

STATE OF UTAH



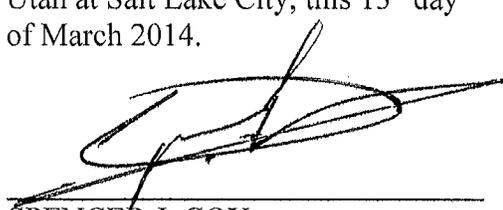
OFFICE OF THE LIEUTENANT GOVERNOR

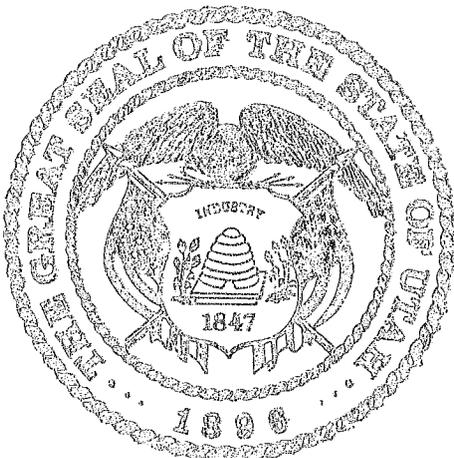
CERTIFICATE OF CREATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the JUAB COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, dated October 3rd, 2013, complying with Section 17C-1-201, 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 JUAB COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, located in Juab 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 13th day of March 2014.


SPENCER J. COX
Lieutenant Governor



Juab County

The "Key" County of Utah

Juab County Center
160 North Main
Nephi, Utah 84648

Board of
Commissioners:
Chad P. Winn,
Chairman
Rick L. Carlton
Byron B. Woodland
Tele. (435) 623-3407
Fax (435) 623-4609

Administrator Assistant
Mike Seely
Tele. (435) 623-3407

Assessor
Shirl J. Nichols
Tele. (435) 623-3425

Attorney
Jared Eldridge
Tele. (435) 623-3460

Clerk/Auditor
Patricia M. Ingram
Tele. (435) 623-3410

Economic Development
Brent Boswell
Tele. (435) 623-3415

I.T. and Planning
Glenn W. Greenhalgh
Tele. (435) 623-3400

Justice Court Judge
Nephi Precinct
Sharla T. Williams
Tele. (435) 623-3440

Recorder
Craig J. Sperry
Tele. (435) 623-3430

Road Department
Robert R. Garrett
Tele. (435) 623-1593

Sheriff
Alden Orme
Tele. (435) 623-1344

Treasurer
DeEtte Worthington
Tele. (435) 623-3420

NOTICE OF IMPENDING BOUNDARY ACTION AND OF ADOPTION OF ORDINANCE OF JUAB COUNTY COMMISSION APPROVING AND CREATING THE JUAB COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

March 5, 2014

Spencer J. Cox
Lieutenant Governor
Utah Lt. Governor's Office
Utah State Capitol Complex
Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Lt. Governor Cox,

Pursuant to Utah Code Annotated (1953, as amended) Section 67-1a-6.5, notice is hereby given of an impending boundary action for the Juab County Community Development and Renewal Agency. Pursuant to Subsection 17C-1-201(2) of the Utah Community Development and Renewal Agencies Act, Utah Code Annotated (1953, as amended), Title 17C, Chapters 1 through 4, the community legislative body of Juab County has approved the creation of the Juab County Community Development and Renewal Agency by adoption of the enclosed Juab County Ordinance No. 10-7-13 dated October 7, 2013. The boundary action for which a certificate of creation is sought is a boundary action for the creation of the Juab County Community Development and Renewal Agency.

Pursuant to Section 17C-1-201(2) of the Utah Community Development and Renewal Agencies Act, and U.C.A. Sections 17-23-20

and 67-1a-6.5, enclosed is an original of an approved final local entity plat for the Juab County Community Development and Renewal Agency. The boundaries of the Juab County Community Development and Renewal Agency are, and shall always be, coterminous with the boundaries of Juab County. As provided by law (U.C.A. Section 17C-1-102(3)(a)), the general area of operation of the Agency will be the unincorporated area of Juab County.

