running Quarter Section line;
 thence South 0°25'03" East 1424.85 feet along said Quarter Section line to the Center of said Section 3;
 thence South 89°38'21" West 2032.31 feet along the East-West Quarter Section line of said Section 3;
 thence North 0°20'30" West 1425.19 feet;
 thence North 89°38'56" East 428.68 feet;
 thence North 0°25'43" West 1225.12 feet;
 thence South 89°39'30" West 426.82 feet;
 thence North 0°20'30" West 1324.82 feet to East-West running 40-acre line;
 thence North 89°39'31" East 708.95 feet along said 40-acre line;
 thence North 0°19'31" West 1275.34 feet;
 thence North 89°46'23" East 958.50 feet;
 thence South 0°19'31" East 343.01 feet;
 thence North 89°40'29" East 361.50 feet to North-South running Quarter Section line;
 thence South 0°19'31" East 2255.13 feet along said Quarter Section line and to the Point of Beginning.

Contains 12,336,584 square feet, or 283.21 acres.

NOTICE IS FURTHER GIVEN that any person in interest may file an action in district court to contest the regularity, formality, or legality of the Resolution within 30 days after the first date of publication (hereafter the "30-Day Contest Period"). If the Resolution is not contested by filing an action in district court within the 30-Day Contest Period, no person may contest the regularity, formality, or legality of the Resolution after the expiration of the 30-Day-Contest Period.

4. The Board does hereby authorize the Chair (or Vice-Chair) to execute the Boundary Notice in substantially the form attached as Exhibit C, the Annexation Plat, and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.

5. Prior to certification of the annexation of the Property by the Office of the Lieutenant Governor of the State of Utah, the Board does hereby authorize any Board Member, the District General Counsel, or the District's surveyor, to make any corrections, deletions, or additions to the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah or the United States.

6. 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.

7. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

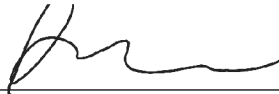
8. This Resolution shall be effective upon passage by the Board of Trustees (hereafter the "Effective Date").

PASSED AND ADOPTED by the Board of Trustees of Oquirrh Point Public Infrastructure District No. 1 effective as of the Effective Date set forth above.

OQUIRRH POINT PUBLIC
INFRASTRUCTURE DISTRICT NO. 1

By: Matthew Donaldson
Chair

ATTEST:

By: 
Secretary/Clerk

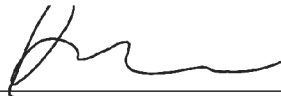
STATE OF UTAH)
 : ss.
County of Tooele)

I, Derald Anderson, the undersigned duly qualified and acting secretary/clerk (or assistant secretary/clerk) of Oquirrh Point Public Infrastructure District No. 1 (“the District”), do hereby certify as follows:

The foregoing pages are a true, correct, and complete copy of the record of proceedings of the Board of Trustees (the “Board”), had and taken at a lawful meeting of the Board on September 19, 2024, commencing at the hour of 9:00 a.m., as recorded in the regular official book of the proceedings of the Board kept in the District 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 Board were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, on September 19, 2024.

By: 

Secretary/Clerk



EXHIBIT A

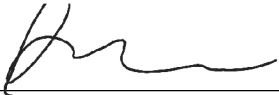
CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Derald Anderson, the undersigned clerk (or assistant clerk) of Oquirrh Point Public Infrastructure District No. 1 (the “the District”), do hereby certify that I gave written public notice of the agenda, date, time and place of the special meeting held by the Board of Trustees of the District (the “Board”) on September 19, 2024, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the meeting location at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this September 19, 2024.

By: 

Clerk

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

PUBLIC NOTICE AND AGENDA
Oquirrh Point Public Infrastructure District No. 1
Boards of Trustees
Special Meeting

NOTICE IS HEREBY GIVEN THAT THE BOARDS OF TRUSTEES OF OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT NO. 1 WILL HOLD A SPECIAL MEETING ON THURSDAY, SEPTEMBER 19, 2024, AT SNOW JENSEN & REECE, P.C., 912 W. 1600 S., SUITE B-200, ST. GEORGE, UTAH 84770
AT 9:00 am.

A. Call to Order

B. Public Comment

C. Preliminary Non-Action Items

D. Action Items

1. Consider for approval the meeting Minutes from September 11, 2024.
2. Consider approval of Resolution 2024-05: A Resolution of the Board of Trustees of Oquirrh Point Public Infrastructure District to certify a Petition for Annexing approximately 283.28 acres into the District, Authorizing the Plat and other documents in connection.

