

**PETITION REQUESTING THE CREATION OF
OCULTA ROCA PUBLIC INFRASTRUCTURE DISTRICT NOS. 1-2
IN THE TOWN OF APPLE VALLEY, UTAH**

September 11, 2024

Town of Apple Valley
Attn: Jenna Vizcardo, City Clerk/Recorder
1777 N. Meadowlark Dr.
Apple Valley, UT 84737

The undersigned (the “Petitioner”) hereby requests that the Town of Apple Valley, Utah (the “City”) approve the creation of two new public infrastructure districts to be known as Oculta Roca Public Infrastructure District No. 1 and No. 2 (the “Districts”) pursuant to the Special 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 Petitioner requests the Districts in order to assist in the financing of public infrastructure to service and benefit the proposed area of the District and the Annexation Area as described herein.

I. Petitioners

De La Tierra Holdings, LLC

100 Norfolk St. Apt. 6B

New York, NY 1002-5418

Owner of Parcel Nos. AV-2194-B, AV-2194-D, and AV-2-2-27-432

The Petitioner is signing this Petition as to those properties which are identified in **Exhibit A** hereto. Petitioner De La Tierra Holdings, LLC, is the sponsor of this Petition, and De La Tierra Holdings, LLC, c/o Matthew J. Ence at Snow Jensen & Reece, PC, (435) 628-3688, mence@snowjensen.com, is hereby designated as the contact sponsor.

II. Proposed District Boundaries

The Petitioner requests that the initial boundaries for the proposed Districts (the “District Boundaries”) are intended to include the property described in Exhibit A hereto. The proposed District Boundaries, including a proposed annexation area, are also depicted on the maps attached as Exhibit B hereto.

III. Requested Service

The Petitioner requests that the Districts be created for the purpose of financing the construction of public infrastructure relating to the Development, as permitted under the Act, and as shall be further described in the governing document proposed for the District.

IV. Board of Trustees

The Petitioner proposes that the Board of Trustees for the District be initially composed of three (3) members appointed by the City Council who are property owners, their agents, or officers, as follows, subject to formal appointment by the City Council:

(a) Dallin Jolley

Officer or agent of Petitioner
c/o Snow Jensen & Reece, PC
912 W. 1600 S. Ste. B200
St. George, UT 84770

(b) Anish Bhatia

Officer or agent of Petitioner
c/o Snow Jensen & Reece, PC
912 W. 1600 S. Ste. B200
St. George, UT 84770

(c) Blaine Bernard

Officer or agent of Petitioner
c/o Snow Jensen & Reece, PC
912 W. 1600 S. Ste. B200
St. George, UT 84770

V. Petitioner Representations

The Petitioners hereby represents and warrants that:

- (a) Those signing on behalf of entity owners are authorized to do so;
- (b) The Petitioner is the sole owners of the real property included within each of the proposed District Boundaries;
- (c) This Petition is signed by 100% of the surface property owners of real property within each of the District Boundaries;
- (d) There are no registered voters residing within the any of the proposed District Boundaries; and
- (e) 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 Petitioner hereby consents to:

- (a) The creation of public infrastructure districts having the District Boundaries described herein;

- (b) The annexation of any portion of the Annexation Area (if any) into the District upon petition by the owner of such portion and any registered voters residing thereon;
- (c) A waiver of the residency requirement for members of the Board of Trustees of the Districts as permitted under Section 17D-4-202(3)(a) of the Act;
- (d) 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;
- (e) The recording of a notice as required under Section 17B-1-215(2)(a) and 17D-1-209(1)(a) of the Act, which will apply to all real property within the District Boundaries;
- (f) The District levying a property tax of up to \$0.010 per dollar of assessed value of taxable property within the respective District Boundaries, specifically including the properties of the Petitioners; and
- (g) The issuance by the Districts of bonds repayable through property taxes, assessments, or other means available by law.

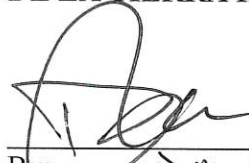
VII. Electronic Means; Counterparts

This Petition may be circulated 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 document.

IN WITNESS WHEREOF, the Petitioner has executed and consented to this Petition as of the date indicated on the signature pages attached.

