

STATE OF UTAH



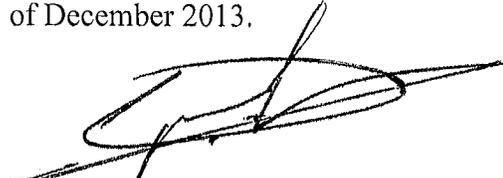
OFFICE OF THE LIEUTENANT GOVERNOR

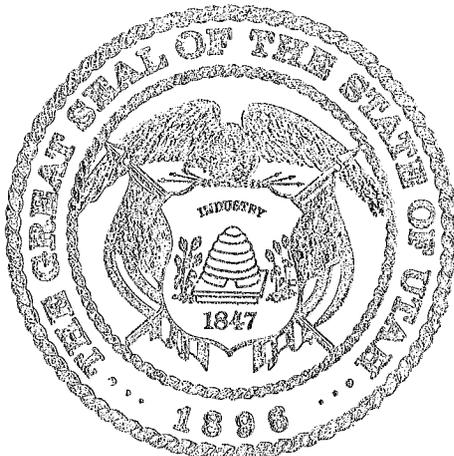
CERTIFICATE OF DISSOLUTION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of dissolution pertaining to the DIXIE TECHNOLOGY FUNDING AGENCY, dated December 4th, 2013, complying with Section 17C-1-701, 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 dissolution, referred to above, on file with the Office of the Lieutenant Governor pertaining to DIXIE TECHNOLOGY FUNDING AGENCY, 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 16th day of December 2013.


SPENCER J. COX
Lieutenant Governor



Received

DEC 12 2013

Spencer J. Cox
Lieutenant Governor

**NOTICE OF IMPENDING BOUNDARY ACTION
(NO ACTION)**

The Honorable Spencer J. Cox
Lieutenant Governor of the State of Utah
Utah State Capitol Complex, suite 220
P. O. Box 142325
Salt Lake City, Utah 84114-2325

Re: Dissolution of Dixie Technology Funding Agency, Special Purpose Local Government Entity under Title 17C(3) of the Utah Code.

The governing body of La Verkin City, which is the legislative body of the community that created the Dixie Technology Funding Agency, a Utah Title 17C Limited Purpose Local Government Entity Community Redevelopment Agency (hereinafter "the DTFA"), hereby gives notice that although the DTFA served a worthy and proper interest of the community when it was operational, the board of the DTFA completed the first step of a two step process to approve a project area plan, approving Resolution No. R-2008-01, which approved a "draft project general plan" and authorized its submission to the City Council for adoption, but because the second step of said process was never completed, the project area plan was therefore never officially adopted. Therefore there is no impending boundary action required and no legal impediment to dissolving the DTFA under and pursuant to the terms of Section 17C-1-701, Utah Code Annotated (1953, as amended) ("UCA"), viz.: that the DTFA has no outstanding bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations with persons or entities other than the City of LaVerkin.

With the filing of this Notice of Impending Boundary Action (No Action) with the Lieutenant Governor of the State of Utah, as defined in Section 67-1a-6.5, UCA, the DTFA meets the requirements of Subsection 67-1a-6.5(3), UCA, viz.: a. that no project area plan was ever adopted by the Agency; b. that there was no boundary action for which an applicable certificate could be sought; c. that the Utah State Retirement Office has no boundary action created under Section 49-11-201, UCA, to consider; d. that no boundary action resulted in the employment of any personnel; and e. that since no boundary action was commenced by the DTFA, the City Council has properly certified that all requirements applicable to boundary actions have been met.

A copy of the Ordinance adopting and approving the dissolution of the Dixie Technology Funding Agency is attached and incorporated by reference to this Notice. The Dixie Technology Funding Agency respectfully requests the issuance of a certificate of dissolution.

Dated this 12th Day of December 2013

By: James L. Driessen
James L. Driessen, Consulting Attorney, Dixie Technology Funding Agency
435 North Main Street
La Verkin UT 84745

ORDINANCE NO. 2013-12

AN ORDINANCE DISSOLVING THE DIXIE TECHNOLOGY FUNDING AGENCY, A TITLE 17C LIMITED-PURPOSE LOCAL GOVERNMENT ENTITY – COMMUNITY REDEVELOPMENT AGENCY (“DTFA”); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of LaVerkin, Utah (hereinafter “the City”) adopted Ordinance No. 2007-11 on March 21, 2007, creating the Title 17C limited-purpose local government entity – community redevelopment agency known as the Dixie Technology Funding Agency (“the DTFA”), and adopting Articles of Incorporation therefor; and

WHEREAS, appropriate action was taken to register and complete the creation of the DTFA in accordance with applicable State law; and

WHEREAS, on April 4, 2007, the board of the DTFA adopted Resolution No. 2007-01, establishing bylaws for the DTFA; and

