

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

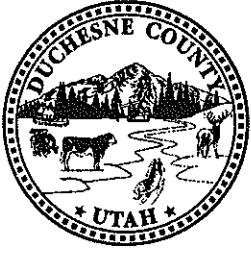
I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice, as required by Section 17A-2-1311, Utah Code Annotated, 1953, as amended, from Duchesne County establishing the creation of the DUCHESNE COUNTY SPECIAL SERVICE DISTRICT 3, dated September 17th, 2007.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice, referred to above, on file with the Office of the Lieutenant Governor pertaining to the DUCHESNE COUNTY SPECIAL SERVICE DISTRICT 3, located in Duchesne 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 1st day of February, 2007.


GARY R. HERBERT
Lieutenant Governor



DUCHEсне COUNTY ATTORNEY'S OFFICE

Jonathan A. Stearmer
Deputy Duchesne County Attorney, Civil
PO Box 346, Duchesne, Utah 84021
435-738-1145

February 26, 2008

The Honorable Gary Herbert
Lieutenant Governor, State of Utah
State Capitol Complex, Suite E325
Salt Lake City, Utah 84114

Re: Notice of establishment of Special Service District in Duchesne County

Mr. Lieutenant Governor,

Pursuant to U.C.A. 17A-2-1311 Duchesne County hereby presents the enclosed documentation and respectfully requests that you issue the appropriate certificate of incorporation of those districts under U.C.A. 67-1a-6.5.

Attached hereto you will find a package for the District created, or modified which include the following exhibits;

Exhibit A: a copy of the resolution declaring the intention of Duchesne County to create the district.

Exhibit B: a copy of the notice of publication in a newspaper of General circulation of Duchesne County's intention to create the district.

Exhibit C: a copy of the resolution of Duchesne County establishing the district.

Exhibit D: A map of Duchesne County, certified by the Duchesne County Surveyor certifying that map to be the boundaries of Duchesne County.

Exhibit E. A certification by the governing authority that all requirements for the establishment of a special service district have been complied with.

Sincerely,

W.R. (Rod) Harrison
Chairman, Duchesne County Commission

Received

FEB 27 2008

Gary H. Herbert
Lieutenant Governor

Jonathan A. Stearmer
Deputy Duchesne County Attorney

RESOLUTION NO. 07-22

A RESOLUTION DECLARING THAT THE PUBLIC HEALTH, CONVENIENCE AND NECESSITY REQUIRE THE CREATION OF A SPECIAL SERVICE DISTRICT FOR THE PURPOSE OF THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF A COUNTY WIDE FIRE PROTECTION, EMERGENCY MEDICAL AND AMBULANCE PROGRAM WHICH SHALL RECEIVE FEDERAL MINERAL LEASE FUNDS, DEFINING THE BOUNDARIES OF SAID SPECIAL SERVICE DISTRICT AND THE SERVICES TO BE PROVIDED THEREIN, PROVIDING FOR A HEARING ON THE CREATION OF SAID SPECIAL SERVICE DISTRICT, PROVIDING FOR NOTICE OF SAID HEARING AND RELATED MATTERS.

WHEREAS, the Board of County Commissioners of Duchesne County, Utah, believes that the public health, convenience and necessity require the construction, repair, and maintenance of a county wide fire protection, emergency medical and ambulance program which shall receive federal mineral lease funds. It is desirable to incorporate said area into a Special Service District pursuant to the provisions of the Utah Special Service District Act, Utah Code Annotated, 1953, as amended, Section 17A-2-1301 through 17A-2-1332, and Article XIV, Section 8 of the Constitution of Utah; and

WHEREAS, all property included within the boundaries of said proposed Special Service District will be benefitted by the creation thereof; and

WHEREAS, none of the area to be contained within the boundaries of said proposed Special Service District is also within the boundaries of any other Special Service District established by said County to construct, repair, and maintain a county wide fire protection, emergency medical and ambulance program, nor is the area within any other district presently providing similar services:

NOW, THEREFORE, Be It Resolved by the Board of County Commissioners of Duchesne County, Utah, as follows:

