

**PETITION REQUESTING THE CREATION OF A PUBLIC INFRASTRUCTURE
DISTRICT IN WASATCH COUNTY, UTAH**

May 30, 2024

Wasatch County
Attn: County Manager
25 North Main
Heber City, UT 84032
435-657-3310

The undersigned (the “Petitioners”) hereby request Wasatch County, Utah (the “County”) create one public infrastructure district (the “District”) pursuant to the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17D, Chapter 4, Utah Code Annotated 1953 (collectively, the “Act”). The Petitioners request the District in order to assist in the financing of public infrastructure relating to the construction of Black Rock Mountain Resort (the “Development”). For additional information regarding the District and this request, please see the Letter of Intent submitted to the County on May 28, 2024.

I. Petitioners:

Richard T. Wolper, on behalf of
Jovid Mark, LLC
7026 S 900 E
Midvale, UT 84047
801-649-4000

Tax ID(s): 00-0021-2658, 00-0021-6358, 00-0021-2646, 00-0021-6345, 00-0021-6347, 00-0021-4111, 00-0021-4112, 00-0021-4090, 00-0021-4091, 00-0021-4092, 00-0021-4145, 00-0021-6346, 00-0021-6348, 00-0021-4093, 00-0021-4094, 00-0021-4153, 00-0021-6349, 00-0021-6350, 00-0021-6351, 00-0021-6352, 00-0021-6353, 00-0021-6354, 00-0021-6355, 00-0021-6356, 00-0021-6357, 00-0021-4095, 00-0021-4097, 00-0021-4098, 00-0021-4099, 00-0021-4100, 00-0021-4101, 00-0021-4102, 00-0021-4103, 00-0021-4104, (“JM Parcels”); approximately 11.86 acres at 909 W Peace Trail, Heber City, Utah 84032

Richard T. Wolper, on behalf of
Jovid Mark Residences, LLC,
7026 S 900 E
Midvale, UT 84047
801-649-4000

Tax ID(s): 00-0021-6380, 00-0021-6381, 00-0021-6382, 00-0021-6383, 00-0021-6384, 00-0021-6385, 00-0021-6386, 00-0021-6387, 00-0021-6388, 00-0021-6389, 00-0021-

6390, 00-0021-6391, 00-0021-6392, 00-0021-2654, 00-0021-2655, 00-0021-2656, 00-0021-2657 (“JMR Parcels”); approximately 1.58 acres at 909 W Peace Tree Trail, Heber City, Utah 84032

Each Petitioner constitutes a sponsor, with Richard T. Wolper designated as the contact sponsor. There are no registered voters residing within the proposed District boundaries or the annexation area.

II. Proposed District Boundaries

The Petitioners request the District be comprised of County Parcel Numbers for the JM Parcels and the JMR Parcels (the “District Boundaries”), as further described in Exhibit A. Additionally, in accordance with Section 17D-4-201, the Petitioners request that the County authorize the entirety of the PID boundaries be approved as an annexation area for annexation into or withdrawal from the PID boundaries without further legislative action of the County Commission upon the occurrence of certain requirements, as will be established in the Governing Document. See Exhibit A for the proposed District Boundaries and the Annexation Area.

III. Requested Service

The Petitioners request the District be created for the purpose of financing the construction of public infrastructure relating to the Development, as permitted under the Act, including, but not limited to the construction of a right-of-way, all as shall be further described in a governing document relating to the District.

IV. Board of Trustees

The Petitioners propose that the Board of Trustees for the District be initially composed of 3 members appointed by the County and comprising of property owners, their agents, or officers, as follows:

- (a) Richard T. Wolper, 7026 S. 900 East, Midvale, UT 84047
- (b) Nicholas Polychronis, 7026 S. 900 East, Midvale, UT 84047
- (c) Russell Skousen, 7026 S. 900 East, Midvale, UT 84047

V. Petitioner Representations

The Petitioners hereby represent and warrant that:

- (a) Richard T. Wolper is authorized to sign on behalf of the Petitioners;
- (b) The Petitioners are the sole owners of the real property included within the District Boundaries;
- (c) This Petition is signed by 100% of the surface property owners of real property within the District Boundaries;

- (d) The Petitioners will not include any portion of the Annexation Area into the District without the consent of 100% of the surface property owners thereof and registered voters, if any, residing within such area;
- (e) There are no registered voters residing within the District Boundaries; and
- (f) The proposed Trustees listed above are registered voters at their primary residence and are either a property owner or the agent or officer of a property owner.

VI. Petitioner Consent

The Petitioners hereby consent to:

- (a) The creation of one public infrastructure district within the District Boundaries;
- (b) Richard T. Wolper acting as the contact sponsor with respect to this Petition;
- (c) The annexation of the Annexation Area into the District upon the conveyance, if any, of any portion of such area;
- (d) A waiver of the residency requirement for members of the Board of Trustees of the District as permitted under Section 17D-4-202(3)(a) of the Act;
- (e) A waiver of the entirety of the protest period described in Section 17B-1-213 of the Act pursuant to Section 17D-4-201(2)(b) of the Act;
- (f) The issuance by the District of bonds repayable through special assessments, property tax, and or fees.

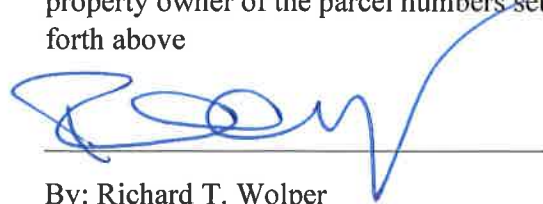
VII. Electronic Means; Counterparts

This Petition may be conducted by electronic means and executed in several counterparts, including by electronic signature, all or any of which may be treated for all purposes as an original and shall constitute and be one and the same instrument.

IN WITNESS WHEREOF, the Petitioners have each executed this Petition as of the date indicated above.

Petitioners:

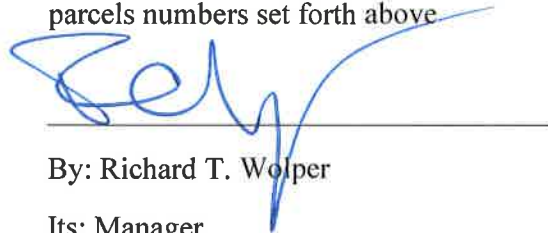
Richard T. Wolper, Jovid Mark, LLC, as
property owner of the parcel numbers set
forth above



By: Richard T. Wolper

Its: Manager

**Richard T. Wolper, Jovid Mark
Residences, LLC**, as property owner of the
parcels numbers set forth above



By: Richard T. Wolper

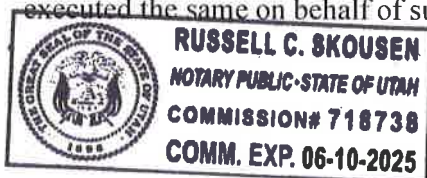
Its: Manager

STATE OF UTAH)

ss:

COUNTY OF SALT LAKE)

On May ^{25th} 2024, personally appeared before me Richard T. Wolper, the Manager of Jovid Mark, LLC, the signer of the above instrument, who duly acknowledged to me that he executed the same on behalf of such entity.



A handwritten signature in blue ink, appearing to read "Russell C. Skousen", written over a horizontal line.

NOTARY PUBLIC

STATE OF UTAH)

ss:

COUNTY OF SALT LAKE)

On May ^{30th} 2024, personally appeared before me Richard T. Wolper, the Manager of Jovid Mark Residences, LLC, the signer of the above instrument, who duly acknowledged to me that he executed the same on behalf of such entity.



A handwritten signature in blue ink, appearing to read "Russell C. Skousen", written over a horizontal line.