E. Administrative Non-Action Items

F. Other Items From Board Members

1. Discussion of other items from Board members.

G. Adjourn

The District complies with the Americans with Disabilities Act by providing reasonable accommodations for those in need of assistance. Persons requesting accommodations for public meetings should call Jennifer Gowans at 435-628-3688 at least one full business day before the meeting.

This meeting will be simulcast via Zoom so members of the Board and the public may participate electronically. Motions relating to any of the items listed above, including final action, may be taken. Meetings may be closed for reasons allowed by statute.

This meeting can be accessed through Zoom at:

Join Zoom Meeting

<https://us06web.zoom.us/j/86157442746?pwd=9Om5lXAytdj13htSsOAnLpGjumDomI.1>

Meeting ID: 861 5744 2746

Passcode: 493104

EXHIBIT B

ANNEXATION PETITION

**PETITION TO ANNEX PROPERTY INTO
OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT NO. 1**

TO: **OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT NO. 1**, a Utah public infrastructure district

FROM: **EHD Investment, LLC**, a Utah limited liability company (“**Petitioner**”)

DATE: September 19, 2024

This Petition to Annex Property into Oquirrh Point Public Infrastructure District No. 1 (the “**District**”) is submitted in accordance with Title 17D, Chapter 4, Section 201(3)(a), Utah Code Annotated 1953.

Petitioner hereby petitions and consents to the annexation by the District of approximately 283.26 acres of property in Erda City, Tooele County, Utah, as more particularly described in EXHIBIT A (hereafter the “**Property**”). Petitioner acknowledges that upon receipt of this signed Petition, the District may enact a resolution to annex the Property.

The undersigned Petitioner is designated a sponsor, and the contact sponsor, of this Petition.

In support of this Petition, Petitioner affirmatively represents, acknowledges, and certifies the following matters:

1. When fully executed, this Petition contains the signatures of 100% of the surface property owners of the Property;
2. There are no registered voters residing in the Property;
3. The correct mailing address for Petitioner is provided on the signature page below;
4. Petitioner is the title owner of the Property as of the date of this Petition, and Petitioner will not convey any interest in any part of the Property within thirty (30) days of the date of this Petition (or following the recording of the annexation final local entity plat, in which case the conveyance is permitted);
5. Petitioner petitions for and consents to the District’s annexation of the Property that is particularly described in EXHIBIT A and generally shown in the map attached hereto as EXHIBIT B;
6. The Property so described is located within the approved Annexation Area of the District;
7. The Petitioner authorizes the recording of a final local entity plat and notice of impending boundary action on the Property to confirm the new District boundaries; and

8. Petitioner acknowledges that the District intends to issue bonds and may make special assessments on all property within the District, specifically including the Property.

Each individual who signs on behalf of a trust or business entity represents that he or she has authority to do so and to petition for the annexation on behalf of the trust or business entity, and further represents that there is no legal impediment to the trust or business entity's signing this Petition.

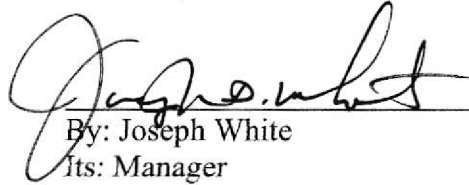
This Petition may be signed electronically and executed in counterparts, all of which may be treated for all purposes as an original and shall constitute and be one and the same Petition.

IN WITNESS WHEREOF, the Petitioner has executed this Petition as of the date indicated above.

(signature page follows)

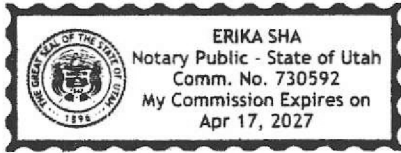
Made effective as of the date first set forth above.

EHD Investment, LLC,
a Utah limited liability company
13 Pier Place
Stansbury Park, UT 84074


By: Joseph White
Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF TOOELE)

On this 25 day of September, 2024, personally appeared before me Joseph White, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn did say that he is the Manager of EHD Investment, LLC, and acknowledged to me that he executed the foregoing on behalf of said company.




NOTARY PUBLIC

EXHIBIT A
LEGAL DESCRIPTION OF THE ANNEXATION PROPERTY

Parcel "A"

A parcel of land, situate in the Northwest Quarter of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Erda, Tooele County, Utah, more particularly described as follows:

Beginning at a point on the north line of Erda Way, said point being North 89°39'31" East 1,451.60 feet along the Quarter Section Line and North 15.73 feet from the West Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 0°30'05" West 60.00 feet;
thence North 89°58'55" East 50.25 feet;
thence South 0°01'05" East 60.00 feet, to the north line of Erda Way;
thence South 89°58'55" West 49.75 feet along said north line, to the Point of Beginning.

