



## **RESOLUTION NO. R-2025-13**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY DISSOLVING THE BIG PLAINS WATER SPECIAL SERVICE DISTRICT.

### **RECITALS**

**WHEREAS**, the Town of Apple Valley (“the Town”) is municipal corporation duly organized and existing under the laws of the State of Utah;

**WHEREAS**, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Apple Valley Town Council (“Town Council”) is designated as the governing and legislative body of the Town.

**WHEREAS**, pursuant to Utah Code Annotated, Title 17D, Chapter 1, the Town has the authority to create and dissolve Special Service Districts.

**WHEREAS**, the Town Council passed Resolution No. 2011-25 on September 1, 2011, which created the Big Plains Water Special Service District (the “District”) for the purpose of providing water and sewerage services to residents within the district boundaries of the District.

**WHEREAS**, the Town Council, being the legislative body of the municipality that created the District, has the authority to approve of the dissolution of the District pursuant to Utah Code Annotated Title 17D, Chapter 1, Section 601 if the Town determines that the District is no longer needed for the purposes for which it was created.

**WHEREAS**, the Town Council has determined and/or hereby determines that circumstances have changed such that the continued existence and operation of the District is unnecessary and the purposes for which the District was created can be accomplished more effectively and efficiently by another government entity, more specifically, the Town.

**WHEREAS**, the Town Council finds that any outstanding bond, note or other obligation of the District is either: (i) payable solely from and secured exclusively by revenues of the District, the amount of which shall not be reduced or impaired as a result of the dissolution; or (ii) subject to adequate provision for the payment of such bond, note, or obligation in accordance with its terms, thereby ensuring no impairment of the rights of the holders thereof.

**WHEREAS**, the Town Council finds that the District is not currently subject to any contractual obligation to provide services or all parties to any such contract to provide services have given their consent to the dissolution.

**WHEREAS**, the Town Council, finding no further advantage of maintaining two separate entities, desires now to dissolve the District and transfer all assets, liabilities, and obligations from said entity to the Town.

### **RESOLUTION**

**NOW THEREFORE**, be it hereby resolved by the Town Council of the Town of Apple Valley, as follows:

1. Incorporation of Recitals. The Recitals set forth above are incorporated fully into this Resolution as if set forth herein and constitute the findings of the Town Council.
2. Findings in Support of Resolution. Based upon the Recitals set forth above and the Town Council's knowledge of the operations, assets and obligations of the District, the Town Council finds that the District is no longer needed for the purposes for which it was created.
3. Assumption of Assets, Liabilities, and Obligations. Upon dissolution of the District, the Town shall assume, and the District hereby transfers to the Town, all remaining assets, rights, liabilities, obligations, and responsibilities of the District. This assumption includes, without limitation, the assumption of any servicing obligations and any outstanding bond, note, or other obligation in accordance with the terms of the bond, note, or other obligation, respectively.
4. Dissolution. The District, having been determined to be no longer necessary for the purposes for which it was created, is hereby dissolved by the Town Council pursuant to and in accordance with the procedures set forth in Utah Code Annotated Title 17D, Chapter 1, Section 601 et seq., as amended.
5. Procedural Compliance. The Town shall file, and the Town Council is hereby authorized to file, the proper notices and documents with the Office of the Lieutenant Governor for the State of Utah and the Office of the Utah County Recorder as outlined in Utah Code Annotated Title 17D, Chapter 1, Section 603, and shall take any other steps necessary to effectuate the dissolution in accordance with applicable law.
6. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.
7. Conflicts/Repealer. This Resolution repeals and supersedes the provisions of any prior Town resolution in conflict herewith.
8. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council and execution by the Mayor.

ADOPTED AND APPROVED BY THE TOWN OF APPLE VALLEY TOWN COUNCIL this 16<sup>th</sup> day of July, 2025 based upon the following vote:

Council Person:

Richard Palmer	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Scott Taylor	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Annie Spendlove	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Kevin Sair	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Michael Farrar (Mayor)	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOWN OF APPLE VALLEY  
a Utah municipal corporation

ATTEST:

\_\_\_\_\_  
Michael "Mike" Farrar, Mayor

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk