MINUTES

SUMMIT COUNTY
BOARD OF COUNTY COUNCIL
WEDNESDAY, FEBRUARY 6, 2019
SUMMIT COUNTY COURTHOUSE
COALVILLE, UTAH

PRESENT:
Roger Armstrong, Council Chair  
Doug Clyde, Council Member  
Chris Robinson, Council Member  
Kim Carson, Council Member  
Glenn Wright, Council Member  

Tom Fisher, Manager  
Janna Young, Deputy Manager  
Dave Thomas, Chief Civil Deputy  
Margaret Olson, Attorney  
Kellie Robinson, Chief Deputy Clerk

The Council was called to order at 11:55 a.m.

Work Session

Interview applicants for vacancies on the South Summit Cemetery Maintenance District

The Council interviewed Charlie Krueger, Cindy Butterfield, Jack Clegg and James Blazzard by phone and Robert Ure in person to fill vacancies on the South Summit Cemetery Maintenance District Board. There are four open seats on the District Board.

Closed Session – Property Acquisition

Council Member Carson made a motion to convene in closed session to discuss property acquisition. Council Member Wright seconded and all voted in favor, 5-0.

The Summit County Council met in closed session from 12:56 p.m. to 2:18 p.m. to discuss property acquisition. Those in attendance were:

Roger Armstrong, Council Chair  
Doug Clyde, Council Member  
Chris Robinson, Council Member  
Kim Carson, Council Member  
Glenn Wright, Council Member  

Tom Fisher, Manager  
Dave Thomas, Chief Civil Deputy  
Margaret Olson, Attorney  
Annette Singleton, Executive Assistant  
Brian Hanton, SBSRD  
Melissa O’Brien, SBSRD

Council Member Carson made a motion to dismiss from closed session to discuss property acquisition. Council Member Clyde seconded with all voting in favor, 5-0.

Work Session Continued
Pledge of Allegiance

Medical Cannabis compromise bill discussion: Rich Bullough, Frank Smith and Jami Brackin

Rich Bullough, Health Director, Frank Smith with the Sheriff’s Office, and Jami Brackin, Deputy Attorney presented information regarding House Bill 3001 Utah Medical Cannabis Act with the following report.

MEMORANDUM

DATE: January 30, 2019
TO: Summit County Council
FROM: Rich Bullough, Justin Martinez, Jami Brackin
RE: Medical Cannabis

In December, 2018, the Utah Legislature passed HB3001, The Utah Medical Cannabis Act. This legislation is intended to provide a compromise to Utah Proposition 2: Medical Marijuana Initiative, which was approved by a majority of state voters during the 2018 election. The intent of HB3001 is to allow for both private and public distribution of medical cannabis, to those with a “recommendation”, while increasing control and regulation of medical cannabis by the state of Utah.

HB3001 specifically requires that Local Health Departments act as medical cannabis dispensary locations, at a minimum of one site per health district. Therefore, the law requires that the Summit County Health Department distribute controlled and tested medical cannabis to qualifying individuals. HB3001 also allows for privately owned, licensed dispensaries to operate across the state, in limited numbers. It further allows that in those areas without a Local Health Department dispensary, licenses for privately operated dispensaries may be granted.

Importantly, at this date, there is no funding dedicated to Local Health Departments or Counties for implementation of HB3001, although assurances continue to be made that funding will be made available. Additionally, there remains uncertainty about potential impacts to federal funding. Again, assurances have been made by the state that there will be no impact to these funds. Several memos written under the Obama administration, assuring protections of federal funding in states distributing cannabis (Cole and Ogden memos) have been rescinded during the current administration.

Please refer to the attached following documents for additional information: Utah Medical Cannabis Fact Sheet, Utah Medical Cannabis Act Overview (Figure), Possible Dispensary Options and Cost Estimates, and HB3001: The Utah Medical Cannabis Act.
UTAH MEDICAL CANNABIS

QUICK FACTS

House Bill 3001: Utah Medical Cannabis Act
- Passed December 3, 2018.
- Amended Ballot Proposition 2, which became effective December 1, 2018.

PROGRAM DEADLINE: MARCH 1, 2020

- Most elements of the medical cannabis program must be operational by March 1, 2020.
- Prior to January 2021, patients with qualifying conditions, whose doctors recommend they use medical cannabis, may legally possess it in medicinal dosage forms under Utah Code 58-37-3.7.

DOSAGE FORMS

- Tablet
- Capsule
- Concentrated oil
- Liquid Suspension
- Topical preparation
- Transdermal preparation
- Cube
- Resin or wax (under certain conditions)
- Unprocessed cannabis flower in blister pack

*Edibles, such as brownies, and unprocessed flowers outside of blister packs are not allowed under Utah Code 26-61a-102 (29).

