

RESOLUTION NO. 98-18

A RESOLUTION DECLARING THE INTENT OF DAGGETT COUNTY TO INCORPORATE A MUNICIPAL BUILDING AUTHORITY AND TO APPROVE THE ARTICLES OF INCORPORATE OF SUCH AUTHORITY AND TO AUTHORIZE THE GOVERNING BODY OF THE COUNTY TO SERVE AS THE MEMBERS OF THE BOARD OF TRUSTEES.

WHEREAS, Utah Code Annotated 17A-3-901 et.seq., known as the Utah Municipal Building Authority Act, provides that the governing body of a public body may organize a non-profit corporation as the building authority for the public body, following the procedures set out in the Utah Non-profit Corporation and Cooperative Association Act (Title 16, Chapter 6, Article 2, Utah Code Annotated, 1953, as amended); and

WHEREAS, the Daggett County Board of County Commissioners has determined that it is in the best interest of Daggett County and its residents to create a building authority, such authority having the purpose of acquiring, improving, or extending one or more projects and financing the cost of them on behalf of Daggett County; and

WHEREAS, it is intended that such Building Authority be a public entity and an instrumentality of the State of Utah, performing essential governmental function on behalf of Daggett County; and

WHEREAS, the following Articles of Incorporation of Municipal Building Authority of Daggett County appear to accomplish the purpose of establishing the Building Authority and specifying its function and purposes:

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Daggett County, Utah, as follows:

1. The Articles of Incorporation of Municipal Building Authority of Daggett County attached hereto and made a part of hereof reference as Exhibit "A", and hereby approved by the Daggett County Board of County Commissioners.

2. The County Commissioners of Daggett County hereby appoint the following members who are authorized to act as the members of the Board of Trustees of the Building Authority , are authorized to execute the same as incorporators and are to serve for the stated terms.

- A. Sue Olorenshaw - 1 year.
- B. RaNae Wilde - 2 years.
- C. Lesa Schofield - 3 years.

3. That the County Clerk of Daggett County, Vicky McKee, is hereby authorized and appointed to act as the Registered Agent of said non-profit corporation and is authorized to execute and attest the said Articles of Incorporation.

4. That the sum of \$20.00, as the required filing fee for the non-profit corporation is hereby authorized and appropriated.

5. That all county officers and employees, specifically including County Attorney and County Auditor, are authorized to take such actions as appear necessary and appropriate to implement, establish, and put in operation the Municipal Building Authority of Daggett County.

PASSED AND APPROVED this 17th day of June, 1998, by the Daggett County Board of County Commissioners.

Daggett County Board of County Commissioners

Chad L. Reed

Chad L. Reed

James M. Briggs

James M. Briggs

Sharon P. Walters

Sharon P. Walters

ATTEST:

Vicky McKee

Vicky McKee
Daggett County Clerk



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ATTACHMENT "EXHIBIT A"

ARTICLES OF INCORPORATION
OF
MUNICIPAL BUILDING AUTHORITY OF DAGGETT COUNTY

To organize a non-profit corporation to act as the building authority of Daggett County under the Utah Municipal Building Authority Act, Part 9 of title 17A, Chapter 3, Utah Code Annotated (1953), as amended, the undersigned natural persons, who are of legal age and who constitute the membership of the governing body of Daggett County, acting by resolution and pursuant to their capacity as the Daggett County Board of County Commissioners, hereby incorporate and acting as incorporators, hereby adopt the following Articles of incorporation for such non-profit corporation:

ARTICLE I

Corporate Name

The name of the non-profit corporation is the **Municipal Building Authority of Daggett County**.

ARTICLE II

Registered of Non-profit Corporation

The principal and registered office of the non-profit corporation shall be maintained in the Office of the County Clerk, at the Daggett County Court House, 95 North 1st West, Manila, Utah 84046. The name of the Registered Agent at the registered office is Vicky McKee, who is the County Clerk of Daggett County. The Board of Trustees may change the location of the registered office, or may appoint another registered agent without amendment of these articles.

ARTICLE III

Duration of Non-profit Corporation

The non-profit corporation hereby established is to have perpetual existence unless dissolved by the Daggett County Board of County Commissioners or otherwise dissolved or terminated according to law.