1. The public health, convenience and necessity require the creation within Duchesne County, Utah, of a Special Service District (the "District") pursuant to the provisions of the Utah Special Service District Act, Utah Code Annotated, 1953, as amended, Section 17A-2-1301 through 17A-2-1332, and Article XIV, Section 8 of the Constitution of Utah.
2. The boundaries of the District to be so established shall be as set forth in the Notice of Hearing in Section Seven (7) hereof.
3. The District is to be created for the purpose of receiving federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the constructing, repairing, and maintaining fire protection, emergency medical and ambulance as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance will be addressed. The Districts purpose shall be achieved through the construction, purchase, gift, condemnation or any combination thereof of the facilities or systems necessary to provide said services, and to finance the same.
4. The District so created shall be known as "Special Service District Number 3."
5. A public hearing on the question of the creation of the District shall be held by the Board of County Commissioners at the Duchesne County Administrative Building, 734 North Center Street, Duchesne, Utah, at 1:30 p.m. on September 10, 2007, at which time and place all interested parties may appear and be heard either in support of or in opposition to the creation of the District as more fully described in the Notice of Intention set forth in Section Seven (7) hereof.
6. A Notice of the Intention to create the District shall be published, pursuant to

Utah Code Annotated, 1953, as amended Section 17A-2-1308, at least once a week during three consecutive weeks, the first publication to be not less than twenty-one (21) days nor more than thirty-five (35) days before the hearing, in the Uintah Basin Standard, a newspaper having general circulation in Duchesne County.

7. The Notice of Intention to be published shall be in substantially the following form:

NOTICE OF INTENTION TO ESTABLISH DUCHESNE COUNTY SPECIAL SERVICE DISTRICT NUMBER 3

NOTICE IS HEREBY GIVEN THAT on August 13, 2007, the Board of County Commissioners of Duchesne County, Utah, adopted a Resolution declaring that the public health, convenience and necessity require the establishment of a Special Service District, to be called "Duchesne County Special Service District Number 3" (the "District") for the purpose of receiving federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the constructing, repairing, and maintaining fire protection, emergency medical and ambulance as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance programs within the boundaries of the District. The Resolution also provides for a public hearing on the establishment of the District in the County to be held at the Duchesne County Administrative Building, 734 North Center, Duchesne, Utah, at 1:30 p.m. on September 10, 2007.

DESCRIPTION OF THE PROPOSED DISTRICT

The District shall have the following boundaries:

The boundaries of Duchesne County, as set forth in the official county boundary records maintained by the office of the lieutenant governor pursuant to Utah Code Annotated, 1953, as amended Section 17-50-104; including therein all incorporated areas.

PROPOSED SERVICES

The District will be authorized to receive federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the construction, repairing of, and maintenance of fire protection, emergency medical and ambulance programs as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance may be addressed.

METHOD OF FINANCING

Pursuant to the provisions of the Utah Special Service District Act and the Constitution of Utah, the District may annually impose fees and charges to pay for all or a part of the services to be provided by the District. It may also receive federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21.

PUBLIC HEARING ON PROPOSED ESTABLISHMENT OF SPECIAL SERVICE DISTRICT

The Board of County Commissioners will hold a public hearing on the establishment of the District and the receiving of federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the construction, repairing of, and maintenance of fire protection, emergency medical and ambulance facilities and equipment as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance programs within the boundaries of the District at the Duchesne County Administrative Building, 734 North Center, Duchesne, Utah, at 1:30 p.m. on September 10, 2007. Any interested person may protest the establishment of the District or the furnishing of services therein either orally at the hearing or in writing, at or at any time prior to the hearing.

services therein either orally at the hearing or in writing, at or at any time prior to the hearing. Written protests must be filed with the County Clerk, and may be withdrawn by the protestant at any time before the County establishes or abandons the District.

Any protest signed on behalf of a corporation owning property in the District shall be sufficient if it is signed by the president, vice president, or any duly authorized agent of the corporation. Where title to any property is held in the name of more than one person, all of the persons holding title to the property must join in the signing of the protest.

At said public hearing, the Board of County Commissioners will give full consideration to all protests which shall have been filed and will hear and consider all interested persons desiring to be heard. The Board of County Commissioners may continue the hearing from time to time. After conclusion of the hearing, the Board of County Commissioners shall adopt a resolution either establishing Duchesne County Special Service District Number 3 or determining that the establishment of the District should be abandoned, or may, in its discretion, reduce the boundaries of the District and establish the District by resolution, as modified.

