



State of Utah

SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

## Office of the Lieutenant Governor

LAYLA BASIC  
*Office Administrator*

JORDAN SCHWANKE  
*Local Entity Specialist*

January 6, 2025

Subject: Riddermark Incorporation Third Request for Feasibility Study Determination

Dear Mr. Anderson,

**The Office of the Lieutenant Governor (OLG) has determined that the Modified Request for Feasibility Study (Modified Request) filed on December 17, 2024, does not comply with Utah Code §10-2a-202. Accordingly, the OLG has rejected The Modified Request for the proposed Riddermark Incorporation based on the valid signatures not meeting the required thresholds stated in Utah Code §10-2a-202.** The OLG determined that the verified signatures and property ownership fell below the required 10% of private land area. You will find the data used to support the determination below.

Utah Code §10-2a-206 states that each modified request shall comply with Utah Code §10-2a-202(1) and (2). Utah Code §10-2a-202 states that the process to incorporate an unincorporated area as a municipality is initiated by an individual filing a feasibility request that:

- a) includes the signatures of the owners of private real property that:
  - i) is located within the area proposed to be incorporated
  - ii) covers at least 10% of the total private land area within the area; and
  - iii) is equal in value to at least 7% of the value of all private real property within the area.

Furthermore, Utah Code §10-2a-102 states that for each provision requiring the owners of private real property covering a percentage or fraction of the total private land area within an area to sign a Request for Feasibility Study, Modified Request for Feasibility Study, or Petition for Incorporation:

- a) a parcel of real property may not be included in the calculation of the required percentage or fraction unless the request or petition is signed by:
  - i) except as provided in Utah Code §10-2a-102(3)(a)(ii), owners representing a majority ownership interest in that parcel or;
  - ii) if the parcel is owned by joint tenants or tenants by the entirety, 50% of the number of owners of that parcel
- b) the signature of a person signing a request or petition in a representative capacity on behalf of an owner is invalid unless:
  - i) the person's representative capacity and the name of the owner the person represents are indicated on the request or petition with the person's signature;
  - ii) the person provides documentation accompanying the request or petition that substantiates the person's representative capacity; and

- c) subject to Utah Code §10-2a-102(3)(b), a duly appointed personal representative may sign a request or petition on behalf of a deceased owner

**Totals for entire proposed incorporation area:**

- Total market value: \$32,036,668.00
- Total private land area: 946 acres

**Totals for verified signatures and verified property ownership:**

- Total market value: \$3,874,669.00
  - % of market value: 12.09%
- Total private land area: 67.38 acres
  - % of private land area: 7.13%

Additionally, Iron County reports that parcels D-0495-0002-0000 and D-0495-0006-0000, which have been granted exclusion, are included within the modified boundaries. Utah Code §10-2a-203(4) requires the OLG to exclude properties owned by specified landowners where the exclusion will not leave an unincorporated island within the proposed municipality. The record owner of the abovementioned properties has satisfied the applicable statutory requirements and **must be excluded from the proposed Riddermark Incorporation area.**

**In accordance with Utah Code §10-2a-204(4), sponsors may, subject to Utah Code §10-2a-206, amend the Modified Request to correct the deficiencies and re-file with the OLG by April 6, 2025, at 11:59 P.M., 90 days after the day on which the OLG rejected the Modified Request. If you do not submit an amended Modified Request for Feasibility Study to the OLG by April 6, 2025, at 11:59 P.M., or the amended Modified Feasibility Study request does not comply with Utah Code §10-2a-202, the incorporation process cannot proceed.**

Please contact the OLG if you have any questions.

Regards,  
Jordan Schwanke  
Local Entity Specialist  
Office of the Lieutenant Governor