Contains 3,000 square feet or 0.07 acres.

Parcel "B"

Located in Section 34, Township 2 South, Range 4 West, and the North half of Section 3, Township 3 South, Range 4 West, Salt Lake Base and Meridian, City of Erda, Tooele County, Utah.

Beginning at the South Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 89°39'26" East 2641.18 feet along the East-West running Section line to the Southeast Corner of said Section 34;
thence South 0°25'27" East 1224.23 feet along the East Section line of said Section 34 to the Northerly Right of Way line of 33 rd Parkway;
thence South 89°38'38" West 2641.09 feet along said Northerly Right of Way line to North-South running Quarter Section line;
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thence North 89°38'56" East 428.68 feet;
thence North 0°25'43" West 1225.12 feet;
thence South 89°39'30" West 426.82 feet;
thence North 0°20'30" West 1324.82 feet to East-West running 40-acre line;
thence North 89°39'31" East 708.95 feet along said 40-acre line;
thence North 0°19'31" West 1275.34 feet;
thence North 89°46'23" East 958.50 feet;
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thence North 89°40'29" East 361.50 feet to North-South running Quarter Section line;
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Contains 12,336,584 square feet, or 283.21 acres.

EXHIBIT B MAP OF ANNEXATION PROPERTY

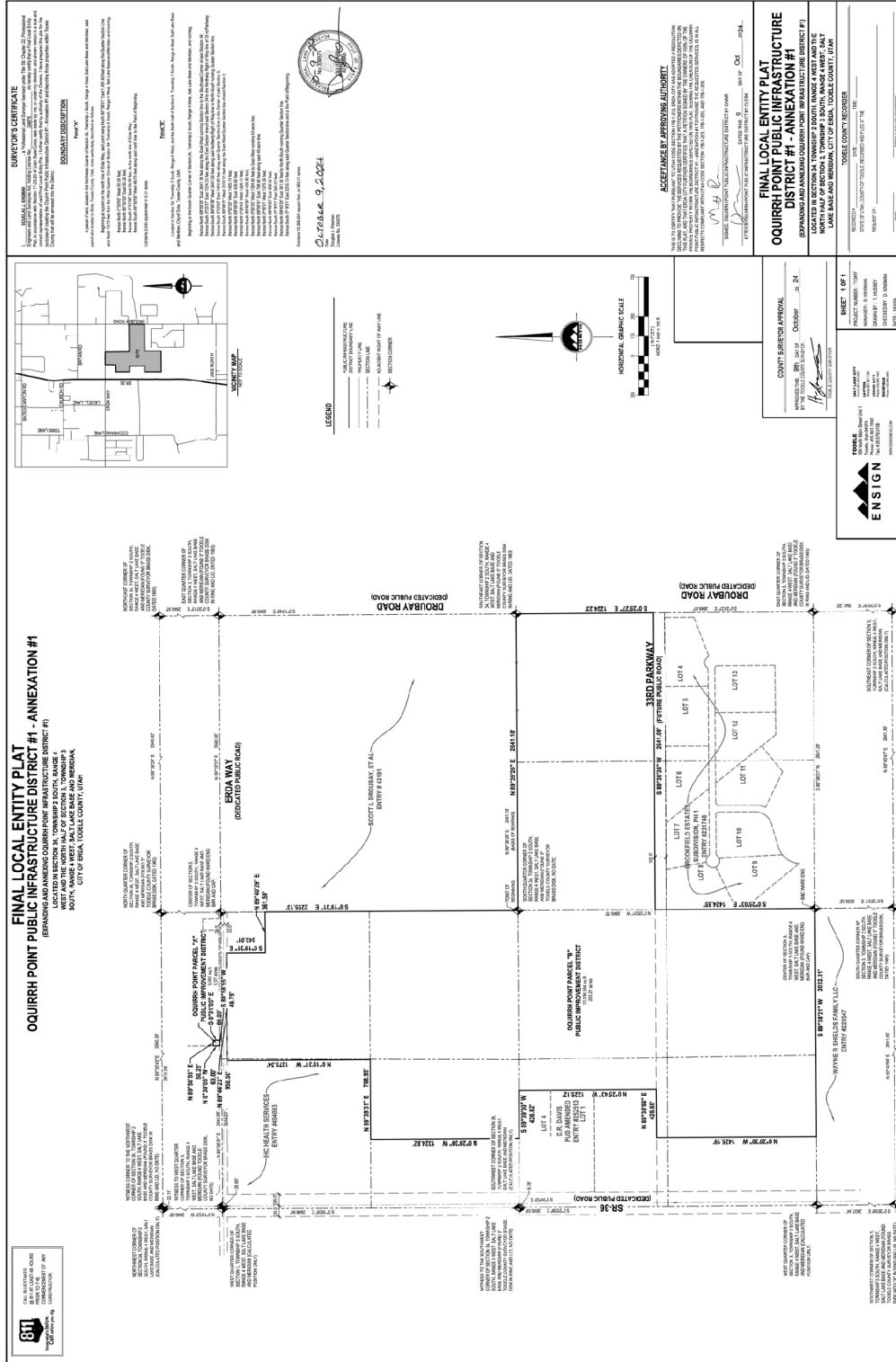


EXHIBIT C

NOTICE OF BOUNDARY ACTION

NOTICE OF IMPENDING BOUNDARY ACTION
Annexation No. 1
by
Oquirrh Point Public Infrastructure District No. 1

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the Board of Trustees of Oquirrh Point Public Infrastructure District No. 1 (the "Board"), at a special meeting of the Board, duly convened pursuant to notice, and, pursuant to Utah Code Ann. §17D-4-201(3)(a) and other applicable provisions of Utah law, effective September 19, 2024, adopted a *Resolution to Annex Approximately 283.26 Acres*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Annexation Resolution").

A copy of the Final Local Entity Plat – Annexation No. 1 satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Tooele County Surveyor, as well as the legal description of the property depicted on the plat, are attached as EXHIBIT "B", hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the annexation by the District, as more particularly described in the Annexation Resolution, have been met. The annexation is not anticipated to result in the employment of personnel.