If, within fifteen (15) days after the conclusion of the hearing, over fifty percent (50%) of the qualified voters of the territory proposed to be included within the District or the owners of over fifty percent (50%) of the taxable value of the taxable property included within the proposed District file written protest against the establishment of the proposed District or against the specified type of service to be provided within the District with the County Clerk, the Board is required by law, in the former instance, to abandon the proposed establishment of the District and, in the latter instance, to eliminate the type of service objected to from the resolution finally establishing the District.

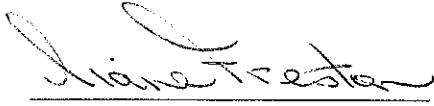
Any person who shall, at or any time prior to the date and time above-specified for the hearing, file a written protest with the County Clerk against the establishment of the District and whose property has been included within the boundaries of the proposed District notwithstanding such protest, may, within thirty (30) days after the adoption of the Resolution establishing the District, apply to the District Court of the Eight Judicial District for a writ of review of the actions of the County in establishing the District, only upon the grounds, however, that his property will not be benefitted by the services authorized to be furnished by the District or that the proceedings taken in the establishment of the District have not been in compliance with law. A failure to apply for said writ of review within the prescribed time shall foreclose all owners of property within the District so established from the right to further object thereto.

8. The officers of Duchesne County, Utah, are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.
9. If any one or more section, sentences, clauses or parts of this resolution shall, for any reason, be questioned or held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this resolution in any other instances.
10. All resolutions, by-laws and regulations of Duchesne County, Utah, in conflict with this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED this 13th day of July 2007. By the Board of County Commissioners.

Members:	Vote	
	Aye	Nay
Kent Peatross	<input checked="" type="checkbox"/>	_____
William R. Harrison	<input checked="" type="checkbox"/>	_____
Kirk Wood	<input checked="" type="checkbox"/>	_____

ATTEST:

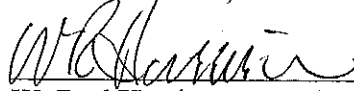


Diane Freston
County Clerk/Auditor

THE BOARD OF DUCHESNE
COUNTY COMMISSIONERS:



Kent R. Peatross, Chairman



W. Rod Harrison, Member



Kirk Wood, Member

PUBLIC NOTICE

NOTICE OF INTENTION TO ESTABLISH DUCHESNE COUNTY SPECIAL SERVICE DISTRICT NUMBER 3

NOTICE IS HEREBY GIVEN THAT on August 13, 2007, the Board of County Commissioners of Duchesne County, Utah, adopted a Resolution declaring that the public health, convenience and necessity require the establishment of a Special Service District, to be called "Duchesne County Special Service District Number 3" (the "District") for the purpose of receiving federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the constructing, repairing, and maintaining fire protection, emergency medical and ambulance as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance programs within the boundaries of the District. The Resolution also provides for a public hearing on the establishment of the District in the County to be held at the Duchesne County Administrative Building, 734 North Center, Duchesne, Utah, at 1:30 p.m. on September 10, 2007.

DESCRIPTION OF THE PROPOSED DISTRICT

The District shall have the following boundaries:

The boundaries of Duchesne County, as set forth in the official county boundary records maintained by the office of the lieutenant governor pursuant to Utah Code Annotated, 1953, as amended Section 17-50-104; including therein all incorporated areas.

PROPOSED SERVICES

The District will be authorized to receive federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the construction, repairing of, and maintenance of fire protection, emergency medical and ambulance programs as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance may be addressed.

METHOD OF FINANCING

Pursuant to the provisions of the Utah Special Service District Act and the Constitution of Utah, the District may annually impose fees and charges to pay for all or a part of the services to be provided by the District. It may also receive federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21.

PUBLIC HEARING ON PROPOSED ESTABLISHMENT OF SPECIAL SERVICE DISTRICT

The Board of County Commissioners will hold a public hearing on the establishment of the District and the receiving of federal mineral lease funds under Utah Code Annotated, 1953, as amended Title 59, Chapter 21 for the construction, repairing of, and maintenance of fire protection, emergency medical and ambulance facilities and equipment as well as provide a means by which any issue reasonably related to fire protection, emergency medical and ambulance programs within the boundaries of the District at the Duchesne County Administrative Building, 734 North Center, Duchesne, Utah, at 1:30 p.m. on September 10, 2007. Any interested person may protest the establishment of the District or the furnishing of services therein either orally at the hearing or in writing, at or at any time prior to the hearing.

Written protests must be filed with the County Clerk, and may be withdrawn by the protestant at any time before the County establishes or abandons the District.

Any protest signed on behalf of a corporation owning property in the District shall be sufficient if it is signed by the president, vice president, or any duly authorized agent of the corporation. Where title to any property is held in the name of more than one person, all of the persons holding title to the property must join in the signing of the protest.

At said public hearing, the Board of County Commissioners will give full consideration to all protests which shall have been filed and will hear and consider all interested persons desiring to be heard. The Board of County Commissioners may continue the hearing from time to time. After conclusion of the hearing, the Board of County Commissioners shall adopt a resolution either establishing Duchesne County Special Service District Number 3 or determining that the establishment of the District should be abandoned, or may, in its discretion, reduce the boundaries of the District and establish the District by resolution, as modified.

If, within fifteen (15) days after the conclusion of the hearing, over fifty percent (50%) of the qualified voters of the territory proposed to be included within the District or the owners of over fifty percent (50%) of the taxable value of the taxable property included within the proposed District file written protest against the establishment of the proposed District or against the specified type of service to be provided within the District with the County Clerk, the Board is required by law, in the former instance, to abandon the proposed establishment of the District and, in the latter instance, to eliminate the type of service objected to from the resolution finally establishing the District.

Any person who shall, at or any time prior to the date and time above-specified for the hearing, file a written protest with the County Clerk against the establishment of the District and whose property has been included within the boundaries of the proposed District notwithstanding such protest, may, within thirty (30) days after the adoption of the Resolution establishing the District, apply to the District Court of the Eight Judicial District for a writ of review of the actions of the County in establishing the District, only upon the grounds, however, that his property will not be benefitted by the services authorized to be furnished by the District or that the proceedings taken in the establishment of the District have not been in compliance with law. A failure to apply for said writ of review within the prescribed time shall foreclose all owners of property within the District so established from the right to further object thereto.

Published in the Uintah Basin Standard August 14, 21 & 28, 2007.

Attest: Diane Freston, Clerk/Auditor

RESOLUTION NO. 07-26

A RESOLUTION TO ESTABLISH DUCHESNE COUNTY SPECIAL SERVICE DISTRICT NUMBER THREE (3) TO AUTHORIZE CONSTRUCTION AND/OR IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT FOR THE PURPOSE OF THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF A COUNTY WIDE FIRE PROTECTION, EMERGENCY MEDICAL AND AMBULANCE PROGRAM WHICH SHALL RECEIVE FEDERAL MINERAL LEASE FUNDS

BE IT RESOLVED by the Chairman and Board of Commissioners of Duchesne County, Utah:

Section 1. The board of Commissioners of Duchesne County, Utah (the "Board of Commissioners") believes that the public health, convenience and necessity require the construction of the improvements identified and described in the Notice of Intention concerning the establishment of the Duchesne County Special Service District Number Three (3) (the "District").

Section 2. The Board of Commissioners has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or the construction of any of the improvements therein, or on any other matter pertinent to the District.

Section 3. The Board of Commissioners hereby finds that less than 50% of the taxable value of taxable property included within the proposed special service district have filed written protests against the establishment of said district or against the specified type of service, within said district, proposed to be furnished.

Section 4. The improvements proposed and described in the Notice of Intention to create the District are hereby authorized, and the District is hereby created.

Section 5. 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 to exercise all or any of the powers provided for in Sections 17A-2-1301 through 17A-2-1332 of the Utah Special Service District Act. If at any point in the future the eligible voters of Duchesne County authorize the power to levy a tax, by election, said Administrative Control Board shall have the power to levy a tax on the taxable property of the District, to issue bonds payable from taxes and to call or hold an election for the authorization of the tax or bonds with the approval of the Board of Commissioners.

