



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

October 28, 2024

Subject: River View Incorporation Request For Feasibility Study Determination

Dear Wasatch County Clerk's Office,

On October 21, 2024, The Office of the Lieutenant Governor (OLG) received notice of the determination regarding the River View Incorporation Request for Feasibility Study (the "Request"). The notice specified that the Wasatch County Clerk's Office (Clerk's Office) found that the Request does not comply with UCA §10-2a-202 because the valid signatures of private property owners did not meet the required 10% total private land area requirement described in UCA §10-2a-202(1). The grounds for the rejection were that the Clerk's Office was unable to verify signatures of individuals presumably signing as representatives of legal entities (LLCs, LPs, Trusts, etc.) because no valid documentation was provided.

UCA §10-2a-102(3)(b) states:

The signature of a person signing a feasibility request or a petition for incorporation 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 feasibility request or petition for incorporation with the person's signature; and
- ii) the person provides documentation accompanying the feasibility request or petition for incorporation that substantiates the person's representative capacity.

The Clerk's Office states that persons who signed the Request on behalf of legal entities did not provide documentation that substantiates signers' representative capacity for the various legal entities within the proposed River View Incorporation boundaries. The OLG has not received valid documentation from Wasatch County, Request signers, nor River View incorporation sponsors. Consequently, to determine if the Request would both cover at least 10% of the total

private land area and equal at least 7% of the assessed fair market value of all private real property within the area, valid documentation described in UCA §10-2a-102(3)(b) must be provided to the OLG. This valid documentation is necessary for the OLG to determine if the Request complies with UCA §10-2a-202, and to either uphold or reverse the decision made by the Clerk's Office.

As allowed by UCA §10-2a-204(3)(b)(iii), the OLG requires the Wasatch County Clerk's Office to request from River View incorporation sponsors to provide any or all valid documentation that will substantiate signers' representative capacity for the various legal entities included within the River View Incorporation area.

Please contact the LGO if you have any questions.

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