Also enclosed is a copy of a letter from the Utah State Retirement Office to the Juab County Commission as the approving authority, that identifies the potential provisions under Title 49, Utah State Retirement and Insurance Benefit Act, that the Juab County Community Development and Renewal Agency shall comply with, related to the boundary action, should the creation of the Agency result in the employment of personnel.

The approving authority for the subject impending boundary action is the Juab County Commission, which hereby verifies and certifies that all requirements applicable to the subject boundary action have been met.

It is our understanding that in accordance with U.C.A. Section 67-1a-6.5, within 10 days after your receipt of this notice of an impending boundary action, you will:

- “(a) (i) issue the applicable certificate [of creation], if:
 - (A) the lieutenant governor determines that the notice of an impending boundary action meets the requirements of Subsection (3) [of Section 67-1a-6.5]; and
 - (B) . . . (ii) send the applicable certificate [of creation] to the [Juab County Commission as the] local entity's approving authority;
 - (iii) return the original of the approved final local entity plat to the local entity's approving authority [the Juab County Commission];
 - (iv) send a copy of the applicable certificate and approved final local entity plat to:
 - (A) the State Tax Commission;
 - (B) the [Automated Geographic Reference] center; and
 - (C) the [Juab] county assessor, . . . surveyor, . . . auditor, and county attorney . . . ; and
 - (v) send a copy of the applicable certificate to the state auditor”

If you have any questions, please contact me.

Very truly yours,

JUAB COUNTY COMMISSION



Commissioner Chad P. Winn, Chairman

enclosures

ORDINANCE NO. 10-7-13

AN ORDINANCE OF JUAB COUNTY, UTAH, CREATING AND ESTABLISHING THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND DESIGNATING THE MEMBERS OF THE JUAB COUNTY COMMISSION TO BE THE GOVERNING BODY OF THE JUAB COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, PURSUANT TO THE UTAH COMMUNITY DEVELOPMENT AND RENEWAL AGENCIES ACT (UTAH CODE ANNOTATED TITLE 17C, CHAPTERS 1 THROUGH 4) AND GRANTING THE SAID AGENCY AUTHORITY AS PROVIDED BY STATE LAW AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Juab County Commission has determined that it is in the best interests of Juab County to consider the creation and adoption of one or more urban renewal, economic development or community development project areas and plans and to consider taking action to promote development or redevelopment of certain areas of Juab County; and

WHEREAS, the Juab County Commission deems it desirable that certain development, economic development or redevelopment activities in Juab County be carried out pursuant to the provisions of the Utah Community Development and Renewal Agencies Act.

BE IT ORDAINED by the Juab County Commission:

SECTION 1. Pursuant to Subsection 17C-1-201(1) of the Utah Redevelopment Agencies Act (the "Act"), the Juab County Commission hereby approves the creation of and establishes the Juab County Community Development and Renewal Agency (the "Agency") and directs that the requirements of Subsections 17C-1-201(2) and (3) be complied with to finalize the creation and establishment of the Agency pursuant to law.

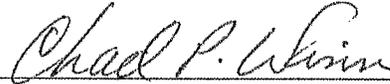
SECTION 2. Pursuant to Section 17C-1-203 of the Act, the governing body of the Agency shall be a board consisting of the current members of the legislative body that created the Agency, namely, the members of the Juab County Commission.

SECTION 3. The Agency is authorized to enter into agreements generally in connection with urban renewal, economic development and community development matters and shall have the power to transact the business of a community development and renewal agency and also to exercise all the powers, rights, duties and privileges set forth and provided for in the Utah Community Development and Renewal Agencies Act, Utah Code Annotated 1953, as amended, Chapter 17C, Chapters 1 through 4, and any successor or replacement law or act, and as the same may from time to time be amended.

SECTION 4. This ordinance shall become effective immediately upon posting/publication as required by law.

PASSED, ADOPTED AND ORDERED PUBLISHED by the County Commission of Juab County, Utah, this 7TH day of October, 2013.