Section 6. Administrative Control Board members shall be paid at a per diem rate to be set by

resolution of the Board of Commissioners.


Section 7. The membership of the Administrative Control Board of the District shall consist of three (3) members, each of whom shall be appointed by the Board of Commissioners. The Board of Commissioners shall appoint two (2) initial members to serve two-year terms and the remaining one (1) members to serve four-year terms, the determination of who shall serve in each category to be made by lot. Said terms shall commence on January 1, 2008.

Vacancies of the appointed members of the Administrative Control Board, other than by expiration of term, shall be filled by appointment of the Board of Commissioners for the unexpired term of the members whose vacancy is filled.

PASSED this 17th day of September 2007. By the Board of County Commissioners.

Members:	Vote	
	Aye	Nay
Kent Peatross	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William R. Harrison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kirk Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTEST




Diane Freston
County Clerk/Auditor.

THE BOARD OF DUCHESNE COUNTY

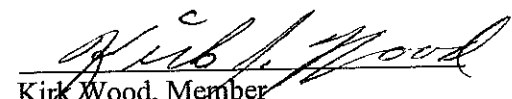
COMMISSIONERS:



Kent R. Peatross, Chairman

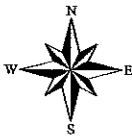



W. Rod Harrison, Member




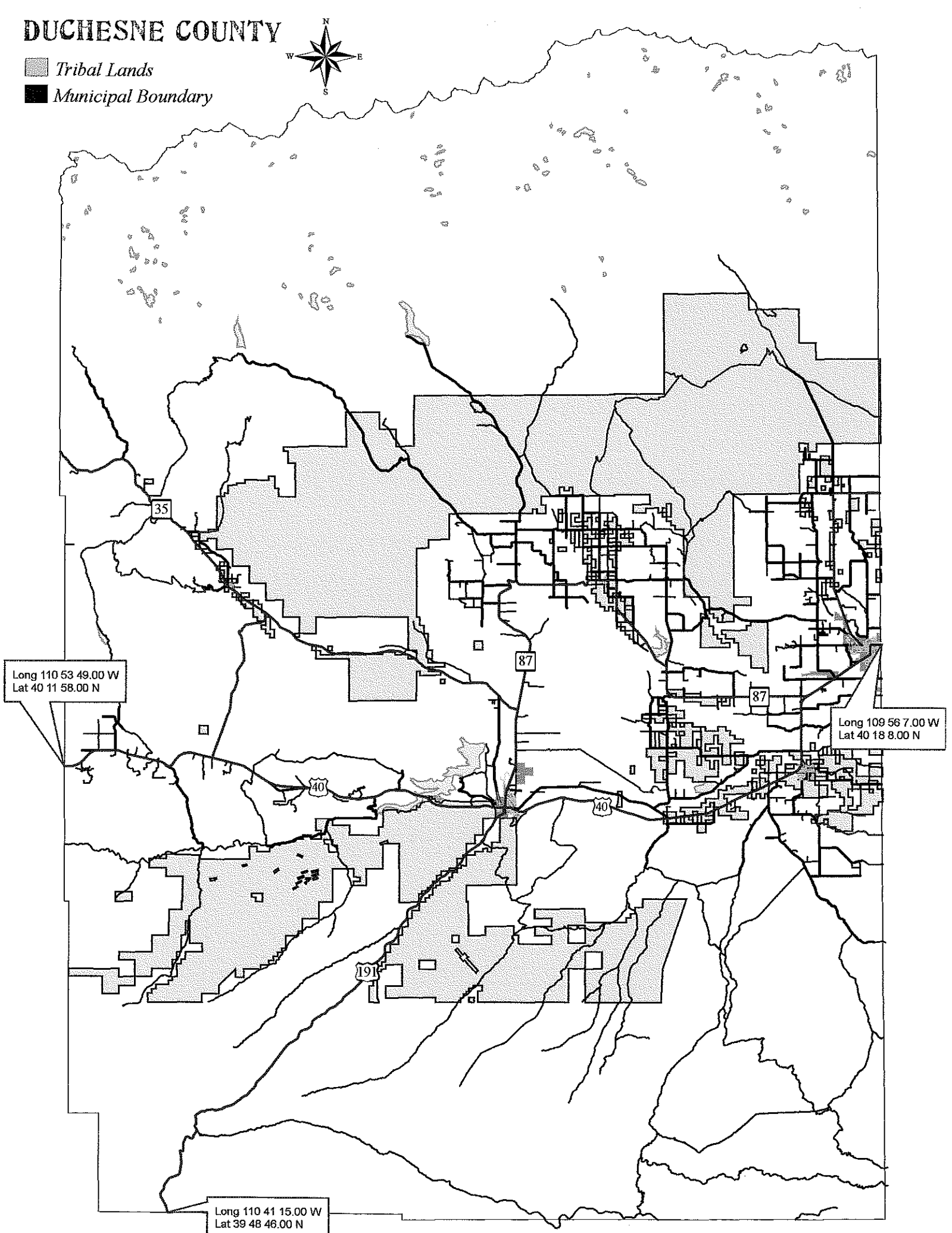
Kirk Wood, Member

DUCHESNE COUNTY



 Tribal Lands

 Municipal Boundary



**CERTIFICATION OF COMPLIANCE WITH THE REQUIREMENT OF
U.C.A. 17A-2-1303-1311 IN THE CREATION OF THE DUCHESNE
COUNTY SPECIAL SERVICE DISTRICT NUMBER THREE**

I, W.R. (Rod) Harrison, Chairman of the Board of Commissioners of Duchesne County do hereby certify that I have reviewed the requirements of the aforementioned Utah Statute regarding the creation and modification of Special Service Districts. With the assistance of Legal Counsel Duchesne County has proceeded to follow the directives of the aforementioned statutory framework in the creation and modification of this district. Specifically, the following steps were taken to insure that all required actions were taken to properly form or modify those districts:

1. This district is an authorized, single purpose district under 17A-2-1304;
