

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

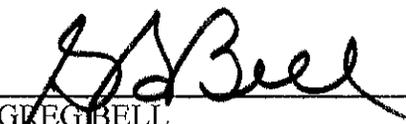
CERTIFICATE OF NAME CHANGE

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of name change of TOQUERVILLE TOWN to TOQUERVILLE CITY, dated May 28th, 2013, complying with 10-1-118, 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 name change, referred to above, on file with the Office of the Lieutenant Governor pertaining to the TOQUERVILLE CITY, 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 3rd day of June, 2013.




GREG BELL
Lieutenant Governor

NEVADA OFFICE

840 Pinnacle Court, Ste. 202
Mesquite, Nevada 89027
(702) 346-7300 phone
(702) 346-7313 fax

Reply to Utah Office



www.binghamsnow.com

UTAH OFFICE

253 W. St. George Blvd., Ste. 100
St. George, Utah 84770
(435) 656-1900 phone
(435) 656-1963 fax

Email: heath@binghamsnow.com

May 28, 2013

Greg Bell, Lt. Governor
Utah Lt. Governor's Office
Utah State Capitol Complex, Suite 220
PO Box 142325
Salt Lake City, UT 84114-2325

Re: *Notice of Impending Name Change – Toquerville
Our File No. 650.00*

Dear Mr. Bell:

Please find enclosed with this letter a Notice of Impending Name Change which contains as an attachment an Ordinance issued by the Town Council of Toquerville Town seeking to officially change its name from Toquerville Town to Toquerville City. Pursuant to Utah Code Annotated § 10-1-118, I hereby request that you issue a Certificate of Name Change in compliance with Utah Code Annotated § 67-1a-6.7.

Should you have any questions, please feel free to contact me.

Sincerely,

BINGHAM SNOW & CALDWELL, LLP

A handwritten signature in black ink, appearing to read 'Heath H. Snow', written over a horizontal line.

Heath H. Snow, Esq.
Toquerville Town Attorney

HHS/cs

Enclosures: as noted above

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NOTICE OF IMPENDING NAME CHANGE

(Utah Code Ann. §10-1-118)

TO: Greg Bell, Lt. Governor
Utah Lt. Governor's Office
Utah State Capitol Complex, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

NOTICE

NOTICE IS HEREBY GIVEN of an impending name change pursuant to Utah Code Annotated §§ 10-1-118 and 67-1a-6.7. Toquerville Town, a Utah municipal corporation hereby intends to legally change its name to "Toquerville City". Pursuant to Utah Code Annotated §67-1a-6.7(3) the following information is provided in connection with this notice:

- Current Name of Local Entity: Toquerville Town
- Intended New Name: of Local Entity: Toquerville City
- County in Which Local Entity Exists: Washington County

CERTIFICATION

BE IT HEREBY CERTIFIED that on the 9th day of May, 2013, the Toquerville Town Council adopted Ordinance No. 2013.02 entitled "Municipality Name Change Ordinance", of which a true and correct copy is attached hereto, marked "Exhibit A", and incorporated herein by this reference.

BE IT FURTHER CERTIFIED that all requirements applicable to the intended name change pursuant to Utah Code Ann. §§10-1-118 and 67-1a-6.7 have been met

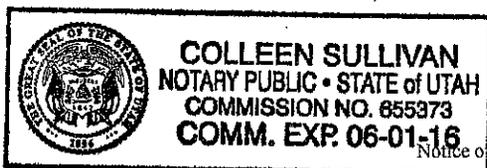
VERIFICATION

STATE OF UTAH)
) ss:
COUNTY OF WASHINGTON)

I, DARIN LEFEVRE, acting in my capacity as Mayor of Toquerville Town, a Utah municipal corporation, do hereby declare that I have read the foregoing NOTICE OF IMPENDING NAME CHANGE and declare further that all allegations and provisions contained herein are true and accurate to the best of my knowledge.


Darin LeFevre, Mayor - Toquerville Town

SUBSCRIBED AND SWORN TO before me this 28th day of May, 2013



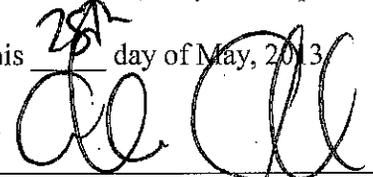

Notary Public

EXHIBIT A
(Notice of Impending Name Change)

TOQUERVILLE CITY
MUNICIPALITY NAME CHANGE ORDINANCE
ORDINANCE NO.2013.02

AN ORDINANCE FORMALLY APPROVING A CHANGE IN THE NAME OF THE MUNICIPALITY KNOWN AS THE TOWN OF TOQUERVILLE TO THE CITY OF TOQUERVILLE.

WHEREAS, the municipality of Toquerville, Utah ("Toquerville") was classified as a town, pursuant to Utah law, prior to approximately November of 2000, since the population of Toquerville was less than 1,000 people; and

WHEREAS, Toquerville identified itself and operated as Toquerville Town, while Toquerville was classified as a town; and

WHEREAS, the Lieutenant Governor of Utah changed the classification of Toquerville to a city, in November of 2000, because the population of Toquerville, or estimates thereof, then exceeded 1,000 people; and

WHEREAS, Utah's Lieutenant Governor currently classifies Toquerville as a city of the fifth class, in accordance with the provisions of Section 10-2-301 of the Utah Code Annotated and the most recent census of the United States Census Bureau conducted in 2010, which indicated that Toquerville's population was 1,370 people; and

WHEREAS, it has come to Toquerville's attention that Utah's Lieutenant Governor apparently continues to identify Toquerville as having the legal name of "Toquerville Town" and does not identify Toquerville as having the legal name of "Toquerville City", despite the fact that the Lieutenant Governor classifies Toquerville as a city of the fifth class; and

WHEREAS, Toquerville desires to formally change its name to Toquerville City, pursuant to Utah Code Ann. § 10-1-118, to properly identify itself as a city in accordance with its classification under Utah law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Toquerville, Utah, that:

Section 1. The name of the municipality of Toquerville, Utah shall be changed from the Toquerville Town to Toquerville City.

Section 2. The staff of Toquerville shall prepare and file with the Lieutenant Governor of Utah a notice of impending name change, pursuant to Utah Code Ann. § 10-1-118, to change the name of Toquerville from the Toquerville Town to the Toquerville City. The notice of impending name change to be filed with the Lieutenant Governor shall satisfy the requirements of Utah

Code Ann. § 67-1a-6.7(3). The staff of Toquerville shall also otherwise comply with the requirements of Utah Code Ann. § 10-1-118 to officially change the name of Toquerville as directed herein.

Section 3. This ordinance shall take effect immediately upon posting in the manner required by law. The change of the name of Toquerville approved herein shall become effective upon the Lieutenant Governor's issuance of a certificate of name change under Utah Code Ann. § 67-1a-6.7.

Section 4. The City Council of Toquerville hereby ratifies any and all actions taken by the municipality in or under the names of "Toquerville City" and the "City of Toquerville" between the date of the change of classification of the municipality from a town to a city and the date that the municipality is authorized to operate under the new name approved in this ordinance, pursuant to Utah Code Ann. § 10-1-118(4)(b).

APPROVED AND ADOPTED by the Mayor and City Council on this 9th day of May, 2013.


M. Darrin LeFevre, Mayor

Attest:


Renee Garner, City Recorder

