

## R E S O L U T I O N

**A RESOLUTION SUBMITTING TO THE ELECTORS OF EDEN VALLEY IMPROVEMENT DISTRICT, AT A BOND ELECTION TO BE HELD IN THE DISTRICT IN CONJUNCTION WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 4, 2008, THE QUESTION OF AUTHORIZING THE DISTRICT TO ISSUE GENERAL OBLIGATION BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$4,000,000.**

WHEREAS, Eden Valley Improvement District (the "District"), is an improvement and service district duly organized and existing under the provisions of Title 18, Chapter 12, Wyo. Stat. (the "Act"); and

WHEREAS, the Board of Directors of the District (the "Board") has determined that it is necessary to construct, furnish and equip a community house/recreation center within and for the District (the "Project"); and

WHEREAS, the estimated cost of such Project is the amount of \$4,000,000; and

WHEREAS, pursuant to Wyo. Stat. §18-12-120, the Board may submit to the electors of the District, at an election called by the Board of County Commissioners of Sweetwater County (the "Commissioners") pursuant to Wyo. Stat. §22-12-122(a), on a date authorized under Wyo. Stat. §22-21-103, the proposition of issuing general obligation bonds of the District for such purpose (the "Bond Question"); and

WHEREAS, pursuant to Resolution adopted on August 19, 2008, the Commissioners have called such election in conjunction with the general election on Tuesday, November 4, 2008;

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF EDEN VALLEY IMPROVEMENT DISTRICT:**

**Section 1. Bond Election.** At a bond election to be held in the District in conjunction with the general election on Tuesday, November 4, 2008, between the hours of 7:00 A.M. and 7:00 P.M., there will be submitted to the electors of the District the question of issuing general obligation bonds of the District, as more particularly set forth in the Proclamation and Notice of Bond Election.

There shall be one District election precinct for this election, and the boundaries of the precinct shall be the same as the boundaries of the District.

The Board hereby designates the Sweetwater County Clerk as filing officer and election official (the "Sweetwater County Clerk" or "County Clerk") for said election.

**Section 2. Poll List.** No later than forty-five (45) days prior to the election, the Sweetwater County Clerk shall prepare a list of qualified electors residing within the District and shall request a list of the landowners residing within the District from the Sweetwater County Assessor (the "Assessor"). Not later than thirty (30) days before the election the Assessor shall submit a list of landowners to the County Clerk and the list of qualified electors and the list of land owners shall constitute the poll list (the "Poll List").

**Section 3. Bond Question.** The votes for and against the Bond Question, including absentee votes, shall be registered on ES&S M100 Voting Systems ballots. The ballots shall set forth the following question:

“Shall the Board of Directors of Eden Valley Improvement District be authorized to issue general obligation bonds of the District in an aggregate principal amount not to exceed \$4,000,000, for the purpose of constructing, furnishing and equipping a facility within and for the District to be known as the Farson-Eden Community and Recreation Center; said bonds to bear interest at a rate or rates not exceeding 7.00% per annum, and to mature serially within twenty-five (25) years from their date?”

For Issuance of Bonds.....

Against Issuance of Bonds.....

**Section 4. Election Procedures.** The bond election shall be called and held in accordance with election procedures set forth in the Act.

Pursuant to Wyo. Stat. §18-12-102(a)(vii), no ballot will be received by the judges of election unless the person offering the same shall be a qualified elector or an owner of land in the District, including any corporation, partnership or association owning land in the District, provided the individual who casts the vote for a corporation, partnership or association presents the election judge with a written authorization to vote for the corporation, partnership or association. Pursuant to Wyo. Stat. §18-12-102(a)(xii), “written authorization” means an affidavit filed with the Sweetwater County Clerk’s Office setting forth a general legal description of the property owned, the street or common name address for the property, the name or names of all owners of the property described, and a statement that the person signing the written authorization is the only person having authority to act on behalf of the owner or owners of the property. Pursuant to Wyo. Stat. §18-12-122(g), a written authorization for voting purposes shall be filed with the Sweetwater County Clerk’s Office not later than thirty (30) days prior to the election.

