

STATE OF UTAH

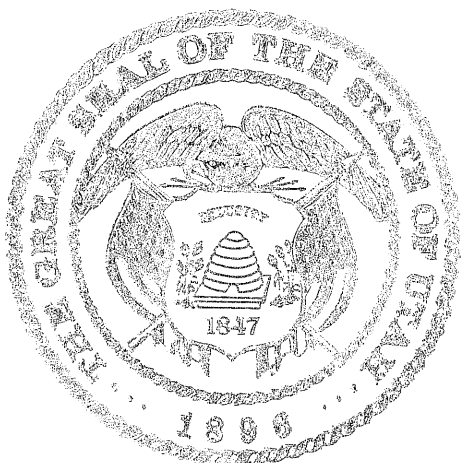


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the SOUTHERN UTAH SHOOTING SPORTS PARK SPECIAL SERVICE DISTRICT, dated March 22<sup>nd</sup>, 2011, complying with Section 17D-1-209, 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 creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the SOUTHERN UTAH SHOOTING SPORTS PARK SPECIAL SERVICE DISTRICT, located in Washington County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 9<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor



# WASHINGTON COUNTY

197 East Tabernacle ♦ St. George, Utah 84770  
Telephone: (435) 634-5700 ♦ Fax: (435) 634-5753

*Employer of Choice*

COMMISSION

DENNIS DRAKE  
Chairman  
denny.drake@washco.utah.gov

JAMES J. EARDLEY  
jim.eardley@washco.utah.gov

ALAN D. GARDNER  
alan.gardner@washco.utah.gov

Received

APR 11 2011

Greg Bell  
Lieutenant Governor

April 6, 2011

Lt. Governor Greg Bell  
Utah State Capitol Complex  
P.O. Box 142220  
Salt Lake City, UT 84114-2220

**Re: Notice of the Establishment of the Southern Utah Shooting Sports Park Special Service District**

Dear Lt. Governor Bell:

Pursuant to Utah Code Annotated, § 17D-1-209 (1953, as amended), notice is hereby filed that on March 22, 2011, the Washington County Commission passed Resolution R-2011-1548, which established the Southern Utah Shooting Sports Park Special Service District. Enclosed you will find a copy of the Resolution, and a map showing the boundaries of the special service district, which has been prepared and certified by a licensed surveyor and filed with the county surveyor in accordance with Utah Code Annotated, § 17D-1-209 (1) (a) (ii) (1953, as amended).

The Washington County Commission hereby certifies that all requirements for the establishment of a special service district have been complied with.

Sincerely,

WASHINGTON COUNTY COMMISSION

Handwritten signature of Alan D. Gardner.  
Alan D. Gardner  
Commissioner

Handwritten signature of Dennis Drake.  
Dennis Drake  
Chairman

Handwritten signature of James J. Eardley.  
James J. Eardley  
Commissioner

DLP:csh  
Enclosures

**RESOLUTION NO. R-2011-1548**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH, CREATING AND ESTABLISHING A SPECIAL SERVICE DISTRICT WITHIN WASHINGTON COUNTY; DESCRIBING THE BOUNDARIES THEREOF, NAMING THE SAID DISTRICT, AUTHORIZING AND SPECIFYING THE SERVICES TO BE PROVIDED, SETTING FORTH THE POWERS, DUTIES AND AUTHORITY, DESIGNATING AND APPOINTING THE GOVERNING AUTHORITY, PROVIDING FOR THE METHOD OR METHODS OF PAYMENT FOR THE SERVICES TO BE FURNISHED AND PRESCRIBING OTHER MATTERS AND DETAIL RELATING TO THE ESTABLISHMENT, OPERATIONS AND FUNCTIONS THEREOF**

WHEREAS, the Washington County Commission (“Commission”) has determined that the public health, convenience, and necessity require the establishment of a Special Service District to be named the Southern Utah Shooting Sports Park Special Service District (“District”) to provide recreation opportunities for archery and the shooting of firearms for the residents of the unincorporated areas of Washington County, and the residents of the cities within Washington County, pursuant to the provisions of Article XIV, Section 8 of the Utah Constitution and Utah Code Annotated, §§ 17D-1-101 through 17D-2-306, (1953, as amended) (the “Act”); and

WHEREAS, all of the property and the citizens within the proposed boundary of the District will be benefited by the establishment of the District to provide recreation opportunities for archery and the shooting of firearms; and

WHEREAS, to accomplish the foregoing purpose, the Commission has initiated, by Resolution No. R-2010-1517, approved and passed on December 27, 2010, the statutory process to create a special service district within the boundary of the District; and

WHEREAS, in accordance with the Resolution passed on December 27, 2010, and the Act, the Commission gave public notice of its intention to establish the District and it called and held a public hearing on February 15, 2011, on the proposal to establish the District, at which public hearing, the Commission permitted all interested persons to be heard and received all oral and written comments and protests submitted at that time; and

WHEREAS, subsequent to said public hearings and within the protest period provided by law, the Commission did not receive any written protests against the establishment of the District or against the specified type of services to be furnished by the District; and

WHEREAS, the Commission has duly considered all protests received and does hereby determine that there are insufficient protests received to prohibit the creation of the District; and

WHEREAS, the Commission has taken all actions and accomplished all matters required and necessary which are preliminary to the creation of a special service district and, accordingly, does hereby determine that the District shall be created in accordance with this Resolution and the Act.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 22nd day of March, 2011, upon motion duly made and seconded, it is unanimously resolved as follows:

Section 1. Creation of District. There is hereby created and established in Washington County, State of Utah, a special service district, the area of which is described in Section 4, below. The District is ordered and declared duly formed, organized and established under and by virtue of the provisions of the Act and shall be a separate body corporate and politic and a quasi-municipal public corporation of the State of Utah.