ARTICLE IV

Corporate Purpose

This non-profit corporation is formed as the municipal building authority for Daggett County solely for the purpose of acquiring, improving, or extending one or more projects, and financing the costs of them on behalf of Daggett County, in order to accomplish the public purposes for which Daggett County exists. This non-profit corporation is intended to be a public entity and an instrumentality of the State of Utah to perform essential governmental functions on behalf of Daggett County.

ARTICLE V

Powers and Limitations

This non-profit corporation shall have and exercise all rights, powers, and authority which are presently or hereafter may be granted, and shall be subject to all limitations applicable, to authorities or building authorities organized under the Utah Municipal Building Authority Act, presently found in Part 9 of Title 17A, Chapter 3, Utah Code Annotated (1993), as amended.

ARTICLE VI

Membership

This non-profit corporation shall have no members.

ARTICLE VII
Board of Trustees

The powers and authority of this non-profit corporation shall be exercised, its work directed, affairs conducted, and property controlled by a board of trustees consisting of three persons. The initial board of trustees shall be the Incorporators of this non-profit corporation, and the same are the appointed by the members of the Daggett County Board of County Commissioners. The names, residence addresses, and residence telephone numbers of the initial Board of Trustees (who are also the incorporators herein) are as follows:

Sue Olorenshaw - ½ S. Bennion Lane, Manila, Ut 435/784-3205
RaNae Wilde - #1 Birch Creek Rd., Manila, Ut 435/784-3387
Lesa Schofield - 2 ½ Miles E. Highway 43 435/784-3191

The members of the board of trustees of this authority may be removed and replaced by the Daggett County Board of County Commissioners at any time for any reason, without cause, in its discretion. The Daggett County Board of County Commissioners may, at its sole discretion and at any time alter or change the structure, organization, programs or activities of this authority, subject to the rights of holders of the authority's bonds and parties to its other obligations.

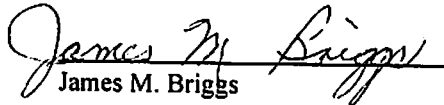
The private property of the individual trustees of this corporation shall not be subject to the payment of the corporate debts or obligations, in any amount or to any extent whatsoever.

We the Undersigned, consulting the incorporators of this non-profit corporation, and including all persons named herein as the first board of trustees, for the purpose of forming this non-profit corporation to act as the building authority for Daggett County, and acting in our official capacity as the Daggett County Board of County Commissioners pursuant to resolution, have executed these Articles of Incorporation and approved the same, this 17th day of June, 1998.

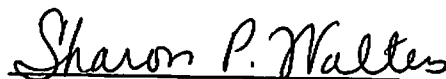
DAGGETT COUNTY BOARD OF COUNTY COMMISSIONERS



Chad L. Reed, Chairman



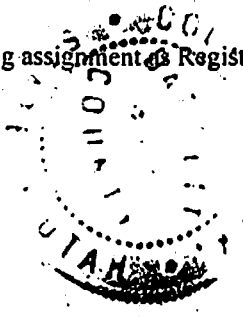
James M. Briggs



Sharon P. Walters

ATTESTING (and acknowledging and accepting assignment as Registered Agent):

Vicky McKee
Vicky McKee
Daggett County Clerk



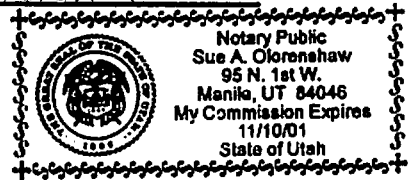
STATE OF UTAH
COUNTY OF DAGGETT

On this 17th Day of June, 1998, personally appeared before me: Arad Reed

As parties to and signers of the foregoing Articles of Incorporation, who are known to me to be the membership of the Daggett County Board of County Commissioners, each of whom duly acknowledged to me that he is the person who signed to foregoing document as an incorporator, and that the statements contained therein are true to the best of his knowledge, information and belief.

Sue A. Olorenshaw

Notary Public



STATE OF UTAH

COUNTY OF DAGGETT

On this 17th day of June, 1998, personally appeared before me Vicky McKee, a signer, attesting the foregoing Articles of Incorporation, known to me to be the County Clerk of Daggett County, who duly acknowledged to me that she is the person who signed the foregoing document to attest the same, and also for the purpose of acknowledging and accepting her assignment to serve as the Registered Agent for and on behalf of the non-profit corporation being formed herewith.

Sue A. Olorenshaw

Notary Public

