RESOLUTION

OF THE BOARD OF TRUSTEES OF THE

NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1

ANNEXING PROPERTY

WHEREAS, NS Public Infrastructure District No. 1 (the "District") is a body politic and corporate created and validly existing under the laws of the State of Utah, duly organized and existing pursuant to 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; and

WHEREAS, Utah Code Section 17D-4-201(3)(a)(i)(B) provides that an area outside the boundaries of the District may be annexed into the District if the Board of Trustees of the District (the "Board") adopts a resolution to annex the area, provided that the Governing Document authorizes the Board to annex an area without the further consent of the City of Salem, Utah (the "City"); and

WHEREAS, Section V.A.5 of the Governing Document permits the District to annex areas outside the District boundaries without the City's consent provided certain conditions set forth in the Governing Document are met; and

WHEREAS, Utah Code Section 17D-4-201(3)(a)(ii) provides that if there are any registered voters within the area to be annexed, a petition is filed with the City that contains the signatures of 100% of registered voters within the area, demonstrating that the registered voters approve of the annexation into the District; and

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

WHEREAS, in conformance with Utah Code Section 17D-4-201(3)(a)(iii) a petition for annexation that contains the signatures of 100% of the surface property owners within the area to be annexed demonstrating the surface property owners' consent to the annexation into the District (the "Petition") has been filed with the City; and

WHEREAS, the District desires to adopt this resolution to annex property into the District's boundaries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. **Approval of Annexation.** The Board hereby acknowledges the Petition attached hereto as **Exhibit A** and approves the annexation of the property described in the Petition into the boundaries of the District.

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ADOPTED SEPTEMBER 19, 2024

DISTRICT:

NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1, a body politic and corporate created and validly existing under the laws of the State of Utah

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

_____
General Counsel to the District

Exhibit A

Petition for Annexation