NOTARY PUBLIC

EXHIBIT A

DISTRICT BOUNDARY AND ANNEXATION AREA

District Boundaries

Black Rock Mountain Resort PID

A parcel of land located in the Northwest 1/4 and the Southwest 1/4 of Section 6, Township 2 South, Range 5 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point being on the north right-of-way line of Utah State highway 248. Said point being N 00°44'47" W 129.60 feet along the section line and East 1,309.88 feet from the West Quarter Corner of section 6 Township 2 South, Range 5 East, Salt Lake Base and Meridian, and running thence along said right-of-way the following 3 calls, 1) thence N 32°49'54" W 420.67 feet; 2) thence N 40°57'51" W 372.21 feet; 3) thence N 30°14'22" W 42.08 feet to the Browns Canyon Road right-of way and a point on a non-tangent 261.00' radius curve to the left; thence along Browns Canyon Road right-of-way the following 3 calls, 1) thence along the arc of said curve 25.61 feet through a delta of 5°37'18" (chord bears N 45°00'04" E 25.60 feet) to a point of a non-tangent 257.08-foot radius curve to the left; 2) thence along the arc of said curve 47.26 feet through a delta of 10°31'59" (chord bears N 30°55'32" E 47.19 feet) to a point on a non-tangent 256.00' radius curve to the left; 3) thence along the arc of said curve 114.94 feet through a delta of 25°43'30" (chord bears N 18°54'40" E 113.98 feet); thence N 80°54'13" E 62.31 feet to the Peace Tree Trail right-of-way and a point on a non-tangent 175.00' radius curve to the left; thence along said right-of-way the following 6 calls, 1) thence along the arc of said curve 54.21 feet through delta of 17°44'57" (chord bears S 23°03'33" E 53.99 feet; 2) thence S 31°56'02" E 103.73 feet to a point on a 225.00' radius curve to the left; 3) thence along the arc of said curve 151.73 feet through a delta of 38°38'14" (chord bears S 51°15'09" E 148.87 feet); 4) thence S 70°34'16" E 168.30 feet; 5) thence S 70°34'16" E 118.25 feet to a point on a 300.00' radius curve to the left; 6) thence along the arc of said curve 46.21 feet through a delta of 8°49'29" (chord bears S 74°59'02" E 46.16 feet; thence South 103.14 feet; thence S 70°51'25" E 167.43 feet; thence S 38°11'47" E 215.97 feet; thence South 953.37 feet to the said highway 248 right-of-way line, thence along said right-of-way the following 3 calls, 1) thence N 29°27'41" W 439.56 feet to a point on a 11,692.72' radius curve to the left; 2) thence along the arc of said curve 452.29 feet through a delta of 2°12'59" (chord bears N 30°34'10" W 452.26 feet); 3) thence N 7°53'41" E 0.04 feet back to the point of beginning.

Contains is 11.75 acres. More or less.

Less and excepting the following:

Unit #	Phase	Bldg	Parcel Number	Use	Level	Sq. Ft.
205	Five	5	00-0021-4105	Residential	2	1,160
206	Five	5	00-0021-4106	Residential	2	1,160
207	Five	5	00-0021-4107	Residential	2	1,160
208	Five	5	00-0021-4108	Residential	2	1,160
209	Three	3	00-0021-4109	Residential	2	1,160
211	Three	3	00-0021-4110	Residential	2	1,160
305	Five	5	00-0021-4113	Residential	3	1,160
306	Five	5	00-0021-4114	Residential	3	1,160
307	Five	5	00-0021-4115	Residential	3	1,160
308	Five	5	00-0021-4116	Residential	3	1,160
309	Three	3	00-0021-4117	Residential	3	1,160
310	Three	3	00-0021-4118	Residential	3	1,160
311	Three	3	00-0021-4119	Residential	3	1,160
312	Three	3	00-0021-4120	Residential	3	1,160
405	Five	5	00-0021-4121	Residential	4	1,160
406	Five	5	00-0021-4122	Residential	4	1,160
407	Five	5	00-0021-4123	Residential	4	1,160
408	Five	5	00-0021-4124	Residential	4	1,160
409	Three	3	00-0021-4125	Residential	4	1,160
410	Three	3	00-0021-4126	Residential	4	1,160
411	Three	3	00-0021-4127	Residential	4	1,160
412	Three	3	00-0021-4128	Residential	4	1,160
505	Five	5	00-0021-4129	Residential	5	1,160
506	Five	5	00-0021-4130	Residential	5	1,160
507	Five	5	00-0021-4131	Residential	5	1,160
508	Five	5	00-0021-4132	Residential	5	1,160
509	Three	3	00-0021-4133	Residential	5	1,160
510	Three	3	00-0021-4134	Residential	5	1,160
511	Three	3	00-0021-4135	Residential	5	1,160
512	Three	3	00-0021-4136	Residential	5	1,160
605	Five	5	00-0021-4137	Residential	6	1,160
606	Five	5	00-0021-4138	Residential	6	1,160
607	Five	5	00-0021-4139	Residential	6	1,160
608	Five	5	00-0021-4140	Residential	6	1,160
609	Three	3	00-0021-4141	Residential	6	1,160
610	Three	3	00-0021-4142	Residential	6	1,160
611	Three	3	00-0021-4143	Residential	6	1,160
612	Three	3	00-0021-4144	Residential	6-7	1,990
313	Four	4	00-0021-4146	Residential	3	1,160