WHEREAS, on November 19, 2008, the board of the DTFA completed the first step of a two-step process to approve a project area plan, approving Resolution No. R-2008-01, which approved a draft project general plan area plan and authorized its submission to the City Council for adoption; and

WHEREAS, the second step of said process was never completed; and the project area plan was therefore never officially adopted; and

WHEREAS, the DTFA held meetings and conducted for a few years, but has not been operational for at least three (3) years; and

WHEREAS, it is the desire of the City Council that the DTFA now be deactivated and dissolved in accordance with applicable law; and

WHEREAS, although the DTFA served a worthy and proper interest of the community when it was operational, it is the considered opinion of the City Council that it is in the best interests of the City and its residents, guests and businesses that the DTFA now be deactivated and dissolved; and

WHEREAS, the City Council has been advised that there is no legal impediment to such desired dissolution under and pursuant to the terms of Section 17C-1-701, *Utah Code Annotated* (1953, as amended), viz.: the DTFA has no outstanding bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations with persons or entities other than the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF LaVERKIN, UTAH:

ORDINANCE NO. 2013-12

SECTION I: DISSOLUTION OF THE DIXIE TECHNOLOGY FUNDING AGENCY:

That the City Council of LaVerkin City, which is the legislative body of the community that created the Dixie Technology Funding Agency, a Utah Title 17C Limited Purpose Local Government Entity-Community Redevelopment Agency (hereinafter "the DTFA"), hereby:

- A. Finds and declares that there is no legal impediment to dissolving the DTFA under and pursuant to the terms of Section 17C-1-701, *Utah Code Annotated* (1953, as amended) ("UCA"), viz.: that the DTFA has no outstanding bonded indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding contractual obligations with persons or entities other than the City of LaVerkin.
- B. Adopts and approves this Ordinance providing for the deactivation and dissolution of the DTFA.
- C. Dissolves the DTFA, subject to completion of the acts required by law and set forth in Section II below.

SECTION II: DISSOLUTION OF THE DIXIE TECHNOLOGY FUNDING AGENCY:

- A. That, pursuant to and in accordance with terms and provisions of Section 17C-1-701, UCA, the City Council hereby authorizes and shall cause the following to occur (within the timeframes hereinbelow set forth), and authorizes Mr. James L. ("Jamie") Driessen, Esq., (who served as DTFA's legal counsel) to prepare and submit, file, or otherwise cause to be submitted or filed, the below-referenced documents on behalf of the DTFA and the City of LaVerkin:
 - 1. Within ten (10) days after adopting this Ordinance, file with the Lieutenant Governor of the State of Utah a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, UCA, that meets the requirements of Subsection 67-1a-6.5(3), UCA, viz.:
 - a. that no project area plan was ever adopted by the Agency;
 - b. that there was no boundary action for which an applicable certificate could be sought;
 - c. that the Utah State Retirement Office has no boundary action created under Section 49-11-201, UCA, to consider;
 - d. that no boundary action resulted in the employment of any personnel; and
 - e. that since no boundary action was commenced by the DTFA, the City Council can certify that all requirements applicable to boundary actions have been met.
 - 2. Upon the Lieutenant Governor's issuance of a *Certificate of Dissolution* under Section 67-1a-6.5, UCA, submit to the Washington County Recorder: (a) notice of no impending boundary action; (b) the original certificate of dissolution; and (c) a certified copy of this Ordinance.

ORDINANCE NO. 2013-12

3. Within ten (10) days after receiving the *Certificate of Dissolution* from the Lieutenant Governor under Section 67-1a-6.5, UCA, send a copy of the *Certificate of Dissolution* and this Ordinance to the State Board of Education, and each taxing entity.
 4. Publish a *Notice of Dissolution* in *The Spectrum*, a newspaper of general circulation in Washington County, State of Utah.
- B. The books, documents, records, papers, and seal of the DTFA shall be deposited for safekeeping and reference with the LaVerkin City Recorder.
- C. The DTFA shall pay all expenses of the deactivation and dissolution.

SECTION II: REPEAL OF CONFLICTING PROVISIONS.

All ordinances or resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they conflict herewith.

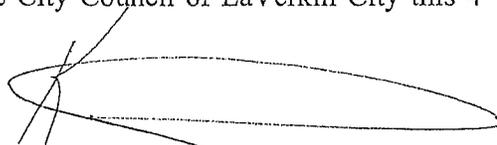
SECTION III: SEVERABILITY.

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION IV: EFFECTIVE DATE.

In the opinion of the City Council of LaVerkin City, it is necessary for the preservation of the peace, welfare, health, and safety of the inhabitants of LaVerkin City that this Ordinance take effect as soon as possible. This Ordinance, therefore, shall take effect immediately upon its passage and first publication as provided by law.

PASSED AND ADOPTED by the City Council of LaVerkin City this 4th day of December, 2013.



KARL WILSON, Mayor

ATTEST:



KYLE GUBLER, City Recorder