JUAB COUNTY COMMISSION, UTAH



Chad P. Winn, Chair

ATTEST:

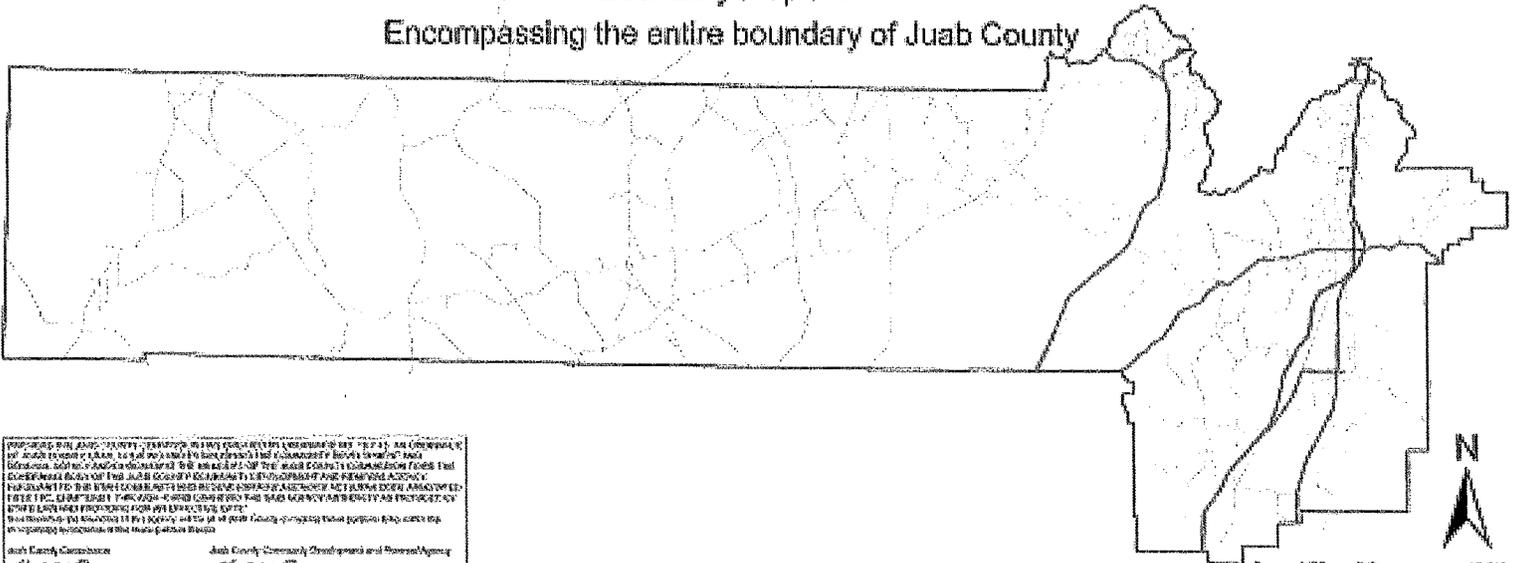


Patricia Ingram, Juab County Clerk

Published:

Juab County Community Development and Renewal Agency

Boundary Map Plat
 Encompassing the entire boundary of Juab County



FOR RECORD IN THE COUNTY CLERK'S OFFICE, IN THE COUNTY OF JUAB, STATE OF UTAH, AN ORIGINAL COPY OF THIS MAP PLAT, TOGETHER WITH THE ORIGINAL COPY OF THE ORIGINAL RECORD OF THE PLAT, SHALL BE DEPOSITED IN THE OFFICE OF THE COUNTY CLERK, IN THE CITY OF CARMICHAEL, UTAH, TO BE KEPT AS A PUBLIC RECORD. THE ORIGINAL COPY OF THIS MAP PLAT, TOGETHER WITH THE ORIGINAL RECORD OF THE PLAT, SHALL BE KEPT IN THE OFFICE OF THE COUNTY CLERK, IN THE CITY OF CARMICHAEL, UTAH, FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE RECORDING OF THIS MAP PLAT. THE ORIGINAL COPY OF THIS MAP PLAT, TOGETHER WITH THE ORIGINAL RECORD OF THE PLAT, SHALL BE KEPT IN THE OFFICE OF THE COUNTY CLERK, IN THE CITY OF CARMICHAEL, UTAH, FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE RECORDING OF THIS MAP PLAT.