WHEREFORE, the Board hereby respectfully requests the issuance of a Certificate of Annexation pursuant to and in conformance with the provisions of Utah Code Ann. §67-1a-6.5.

DATED 09/26/2024.

OQUIRRH POINT PUBLIC INFRASTRUCTURE DISTRICT NO. 1

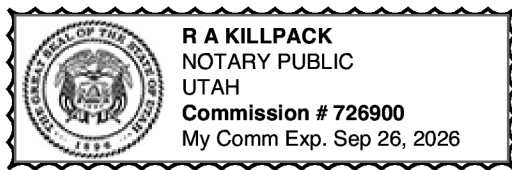
Matthew L Donaldson
Signed on 2024/09/26 09:03:21 -7:00

Matthew Donaldson, Chair

STATE OF UTAH)
)
:SS.
WASHINGTON COUNTY)

On 09/26/2024, personally appeared before me Matthew Donaldson, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this NOTICE OF IMPENDING BOUNDARY ACTION, and acknowledged that he executed the same voluntarily for its stated purpose on behalf of Wood Ranch Public Infrastructure District pursuant to his authority by law as its duly appointed chair.

[X] Notarial act performed by audio-visual communication (if checked).



R A Killpack
Signed on 2024/09/26 09:03:21 -7:00

NOTARY PUBLIC

06D9B092-2E1C-44FC-8847-A6A38C2505D8 --- 2024/09/26 06:33:54 -7:00 --- Remote Notary



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

Copy of the Annexation Resolution

(see following pages)

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

Legal Description – Annexation No. 1

Parcel "A"

A parcel of land, situate in the Northwest Quarter of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Erda, Tooele County, Utah, more particularly described as follows:

Beginning at a point on the north line of Erda Way, said point being North 89°39'31" East 1,451.60 feet along the Quarter Section Line and North 15.73 feet from the West Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 0°30'05" West 60.00 feet;
thence North 89°58'55" East 50.25 feet;
thence South 0°01'05" East 60.00 feet, to the north line of Erda Way;
thence South 89°58'55" West 49.75 feet along said north line, to the Point of Beginning.

Contains 3,000 square feet or 0.07 acres.

Parcel "B"

Located in Section 34, Township 2 South, Range 4 West, and the North half of Section 3, Township 3 South, Range 4 West, Salt Lake Base and Meridian, City of Erda, Tooele County, Utah.

Beginning at the South Quarter Corner of Section 34, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 89°39'26" East 2641.18 feet along the East-West running Section line to the Southeast Corner of said Section 34;
thence South 0°25'27" East 1224.23 feet along the East Section line of said Section 34 to the Northerly Right of Way line of 33 rd Parkway;
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Contains 12,336,584 square feet, or 283.21 acres.