Section 2. Name. The name of the District created hereby is and shall be hereafter known as the "Southern Utah Shooting Sports Park Special Service District", hereinafter referred to in this Resolution as the "District".

Section 3. Powers. The District shall have and exercise through its proper officers all of the rights, powers and authority conferred upon special service districts by and included in the Act and as otherwise provided by law for the purposes as herein provided.

Section 4. Boundary. The boundary and service area of the District shall include the municipal boundaries of the incorporated areas of Washington County, and the unincorporated areas within Washington County (see the attached map of the service area boundary).

Section 5. Authority. The District is hereby empowered to and shall have the authority to provide for or furnish any or all recreational opportunities for archery and the shooting of firearms for the residents within the territory of the District as an to the extent they are deemed necessary or desirable by the governing body thereof. The foregoing services and functions may be provided through facilities, systems or property acquired for that purpose through construction, purchase, lease, rental, gift or condemnation or any combination of the foregoing means, or by any other means available to special service districts as provided by law.

Section 6. Administration. The District shall be administered by an

Administrative Control Board which is hereby delegated, without limitation, the power to act as the governing authority of the District and shall have and it is hereby vested with all of the powers, duties and responsibilities conferred upon such governing authority by the Act, and all laws amendatory and supplemental thereof, and implemented by this Resolution.

Section 7. Membership of the Administrative Control Board. The membership of the Administrative Control Board of the District (the "Board") shall consist of nine (9) members as follows:

- A. One (1) person who resides within each of the following municipalities: Ivins, Santa Clara, St. George, Washington, Hurricane, and LaVerkin. Each of the municipalities shall nominate a resident within their boundary for appointment to the Board. The decision to appoint the nominated person from each municipality rests with the Washington County Commission (the "Commission"). If the person nominated by a municipality is not appointed to the Board by the Commission, the Commission shall notify the municipality and the municipality shall nominate another person to be considered for appointment to the Board. This process shall continue until a resident within the boundary of each of the above municipalities is appointed to the Board. If a municipality declines or fails to nominate its representative member within forty-five (45) days of notice from the Commission to nominate a person for appointment to the Board, the Commission shall appoint a resident who resides within said municipality's boundaries.
- B. One (1) person who resides within the boundary of Washington County to be appointed by the Commission.
- C. Two (2) persons from the venues operating in the Southern Utah Shooting Sports Park. No venue shall have more than one (1) person appointed to the Board. Initially the Shotgun and Cowboy Action venues shall each nominate a member of their venue for appointment to the Board. The decision to appoint the nominated person from each venue rests with the Commission. If the person nominated by a venue is not appointed to the Board by the Commission, the Commission shall notify the venue and the venue shall nominate another person to be considered for appointment to the Board. This process shall continue until a member for the venue is appointed to the Board. If a venue declines or fails to nominate its representative member within forty-five (45) days of notice from the Commission to nominate a person for appointment to the Board, the Commission shall appoint a member of that venue to the Board. Subsequent to the appointment of the Board members from the Shotgun and Cowboy Action venues, the Board shall determine which venues shall have a Board member appointed after the expiration of the term of the Board member from the Shotgun and/or Cowboy Action venues.

However, no venue may have a Board member for back-to-back terms, and no venue may have another Board member appointed until all of the venues have either had a Board member appointed from their venue, or have declined to have a Board member appointed from their venue.

D. (1) The board members from the municipalities and Washington County shall serve for terms of four (4) years. However, the term of three (3) members of the Board representing the municipalities and Washington County shall serve an initial term of two (2) years, which representatives shall be chosen by lot. Thereafter, all representatives from the municipalities and Washington County shall serve a term of four (4) years.

(2) The term of the member of the Board representing the venues shall serve a term of two (2) years. However, the term of one (1) of the members of the Board representing the venues shall serve an initial term of one (1) year, which representative shall be chosen by lot. Thereafter, all representatives from the venues shall serve a term of two (2) years.

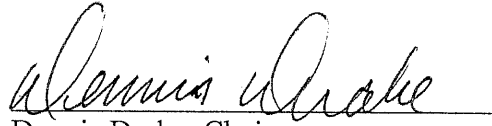
E. Vacancies of the appointed members of the Board shall be nominated and filled by appointment by the Commission where the vacancy occurred by following the procedures outlined above, which appointed member shall serve for the balance of the unexpired term of the member whose vacancy is filled.

