

ERDA, UTAH
ORDINANCE NO. 26-04

AN ORDINANCE DIRECTING THAT CITY OF ERDA BE REMOVED AS A PARTY TO THE LAWSUIT CAPTIONED AS ERDA COMMUNITY ASSOCIATION, INC., A NON-PROFIT UTAH CORPORATION; KYLE MATHEWS, AN INDIVIDUAL; KALEM SESSIONS, AN INDIVIDUAL; TERRY MATHEWS, AN INDIVIDUAL, SID ATKIN, AN INDIVIDUAL, AND CITY OF ERDA, A MUNICIPAL CORPORATION, PLAINTIFFS, VS.

GRANTSVILLE CITY, A MUNICIPAL CORPORATION, AND DEIDRE HENDERSON, IN HER OFFICIAL CAPACITY AS THE LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DEFENDANTS.

WHEREAS, on May 14, 2026 the Erda City Council (the “Council”) met in a special meeting to consider directing that the City of Erda be removed as a party to the lawsuit captioned as Erda Community Association, inc., a non-profit Utah corporation; Kyle Mathews, an individual; Kalem Sessions, an individual; Terry Mathews, an individual, Sid Atkin, an individual, and City of Erda, a municipal corporation, plaintiffs, vs. Grantsville City, a municipal corporation, and Deidre Henderson, in her official capacity as the Lieutenant Governor of the State of Utah, defendants (“Annexation Lawsuit”); and

WHEREAS, on January 12, 2026, the Council met in a special emergency meeting to consider participation in an existing lawsuit challenging the constitutionality and application of Utah’s annexation statutes; and

WHEREAS, the Council desires to reconsider its decision to be a named party to the Annexation Lawsuit; and

WHEREAS, the Council desires to direct that Erda City be removed as a party in the Annexation Lawsuit.

NOW, THEREFORE, BE IT ORDAINED by the Council that Erda City be removed as a party to the lawsuit. Be it further ordained that the City Attorney is directed to take such actions as he deems necessary to implement this ordinance, consistent with the limitations set forth herein.

This Ordinance shall take effect immediately.

PASSED AND APPROVED this 14th day of May 2026.

ERDA COUNCIL

By: _____
Sheldon B. Birch, Council Chair

ATTEST:

Jennifer Poole, City Recorder