315	Four	4	00-0021-4147	Residential	3	1,160
317	Seven	7	00-0021-4148	Residential	3	1,160
319	Seven	7	00-0021-4149	Residential	3	1,160
413	Four	4	00-0021-4154	Residential	4	1,160
414	Four	4	00-0021-4155	Residential	4	1,160
415	Four	4	00-0021-4156	Residential	4	1,160
416	Four	4	00-0021-4157	Residential	4	1,160
417	Seven	7	00-0021-4158	Residential	4	1,160
418	Seven	7	00-0021-4159	Residential	4	1,160
419	Seven	7	00-0021-4160	Residential	4	1,160
420	Seven	7	00-00214161	Residential	4	1,160
513	Four	4	00-0021-4162	Residential	5	1,160
514	Four	4	00-0021-4163	Residential	5	1,160
515	Four	4	00-0021-4164	Residential	5	1,160
516	Four	4	00-0021-4165	Residential	5	1,160
517	Seven	7	00-0021-4166	Residential	5	1,160
518	Seven	7	00-0021-4167	Residential	5	1,160
519	Seven	7	00-0021-4168	Residential	5	1,160
520	Seven	7	00-0021-4169	Residential	5	1,160
613	Four	4	00-0021-4170	Residential	6	1,160
614	Four	4	00-0021-4171	Residential	6-7	1,990
615	Four	4	00-0021-4172	Residential	6	1,160
616	Four	4	00-0021-4173	Residential	6	1,160
617	Seven	7	00-0021-4174	Residential	6	1,160
618	Seven	7	00-0021-4175	Residential	6	1,160
619	Seven	7	00-00214176	Residential	6	1,160
620	Seven	7	00-0021-4177	Residential	6	1,160
201	Six	6	00-0021-6360	Residential	2	1,160
202	Six	6	00-0021-6361	Residential	2	1,160
203	Six	6	00-0021-6362	Residential	2	1,160
204	Six	6	00-0021-6363	Residential	2	1,160
301	Six	6	00-0021-6364	Residential	3	1,160
302	Six	6	00-0021-6365	Residential	3	1,160
303	Six	6	00-0021-6366	Residential	3	1,160
304	Six	6	00-0021-6367	Residential	3	1,160
401	Six	6	00-0021-6368	Residential	4	1,160
402	Six	6	00-0021-6369	Residential	4	1,160
403	Six	6	00-0021-6370	Residential	4	1,160
404	Six	6	00-0021-6371	Residential	4	1,160
501	Six	6	00-0021-6372	Residential	5	1,160
502	Six	6	00-0021-6373	Residential	5	1,160
503	Six	6	00-0021-6374	Residential	5	1,160
504	Six	6	00-0021-6375	Residential	5	1,160

601	Six	6	00-0021-6376	Residential	6	1,160
602	Six	6	00-0021-6377	Residential	6	1,160
603	Six	6	00-0021-6378	Residential	6	1,160
604	Six	6	00-0021-6379	Residential	6	1,160

Annexation Area (inclusive of the District Boundaries)

In accordance with Section 17D-4-201, the Developer is requesting that the County authorize the entirety of the PID boundaries be approved as an annexation area for annexation into or withdrawal from the PID boundaries without further legislative action of the County Commission upon the occurrence of certain requirements, as will be established in the Governing Document.