Pursuant to Wyo. Stat. §22-29-104(a)(v), “qualified elector” means a natural person who (i) is a citizen of the United States, (ii) is a bona fide resident of the District, (iii) will be at least 18 years of age on the day of the election, (iv) is not currently adjudicated mentally incompetent, (v) has not been convicted of a felony, or if so convicted, has had his civil or voting rights restored, and (vi) has registered to vote. Pursuant to Wyo. Stat. §18-12-102(a)(x), “landowner” or “owner of land” means the person or persons holding a majority interest in the record fee title to one (1) or more parcels of real property or a person or the persons who are obligated to pay general property taxes under a contract to purchase real property.

Absentee voting shall be allowed as more particularly set forth in the Proclamation and Notice of Bond Election.

**Section 5. Canvass of Votes.** The Sweetwater County Canvassing Board shall canvass the election and thereafter certify the result to the Commissioners and the Secretary-Treasurer of the Board.

**Section 6. Proclamation and Notice of Bond Election.** The Sweetwater County Clerk shall cause the Proclamation and Notice of Bond Election to be published at least once in the Rock Springs Rocket-Miner, a newspaper of general circulation in the District, not less than thirty (30) days, nor more than forty (40) days before the date of election or, at the County Clerk's discretion said Proclamation and Notice of Bond Election may be combined with and given in the same manner as the notice of the general election. The Notice shall specify the name of the District, the date, time and place of election, the question to be submitted and the fact that only electors of the District will be permitted to vote thereon, and such Proclamation and Notice shall be in substantially the following form:

**PROCLAMATION AND NOTICE OF BOND ELECTION  
EDEN VALLEY IMPROVEMENT DISTRICT  
TUESDAY, NOVEMBER 4, 2008**

PUBLIC NOTICE IS HEREBY GIVEN That on Tuesday, the 4th day of November, 2008, between the hours of 7:00 A.M. and 7:00 P.M., there will be submitted to the electors of Eden Valley Improvement District the following question:

“Shall the Board of Directors of Eden Valley Improvement District be authorized to issue general obligation bonds of the District in an aggregate principal amount not to exceed \$4,000,000, for the purpose of constructing, furnishing and equipping a facility within and for the District to be known as the Farson-Eden Community and Recreation Center; said bonds to bear interest at a rate or rates not exceeding 7.00% per annum, and to mature serially within twenty-five (25) years from their date?”

There shall be one District election precinct for this election, and the exterior boundaries of the precinct shall be the same as the exterior boundaries of the District, which include the following:

Commencing at the Southeast Township corner of Township 22 North, Range 100 West of the 6th Principal Meridian, thence Northerly along the East Township line of Townships 23, 24, 25 and 26 North, Range 100 West of the 6th Principal Meridian to the Northeast Township corner of Township 26 North, Range 100 West of the 6th Principal Meridian, thence Westerly along the North Township line of Township 26 North, Range 100 West, Township 26 North, Range 101 West, Township 26 North, Range 102 West, Township 26 North, Range 103 West, Township 26 North, Range 104 West, Township 26 North, Range 105 West, Township 26 North, Range 106 West, Township 26 North, Range 107 West, Township 26 North, Range 108 West, Township 26 North, Range 109 West, Township 26 North, Range 110 West, Township 26 North, Range 111 West of the 6th P.M. to the Northeast corner of Section Five (5), Township 26 North, Range 111 West; thence South along section lines to the Southeast corner of Section 32, Township 25 North, Range 111 West; thence along the Sixth Standard Parallel to the North quarter-section corner of Section Six (6), Township 24 North, Range 111 West; thence South through the centers of sections and through quarter-section corners to the South quarter-section corner of Section 31, Township 24 North, Range 111 West; thence Easterly along the South Township line of Township 24 North, Range 111 West, Township 24 North, Range 110 West, Township 24 North, Range 109 West, Township 24 North, Range 108 West, to the Southwest Township corner of Township 24 North, Range 107 West of the 6th Principal Meridian, thence Southerly along the West Township line of Townships 23 and 22 North, Range 107 West of the 6th Principal Meridian to the Southwest Township corner of Township 22 North, Range 107, West of the 6th Principal Meridian, thence Easterly along the South Township line of Township 22 North, Range 107 West, Township 22 North, Range 106 West, Township 22 North, Range 105 West, Township 22 North, Range 104 West, Township 22 North, Range 103 West, Township 22 North, Range 102 West, Township 22 North, Range 101 West and Township 22 North, Range 100 West of the 6th Principal Meridian to the Southeast Township corner of Section 22 North, Range 100 West of the 6th Principal Meridian, being the point of beginning.

The Election District, Precinct and Polling Place shall be as follows:

No.	No.	Precinct Name	Polling Place
20	1	Eden-Farson	Eden Farson Fire Station

Pursuant to Wyo. Stat. §18-12-102(a)(vii), no ballot will be received by the judges of election unless the person offering the same shall be a qualified elector or an owner of land in the District, including any corporation, partnership or association owning land in the District, provided the individual who casts the vote for a corporation, partnership or association presents the election judge with a written authorization to vote for the corporation, partnership or association.

Pursuant to Wyo. Stat. §18-12-102(a)(xii), “written authorization” means an affidavit filed with the Sweetwater County Clerk’s Office setting forth a general legal description of the property owned, the street or common name address for the property, the name or names of all owners of the property described, and a statement that the person signing the written authorization is the only person having authority to act on behalf of the owner or owners of the property. Pursuant to Wyo. Stat. §18-12-122(g), a written authorization for voting purposes shall be filed with the Sweetwater County Clerk’s Office not later than thirty (30) days prior to the election.

Pursuant to Wyo. Stat. §22-29-104(a)(v), “qualified elector” means a natural person who (i) is a citizen of the United States, (ii) is a bona fide resident of the District, (iii) will be at least 18 years of age on the day of the election, (iv) is not currently adjudicated mentally incompetent, (v) has not been convicted of a felony, or if so convicted, has had his civil or voting rights restored, and (vi) has registered to vote not less than 30 days before the election and who will be at least eighteen (18) years of age the day of the election. Persons who are otherwise qualified to vote, but who are not presently registered, may register at the Office of the Sweetwater County Clerk, Sweetwater County Courthouse, in Green River, Wyoming, not later than the close of business on Monday, October 6, 2008. Any qualified elector who did not register to vote prior to the 30 day registration cutoff date will be allowed to register and vote at the polls on election day or at the Sweetwater County Courthouse in Green River, Wyoming, at the time of voting by absentee ballot.

Pursuant to Wyo. Stat. §18-12-102(a)(x), “landowner” or “owner of land” means the person or persons holding a majority interest in the record fee title to one (1) or more parcels of real property or a person or the persons who are obligated to pay general property taxes under a contract to purchase real property.

Any qualified elector or landowner may vote by absentee ballot beginning forty (40) days before the election. Only qualified registered electors or landowners may apply for an absentee ballot in person, in writing or by telephone [(307) 872-6395], by furnishing the information required by law; applications should be made to Dale Davis, P.O. Box 730, Sweetwater County Courthouse, 80 West Flaming Gorge Way, Green River, Wyoming 82935. Such application should be made by 5:00 P.M. on Monday, November 3, 2008, and said ballots will only be counted if they are returned to said location not later than 7:00 P.M. on Tuesday, November 4, 2008.

The Board of Directors has determined and hereby declares that the interest of the District and the public interest and necessity demand that provision be made for the construction, furnishing and equipping of a facility within and for the District to be known as the Farson-Eden Community and Recreation Center and that general obligation bonds be issued for said purposes as set forth in the foregoing question.

**IN WITNESS WHEREOF**, the Board of Directors of Eden Valley Improvement District has caused this Notice to be given by the Sweetwater County Clerk, as required by law, as of the 21st day of August, 2008.

/s/ Dale Davis  
Sweetwater County Clerk

Publish: Rock Springs Rocket-Miner  
Publish on: \_\_\_\_\_

**Section 7. Resolution to County Clerk.** The Secretary-Treasurer of the Board shall cause written notification to be provided to the Sweetwater County Clerk, specifying the date of the election and the Bond Question, not later than August 25, 2008, in compliance with Wyo. Stat. §22-21-103.

**Section 8. Severability.** Should any part or provision of this resolution ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this resolution is severable.

**Section 9. Repealer.** All resolutions or parts of resolutions in conflict with this resolution are hereby repealed.

**Section 10. Recording and Authentication.** This resolution, after its passage and approval, shall be recorded by the Secretary in a book kept for that purpose in the office of the Secretary-Treasurer.

**RESOLUTION ADOPTED AND APPROVED** as of the 21st day of August, 2008.

**EDEN VALLEY IMPROVEMENT DISTRICT**

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Chairman, Board of Directors

**ATTEST:**

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Secretary-Treasurer, Board of Directors