2. A Resolution was passed in open meetings declaring the need for this district and describing the boundaries of the district to be that of Duchesne County. The resolution further stated the services which the district would provide and designated a name for the district.
3. A notice of intention to establish the district was made by the County Clerk and was published in accordance with 17A-2-1308 in the newspaper having general circulation in Duchesne County.
4. All resolutions referenced herein were made in open meetings where public comment was solicited. A special public informational meeting was held on the 10th day of September, 2007, after proper notice was made of that public meeting, where the issues concerning the formation of the districts were presented. The final public hearing was held the 17th day of September, 2007.
6. No written protests regarding the formation of the districts were received within fifteen days after the last public hearing. The Board of Duchesne County Commissioners, having fully considered all input, and having determined that the overwhelming opinion of the electorate was

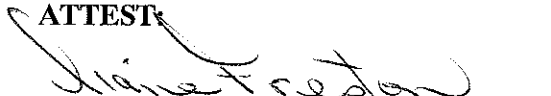
supportive of the creation and modification of the districts thereafter
passed a resolution creating and modifying the districts.

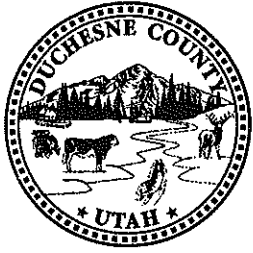
I hereby certify the formation of the above-referenced Special Service District was made
in compliance with the requirements of Utah law.



W.R. (Rod) Harrison
Chairman, Duchesne County Commission

ATTEST


Diane Freston, Clerk/Auditor



DUCHESNE COUNTY ATTORNEY'S OFFICE

Jonathan A. Stearmer
Deputy Duchesne County Attorney, Civil
PO Box 346, Duchesne, Utah 84021
435-738-1145

March 11, 2008

The Honorable Gary Herbert
Lieutenant Governor, State of Utah
State Capitol Complex, Suite E325
Salt Lake City, Utah 84114

Re: Certified Map of Boundaries of Special Service District

Mr. Lieutenant Governor:

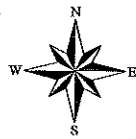
Attached hereto you will find an amended map of Duchesne County, certified by the Duchesne County Surveyor certifying that map to be the boundaries of Duchesne County. It is my understanding that this format substantially follows the format provided by Uintah County in creating their Special Service Districts. Thus, I anticipate that this map will be sufficient.


Please let me know if there is anything else I need to provide. I appreciate the opportunity of working with your office.