Juab County Commission
 [Signature] Clerk
 [Signature] [Name]
 [Signature] [Name]
 [Signature] [Name]

Juab County Community Development and Renewal Agency
 [Signature] [Name]
 [Signature] [Name]
 [Signature] [Name]

Surveyor Acceptance per Utah Code 73-23-25
 I am a professional Land Surveyor I hold Certificate number [number] on which is my official seal as prescribed by the laws of the State of Utah. This plat appears to be true to the best of my knowledge, information and belief.

[Signature]
 [Name]
 Surveyor

Craig J. Sperry
 Juab County Surveyor

[Signature]
 [Name]

Recording Information



Utah Retirement Systems

Retirement Office

560 East 200 South
Salt Lake City, UT 84102-2021

(801) 366-7700
(800) 365-8772 Toll Free
(801) 366-7734 Fax
www.urs.org

DANIEL D. ANDERSEN
Executive Director

Public Employees Health Program

560 East 200 South
Salt Lake City, UT 84102-2004

(801) 366-7500
(800) 365-8772 Toll Free
(801) 366-7596 Fax
www.pehp.org

R. CHET LOFTIS
Director

February 26, 2014

Juab County Community Development and Renewal Agency
Attn: Mike Seely, Juab County Administrator
160 North Main
Nephi, UT 84648

Re: Eligibility for Participation of a Newly Created Entity in the Utah State Retirement Systems

Dear Juab County Community Development and Renewal Agency:

When a governmental entity is being incorporated or created, Utah law requires the Utah State Retirement Office ("Office") to provide a letter to that entity identifying the potential provisions under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act ("Retirement Act"), with which it shall comply. *See* Utah Code Ann. § 67-1a-6.5(3)(d). This letter serves as the official notice for the Juab County Community Development and Renewal Agency, a newly created Utah Community Development and Renewal Agency.

Based upon the information provided, the Office has determined that the Juab County Community Development and Renewal Agency is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a limited purpose local government entity under Utah Code Title 17C. Accordingly, the Juab County Community Development and Renewal Agency must comply with the participation requirements of the Retirement Act.

This does not mean that the Juab County Community Development and Renewal Agency must provide retirement benefits to its employees. However, at the present time and throughout the future, the **Juab County Community Development and Renewal Agency is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.**

The Juab County Community Development and Renewal Agency may not currently have employees or may have not yet elected to provide a retirement benefit to its employees. Please be aware, it is not the obligation of the Office to monitor the activities of the Juab County Community Development and Renewal Agency. **By law, it is the Juab County Community Development and Renewal Agency's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.**

Once the Juab County Community Development and Renewal Agency begins participation with URS, its public employees will be covered under either the Tier I or Tier II public employee retirement systems, as described in the Retirement Act. If the Juab County Community Development and Renewal Agency employs public safety or firefighter service employees, those employees will be covered under

the separate Tier I or Tier II systems for public safety and/or firefighter service employees described in the Retirement Act.

In addition, Participating Employers of URS are required by Section 49-11-606 to "cover all employees eligible for service credit under this title." As such, once admitted as a participating employer, the Juab County Community Development and Renewal Agency will be required to cover all eligible employees, pursuant to the eligibility rules found in the Retirement Act.

Please note that the above-referenced laws are those used to determine eligibility for participation, and are not the only laws with which a participating employer must comply. Participating employers are required to "inform themselves of their rights and obligations" under Title 49 and should become familiar with all provisions of the Retirement Act. Once the Juab County Community Development and Renewal Agency is admitted into the System, URS provides education about the requirements with which the Juab County Community Development and Renewal Agency must comply as a participating employer.

Additionally, please be aware that should the Juab County Community Development and Renewal Agency fail to participate with URS while offering another retirement benefit to its employees, Juab County Community Development and Renewal Agency's employees may have a claim against it for service credit under the Retirement Act, which the Office is required to enforce. Under the Retirement Act, such a claim would include all past employer contributions, interest, and in some cases, penalties. *See* Utah Code Ann. § 49-11-601(3).

Please do not hesitate to contact me if you have any questions.

Sincerely,



Matthew K. Judd
Records Management Director
Utah State Retirement Office