Section 8. Fees. Any service or function of the systems, properties and facilities related to those services as specified in this Resolution provided by the District shall be paid for by the imposition and collection of fees charged to the patrons of the District, grants, donations, charges and/or tax levy in accordance with the Act. The Board shall have the authority to adopt such rules and regulations as are necessary to assure the proper collection and enforcement of all fees, charges and/or taxes imposed as provided by the Act. It is the intent of the Commission to not charge any fees except those fees associated with use of the services provided by the District, which fees shall be paid by the patrons of the District.

Section 9. Rules and Regulations. The Board shall adopt such rules and regulations necessary to govern its affairs and carry out the business of the District.

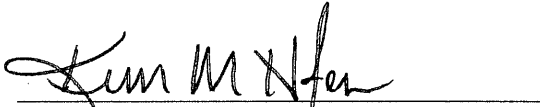
VOTED UPON AND PASSED BY THE WASHINGTON COUNTY  
COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY  
COMMISSION HELD ON THE 22<sup>ND</sup> DAY OF MARCH 2011.

WASHINGTON COUNTY



Dennis Drake, Chair  
Washington County Commission

ATTEST:

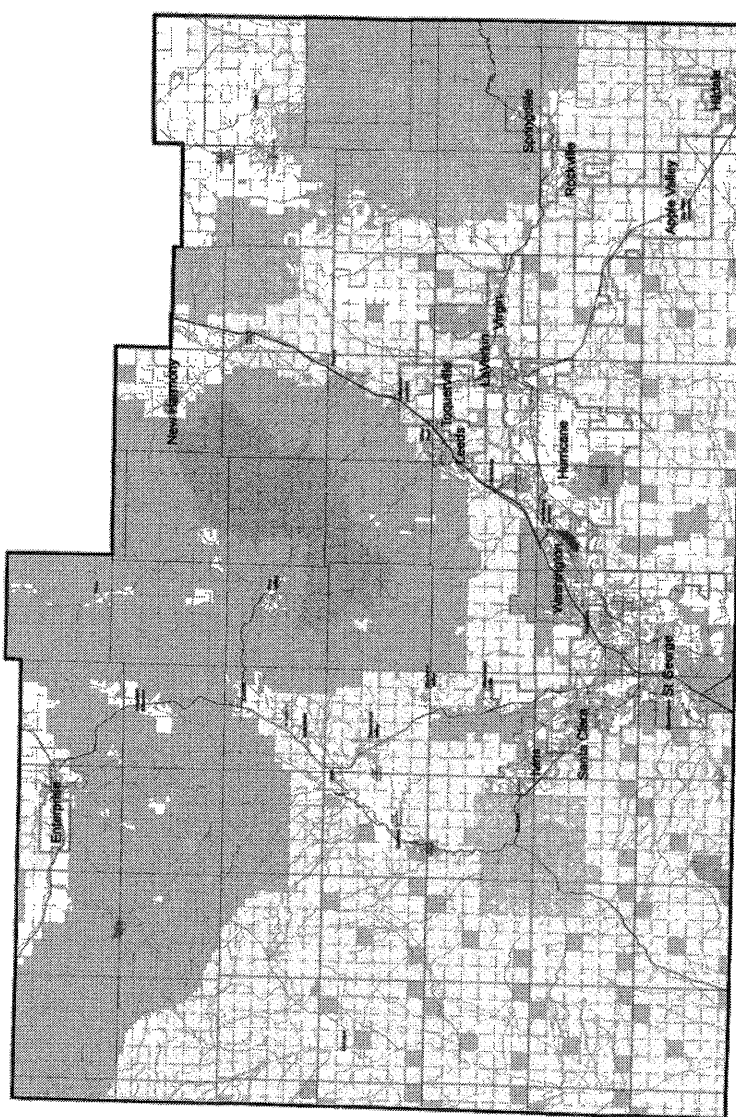


Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Drake voted *Aye*  
Commissioner Eardley voted *Aye*  
Commissioner Gardner voted *Aye*

Southern Utah Shooting Sports Park Special Service District

- SSD Boundary
- Municipal Boundary
- Ownership
- U.S. Forest Service
- Bureau of Land Management
- State of Utah
- Wilderness Area
- Privately Owned
- Shivwits Reservation
- National Park Service
- State Park
- Washington County
- Utah Division of Transportation
- Municipally Owned
- Water Conservancy District
- Water
- School District
- Utah Division of Wildlife Resources
- Mining Claim



**REGISTERED LAND SURVEYOR**

S-6-11

100004836

**JAMES A. RAINES**

REGISTERED LAND SURVEYOR

SOUTHERN UTAH SHOOTING SPORTS PARK SPECIAL SERVICE DISTRICT

APPROVED

COUNTY CLERK

APPROVAL AND ACCEPTANCE BY WASHINGTON COUNTY

WE, THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH, HEREBY CERTIFY THAT THIS PLAN HAS BEEN APPROVED AND IS LEGALLY RECORDED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK, WASHINGTON COUNTY, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011.

RECORDED # \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_

WASHINGTON COUNTY RECORDER