

# UTAH INLAND PORT AUTHORITY

## RESOLUTION 2025-36

**A RESOLUTION OF THE BOARD OF DIRECTORS (THE “BOARD”) OF THE UTAH INLAND PORT AUTHORITY (“UIPA”), PROVIDING FOR THE CREATION OF THE NWQ PUBLIC INFRASTRUCTURE DISTRICT (THE “DISTRICT”) AS AN INDEPENDENT BODY CORPORATE AND POLITIC; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT, AN INTERLOCAL AGREEMENT, AND A NOTICE OF BOUNDARY ACTION; DELEGATING TO CERTAIN OFFICERS OF UIPA THE AUTHORITY TO EXECUTE AND APPROVE THE FINAL TERMS AND PROVISIONS OF THE GOVERNING DOCUMENT, THE INTERLOCAL AGREEMENT, THE NOTICE OF BOUNDARY ACTION AND ANY OTHER DOCUMENTS RELATED THERETO; AUTHORIZING THE DISTRICT TO PROVIDE SERVICES RELATING TO THE FINANCING AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE WITHIN THE DISTRICT AREA; APPOINTING A BOARD OF TRUSTEES FOR THE DISTRICT; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.**

**WHEREAS**, UIPA desires to approve the creation of a public infrastructure district pursuant to the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953, as amended (the “PID Act”) and relevant portions of the Limited Purpose Local Government Entities - Special Districts, Title 17B (together with the PID Act, the “Act”) within the boundaries of the Northwest Quadrant Project Area, as further described in Governing Document Exhibit A (as hereinafter defined) for the purpose of financing public infrastructure costs; and

**WHEREAS**, pursuant to the terms of the Act and Utah Code §11-58-102 et seq., UIPA may create one or more public infrastructure districts by adoption of a resolution of the Board and with consent of 100% of all surface property owners proposed to be included in the District (the “Property Owners”); and

**WHEREAS**, the Petition, containing the consent of such Property Owners has been submitted by UIPA; and

**WHEREAS**, according to attestations to be filed with UIPA, each board member of the District appointed under this Resolution is registered to vote at their primary residence and is further eligible to serve as a board member of the District under Section 17D-4-202(3)(c) of the PID Act; and

**WHEREAS**, the governance of the District shall be in accordance with the PID Act and the terms of a governing document (the “Governing Document”) attached hereto as Exhibit B and an Interlocal Agreement between UIPA and the District, attached to the Governing Document as Governing Document Exhibit D; and

**WHEREAS**, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted by bond counsel to the Office of the Lieutenant Governor of the State of Utah a Notice of Boundary Action attached hereto as Exhibit C (the “Boundary Notice”) and a Final 2 Entity Plat to be attached thereto as Boundary Notice Appendix B (or as shall be finalized in accordance with the boundaries approved hereunder) (the “Plat”).

**NOW, THEREFORE, BE IT RESOLVED BY THE AUTHORITY BOARD** as follows:

1. The District is hereby created as a separate entity from UIPA in accordance with the Governing Document and the Act. The boundaries of the District shall be as set forth in the Governing Document and the Plats.
2. It is hereby found and determined by the Board that the creation of the District is appropriate to the general welfare, order and security of UIPA and the Northwest Quadrant Project Area, and the organization of the District pursuant to the PID Act is hereby approved.
3. The Governing Document and the Interlocal Agreement in the forms presented to this meeting and attached hereto as Exhibit B and Governing Document Exhibit D are hereby authorized and approved and the District shall be governed by the terms thereof and applicable law.
4. The District Board for the District is hereby appointed as follows:
  - a. Trustee 1 – Corey Berg for an initial term of 4 years
  - b. Trustee 2 – Paul Ritchie for an initial term of 6 years
  - c. Trustee 3 – Rob Fetzer for an initial term of 4 years
  - d. Trustee 4 – Rob Heywood for an initial term of 6 years
  - e. Trustee 5 – Joseph Hunt for an initial term of 4 years

Such terms shall commence on the date of issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

5. The UIPA Board does hereby authorize the Board Chair, Board Vice Chair, or Executive Director to execute the Boundary Notice in substantially the form attached as Exhibit C and such other documents as shall be required to finalize the actions contemplated herein on behalf of the Board for submission to the Office of the Lieutenant Governor of the State of Utah.
6. Prior to recordation of the certification of the incorporation of the District on the records of Utah County, Utah, the Board does hereby authorize the Board Chair, Board Vice Chair, or Executive Director, or their designee to make any corrections, deletions, or additions to the Governing Document, the Interlocal Agreement, and the Boundary Notice or any other document herein authorized and approved (including, but not limited to, corrections to the property descriptions therein contained) which may be necessary to conform the same to the intent hereof, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States (provided that the debt and mill levy limitations established therein may not be modified pursuant to this provision).
7. The Board of Trustees of the District (the “District Board”) is hereby authorized and directed to record such Governing Document with the recorder of Utah County within thirty (30) days of the issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.
8. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

9. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.
10. This resolution shall take effect immediately.

**PASSED AND ADOPTED** by the Authority Board this 26th day of June, 2025.

Utah Inland Port Authority

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Abby Osborne  
Chair

Attest:

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Authority Staff

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

EXHIBIT B

NWQ PID GOVERNING DOCUMENT

EXHIBIT C

NOTICE OF BOUNDARY ACTION

**NOTICE OF IMPENDING BOUNDARY ACTION  
(NWQ Public Infrastructure District)**

TO: The Lieutenant Governor, State of Utah

**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Utah Inland Port Authority (the “Board”), acting in its capacity as the creating entity for the NWQ Public Infrastructure District (the “District”), at a regular meeting of the Board, duly convened pursuant to notice, on June 26, 2025, adopted a Resolution Providing for the Creation of a Public Infrastructure District, a true and correct copy of which is attached as EXHIBIT “A” hereto and incorporated by this reference herein (the “Creation Resolution”).

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Surveyor of Salt Lake County, Utah, is attached as EXHIBIT “B” hereto and incorporated by this reference. The Board hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

**WHEREFORE**, the Board hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

**DATED** this June 26, 2025.

**BOARD OF DIRECTORS, UTAH INLAND  
PORT AUTHORITY, acting in its capacity as  
the creating authority for NWQ Public  
Infrastructure District**

By: \_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

**VERIFICATION**

STATE OF UTAH                                 )  
  :SS.  
COUNTY OF SALT LAKE                    )

SUBSCRIBED AND SWORN to before me this June 26, 2025.

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NOTARY PUBLIC

**EXHIBIT “A” TO NOTICE OF BOUNDARY ACTION**

**Copy of the Creation Resolution**



**EXHIBIT “B” TO NOTICE OF BOUNDARY ACTION**

**Final Local Entity Plats**