Sincerely,

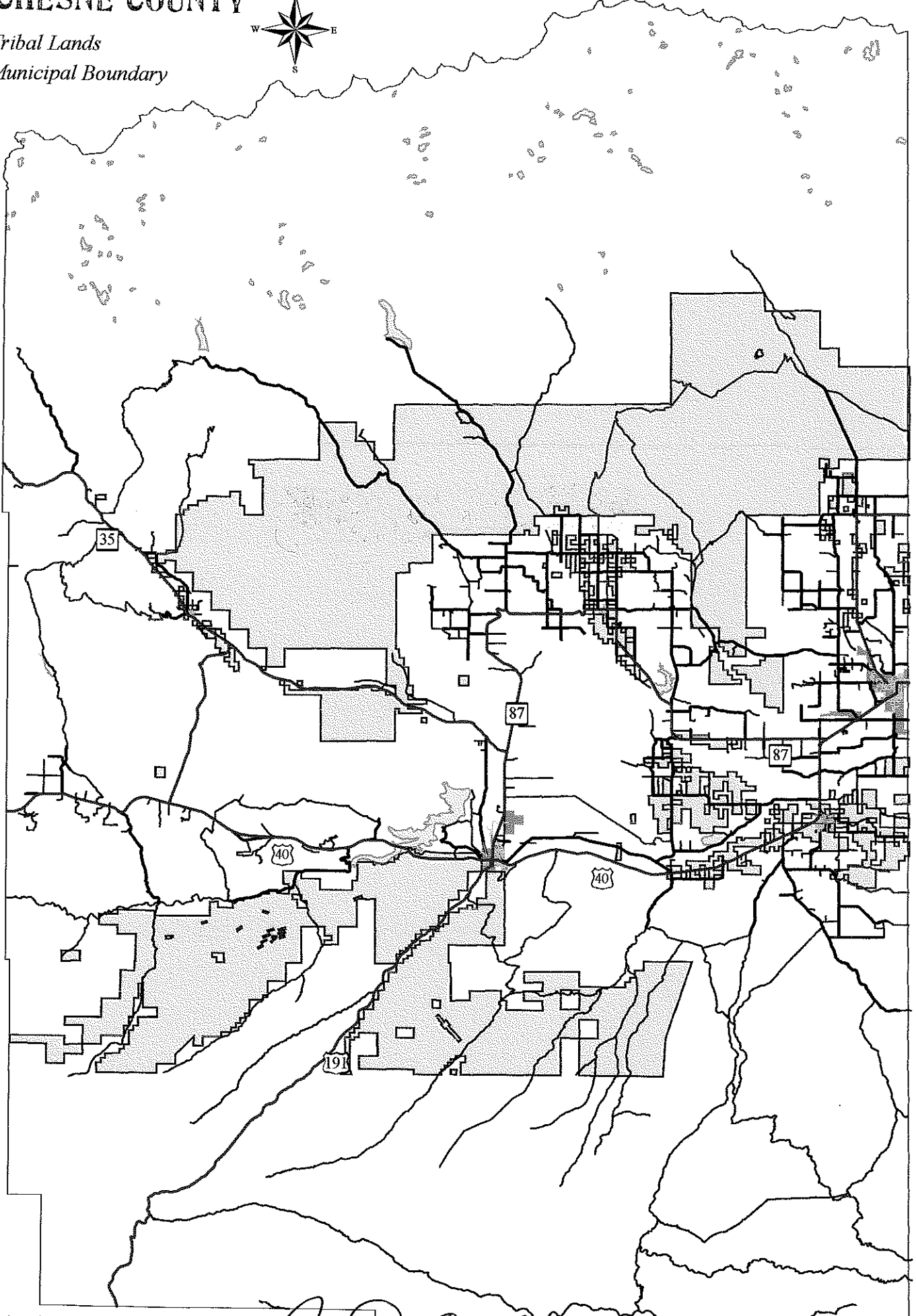
Jonathan A. Stearmer
Deputy Duchesne County Attorney

DUCHESNE COUNTY



 Tribal Lands

 Municipal Boundary



I Jerry Allred Duchesne County Surveyor a Licensed Surveyor in the State of Utah certify that this is a map of Duchesne County

Signed 