



RESOLUTION 2024-08

RESOLUTION TO CREATE A LOCAL BUILDING AUTHORITY FOR THE TOWN OF DUTCH JOHN

WHEREAS, Michael Harrington, the Town Attorney, is instructed to electronically sign the articles on behalf of each member of the council and mayor; and

WHEREAS, the council/mayor understand that the ultimate articles will be automatically generated by the State system, therefore there may be some wording changes, and the approval of the articles shall extend to the ultimately generated document as long as there are no material changes to the articles as proposed; and

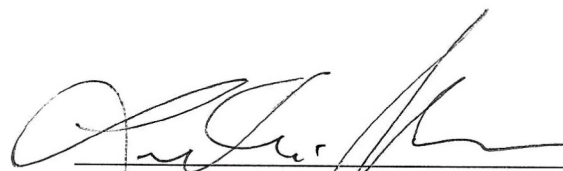
WHEREAS, the Town Attorney is instructed to prepare proposed bylaws for the December town council meeting (or other future meeting) when the non-profit corporation will be organized; and

WHEREAS, the Town Attorney is instructed, after filing the articles with the State, to register the entity with the Lt. Governor's office pursuant to statute; and

WHEREAS, the Town Council has read and approved the Articles of Incorporation of the Local Building Authority of the Town of Dutch John; (see attached document) and

NOW, THEREFORE, be it resolved by the Town Council of the Town of Dutch John, authorize the town's attorney, Michael Harrington, to begin the process of creating a Local Building Authority for the Town of Dutch John.

PASSED AND ADOPTED by the Town Council of the Town of Dutch John, this 13th day of November, 2024.



Lester V. Johns, Mayor

Amy McDonald, Recorder

Non-Profit Corporation Articles
ARTICLES OF INCORPORATION
OF THE
LOCAL BUILDING AUTHORITY OF THE
TOWN OF DUTCH JOHN

We, the undersigned natural persons all being of the age of eighteen years or more, acting as incorporators under the Utah Revised Nonprofit Corporation Act, adopt the following Articles of Incorporation for such Corporation:

Article I

Name

The name of the corporation is Local Building Authority of the Town of Dutch John.

Article II

Purpose

This nonprofit corporation, a local building authority created under the Local Building Authority Act, Utah Code Ann. Title 17 Chapter 2, is created solely for the limited purposes outlined by statute: constructing, acquiring, improving, or extending, and financing the costs of, one or more projects on behalf of the Town of Dutch John, and to engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code and are consistent with those powers described in the Utah Nonprofit Corporation and Cooperation Association Act, as amended and supplemented.

The corporation is authorized to engage in any and all other lawful purposes, activities, and pursuits substantially similar to the foregoing, consistent with those powers described in the Utah Nonprofit Corporation and Cooperation Association Act, as amended and supplemented, and Section 501(c)(3) of the Internal Revenue Code.

Article III
Name and Address of Registered Agent

The address of the corporation's initial registered office shall be:

580 South Boulevard
Dutch John, UT 84023

The corporation's initial registered agent at such address shall be:

Michael Harrington
374 E Main
Vernal, UT 84078

Article IV
Names and Addresses of Incorporators

The names and addresses of the incorporators are:

- **Lester "Butch" Johns**, 580 South Boulevard, Dutch John, UT 84023
- **Al Pulham**, 580 South Boulevard, Dutch John, UT 84023
- **Sandy Kunkel**, 580 South Boulevard, Dutch John, UT 84023
- **Amy McDonald**, 580 South Boulevard, Dutch John, UT 84023
- **Harriet Dickerson**, 580 South Boulevard, Dutch John, UT 84023

Article V

Members

The nonprofit corporation will not have voting members.

Article VI

Shares

The nonprofit corporation will not issue shares evidencing membership or interests in water or other property rights.

Article VII

Authority Board

The names and addresses of the Authority Board are as follows:

- **Lester "Butch" Johns, 580 South Boulevard, Dutch John, UT 84023**
- **Al Pulham, 580 South Boulevard, Dutch John, UT 84023**
- **Sandy Kunkel, 580 South Boulevard, Dutch John, UT 84023**
- **Amy McDonald, 580 South Boulevard, Dutch John, UT 84023**
- **Harriet Dickerson, 580 South Boulevard, Dutch John, UT 84023**

Article VIII

Duration

The period of duration of this corporation is **Perpetual**.

Article IX

Principal Place of Business

The street address of the principal place of the business is:

**580 South Boulevard
Dutch John, UT 84023**

Article X

Additional Provisions

Pursuant to Utah Code Section 16-6a-115, the directors, officers, employees, and members of a nonprofit corporation are not personally liable in their capacity as directors, officers, employees, and members for the acts, debts, liabilities, or obligations of a nonprofit corporation.

The Corporation adopts the protections described in Utah Code Section 16-6a-823.

In Witness Whereof, the undersigned incorporator(s) have executed these Articles of Incorporation on this **13th day of November, 2024**.

/s/ Lester "Butch" Johns

/s/ Al Pulham

/s/ Sandy Kunkel

/s/ Amy McDonald

/s/ Harriet Dickerson