(signature pages to follow)

DE LA TIERRA HOLDINGS, LLC



By: Dallon Jolley
Its: Authorized Signer

STATE OF UTAH)

COUNTY OF Washington) ss:

On this 12th day of September, 2024, personally appeared before me Dallon Jolley whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn did say that he/she is an Authorized Signer for De La Tierra Holdings, LLC, that he/she was duly authorized by said company to sign this Petition, and that he/she acknowledged to me that said company executed the same for the uses and purposes set forth herein.

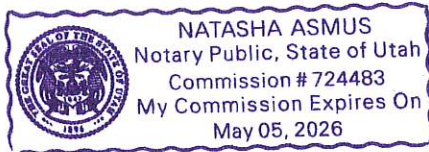

NOTARY PUBLIC

EXHIBIT A

Parcels and Legal Description

The following parcels located in Washington County, State of Utah:

PID No. 1 Legal Description:

A TRACT OF LAND IN THE EAST½ OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN, IN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN MONUMENT IN THE SOUTH QUARTER CORNER OF SAID SECTION 27, RUNNING THENCE N 88°59'33"W 1557.66 FEET ALONG THE SOUTHERLY SECTION LINE OF SAID SECTION 27; THENCE N01°02'15"E 2639.04 FEET TO THE EAST/WEST QUARTER SECTION LINE OF SAID SECTION 27; THENCE S88°58'18"E 580.03 FEET ALONG SAID QUARTER SECTION LINE TO A ROSENBERG REBAR AND CAP; THENCE S01°01'43"W 218.56 FEET TO A ROSENBERG REBAR AND CAP; THENCE S88°59'36"E 346.11 FEET TO A ROSENBERG REBAR AND CAP; THENCE N01°05'03"E 587.38 FEET TO A ROSENBERG REBAR AND CAP; THENCE N60°04'14"E 760.71 FEET TO A REBAR AND THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 27; THENCE S01°03'33"W 3398.73 FEET ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 101.11 ACRES, MORE OR LESS.

PID No. 2 Legal Description:

A TRACT OF LAND IN THE NORTH 112 OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN IN WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ROSENBERG REBAR AND CAP LYING 659.96 FEET S88°58'18"E ALONG THE EAST/WEST QUARTER SECTION LINE OF SAID SECTION 27, FROM A NAIL MONUMENTING THE WEST ¼ CORNER OF SAID SECTION 27; RUNNING THENCE N01°02'30"E 1319.57 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27 AND TO A ROSENBERG REBAR AND CAP; IBENCE S88°58'03"E 782.99 FEET ALONG SAID NORTHWEST 1116TH LINE TO THE FLOWLINE OF GOULDS WASH; THENCE ALONG THE FLOWLINE OF GOULDS WASH THE FOLLOWING (22) TWENTY-TWO COURSES, (1) N68°02'23"E 25.84 FEET TO THE BEGINNING OF A CURVE, (2) SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°03'06", HAVING A RADIUS OF 59.43 FEET AND WHOSE LONG CHORD BEARS N55°00'48"E 26.79 FEET TO THE BEGINNING OF A COMPOUND CURVE, (3) SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 12°31'03", HAVING A RADIUS OF 129.84 FEET AND WHOSE LONG CHORD BEARS N35°43'44"E 28.31 FEET, (4) THENCE N29°28'16"E 75.24 FEET TO THE BEGINNING OF A CURVE, (5) SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°24'14", HAVING A RADIUS OF 383.00 FEET AND WHOSE LONG CHORD BEARS N34°40'24"E 69.45 FEET, (6) THENCE

N39°52'31"E 232.66 FEET TO THE BEGINNING OF A CURVE, (7) SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°24'51", HAVING A RADIUS OF 722.00 FEET AND WHOSE LONG CHORD BEARS N45°04'56"E 131.05 FEET, (8) THENCE N50°17'21"E 25.98 FEET TO THE BEGINNING OF A CURVE, (9) SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 11°42'18" HAVING A RADIUS OF 333.00 FEET AND WHOSE LONG CHORD BEARS N56°08'29"E 67.91 FEET, (10) THENCE N61°59'37"E 80.09 FEET TO THE BEGINNING OF A CURVE, (11) SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 07°33'12", HAVING A RADIUS OF 680.00 FEET AND WHOSE LONG CHORD BEARS N65°46'12"E 89.58 FEET, (12) THENCE N89°32'48"E 109.15 FEET TO THE BEGINNING OF A CURVE, (13) SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 07°33'57", HAVING A RADIUS OF 733.00 FEET AND WHOSE LONG CHORD BEARS N65°45'50"E 96.72 FEET TO THE BEGINNING OF A REVERSE CURVE, (14) SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 12°06'57", HAVING A RADIUS OF 600.00 FEET AND WHOSE LONG CHORD BEARS N68°02'20"E 126.64 FEET, (15) THENCE N74°05'49"E 34.20 FEET TO THE BEGINNING OF A CURVE, (16) SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°18'36", HAVING A RADIUS OF 135.00 FEET AND WHOSE LONG CHORD BEARS N66°01'00"E 38.30 FEET TO THE BEGINNING OF A CURVE, (17) SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°33'56", HAVING A RADIUS OF 288.00 FEET AND WHOSE LONG CHORD BEARS N50°04'46"E 78.00 FEET, (18) THENCE N42°13'21"E 72.34 FEET, (19) THENCE N47°38'32"E 31.86 FEET, (20) THENCE N75°20'07"E 28.74 FEET, (21) THENCE N81°25'42"E 33.64 FEET, (22) THENCE S80°29'21"E 34.72 FEET TO THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 27; THENCE N01°02'39"E 280.59 FEET ALONG SAID QUARTER SECTION LINE; THENCE S88°59'23"E 1117.50 FEET; THENCE S01°01'44"W 199.84 FEET; THENCE S88°59'23"E 425.00 FEET; THENCE S01°01'44"W 954.76 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE N88°59'06"W 1542.81 FEET ALONG SAID NORTHEAST CENTER 1116TH LINE TO A ROSENBERG REBAR AND CAP MONUMENTING THE CENTER NORTH 1116TH CORNER OF SAID SECTION 27; THENCE S01°03'33"W 559.17 FEET ALONG SAID NORTH/SOUTH QUARTER SECTION LINE TO A FOUND ½" REBAR; THENCE S60°04'14"W 760.71 FEET TO A ROSENBERG REBAR AND CAP; THENCE N00°54'20"E 15.25 FEET TO A ROSENBERG REBAR AND CAP; THENCE S61°05'34"W 400.04 FEET TO A ROSENBERG REBAR AND CAP; THENCE S01°01'23"W 184.57 FEET TO A ROSENBERG REBAR AND CAP; THENCE N88°58'18"W 980.90 FEET TO THE POINT OF BEGINNING.
CONTAINING 102.80 ACRES MORE OR LESS.

PID No. 1:

Parcel Nos.: AV-2194-B, AV-2194-D

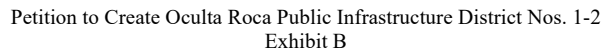
PID No. 2:

Parcel No. AV-2-2-27-432

Annexation Area Parcels:

Parcel Nos.: AV-2196-G, AV-2196-D, AV-2196-E, AV-2-2-28-230, AV-2196-A-1, AV-2-2-28-120, AV-2194-C, AV-2194-B, AV-2169-A-1, AV-2-2-28-220, AV-2194-A, AV-2194-D, AV-2196-A-1, AV-2195-B, AV-2-2-28-221, AV-2196-B, AV-2169-A-1, AV-2196-C, AV-2-2-27-431, AV-2-2-27-430, AV-2196-H, AV-2-2-28-110, AV-2194-A, AV-2-2-28-240, AV-2196-I, AV-2-2-27-432, AV-2169-B, AV-2196-F, AV-2194-A

Proposed Initial Boundaries



The map displays the Postal Community Apple Valley area, with various parcels and roads labeled. The legend indicates three categories of parcels: PD No. 1 initial boundary - Hotel/motel (currently owned parcels) in green, PD No. 2 initial boundary - Residential (currently owned parcels) in blue, and Annotation Area in red. The map also features a north arrow and a scale bar.

LEGEND

- PD No. 1 initial boundary - Hotel/motel (currently owned parcels)
- PD No. 2 initial boundary - Residential (currently owned parcels)
- Annotation Area

Map Labels:

- 84737 Postal Community APPLE VALLEY
- 2175-A HW
- 2175-B-1 HW
- 2175-A HW
- 2175-B HW
- 2175-C HW
- 2175-D HW
- 2175-E HW
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- 2175-ID HW
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- 2175-IH HW
- 2175-II HW
- 2175-IJ HW
- 2175-IK HW
- 2175-IL HW
- 2175-IM HW
- 2175-IN HW
- 2175-IO HW
- 2175-IP HW
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