AMOUNT RESTRICTIONS

- Primary residence is less than 100 miles from medical cannabis pharmacy or local health department:
  - In any one 12-day period, may not possess more than the lesser of:
    - An amount sufficient to provide 14 days of treatment on the dosing parameters that the qualified medical provider (QMP) recommends; or
    - 56 grams by weight of unprocessed cannabis that is in a medicinal dosage form and that contains, in total, greater than 10 grams of total composite THC and CBD in the cannabis
- Primary residence is greater than 100 miles from medical cannabis pharmacy or local health department:
  - In any one 28-day period, may not possess more than the lesser of:
    - An amount sufficient to provide 30 days of treatment based on the dosing parameters that the relevant qualified medical provider (QMP) recommends; or
    - 113 grams of marijuana in a medicinal dosage form
    - Medicinal forms containing more than 20 grams of tetrahydrocannabinol (THC)
- Medical cannabis cardholders may not possess marijuana drug paraphernalia.
UTAH MEDICAL CANNABIS

MEDICAL CANNABIS PHARMACIES

- Seven licenses available, one year renewal cycle.
- Must have a licensed pharmacist registered with Utah Department of Health on site during business hours at all times to consult with patients.
- May only sell cannabis product in medicinal dosage form, medical cannabis devices, or educational material related to medical use of cannabis.
- To enter pharmacy, must be a cardholder (patient, guardian, or caregiver) and at least 18 years old.
- May not advertise or give samples. Use of cannabis on property is forbidden.
- All employees are required to register as agents and pass background checks.
- Must have signage that includes green cross, name, and hours of operation, and must be equipped with security system.
- Must follow product labeling requirements.

STATE CENTRAL FILL PHARMACY

- Must meet most medical cannabis pharmacy requirements.
- Receives requests for shipments from patients with verification through the electronic verification system (EVS) or from qualified medical providers directly through the EVS.
- Consults directly with the patient when the QMP recommending a medical cannabis treatment does not provide dosing parameters.
- Delivers all patient orders to a local health department location (no customer pick up at state central fill location).
- Written counseling information included with each shipment, along with contact information by which a cardholder may contact a pharmacy medical provider for counseling.

QUALIFIED MEDICAL PROVIDERS

- QMP licensure is limited to the following:
  - Physicians
  - Osteopathic Physicians
  - Advanced Practice Registered Nurses (APRN)
  - Physician Assistants
- QMPs must be licensed in Utah.

LOCAL HEALTH DEPARTMENTS – ADDED BY UALHD

- Each local health department shall designate: one or more of the local health department’s locations as a state central fill shipment distribution location; and a sufficient number of personnel to ensure that at least one individual is available at all times during business hours.
- An individual must have a valid US federal or state issues ID and a valid medical cannabis card to retrieve their shipment.
• The local health department shall: store each state central fill shipment that the local health department receives, until the recipient medical cannabis cardholder retrieves the shipment or the local health in a single, secure, locked area that is equipped with a security system that detects and records entry into the area; and ensure that only a local health department distribution agent is able to access the area.

• At this time, it is anticipated that local health departments will oversee a total of 18 distribution site across the 13 local health districts.

• LHD's anticipate amendments to the HB 3001 during the 2019 general session and will continue to monitor the bill and work closely with our partners.
Utah Medical Cannabis Act Overview

Updated as of December 12, 2018

- Plant 8" Tall
- Inventory/Control System
- State Central Fill Pharmacy/Pharmacies
- Local Health Department (13+)
- Qualified Medical Provider (MD, DO, APRN, or PA)
- Medical Cannabis Cardholder
- Cultivators (10-15 max)
- Processors
- Independent Cannabis Testing Laboratory
- Medical Cannabis Pharmacies (7-10)

Provides for security and tracking of cannabis and related product from cultivation to patient use.
Dispensary Options and Cost Estimates (rough estimates and not intended to be inclusive of all possible options)

• Front desk at existing health department location
  • Quinn’s location most logical
  • Secured storage area identified with modifications
  • Already fully staffed during normal business hours
  • Additional training/certification, and pay for existing staff
  • Estimated budget impact: Total Startup = $67,000, Ongoing = $35,000
    • Indirect costs and maintenance: $10,000
    • Security modifications: $25,000
    • Secured Storage: $7,000
    • Salary: $25,000

• Separate location with staffing
  • Location somewhere in Snyderville, perhaps near Kimball, on bus line
  • Secured storage area
  • New staff would need to be hired through Health Department
  • Normal business hours to be determined: no standards set
  • Training/certification for new staff
  • Estimated budget impact: Total Startup $92,000 to $156,000, Ongoing $60,000 to $124,000
    • Existing County facility, indirect costs and maintenance: $10,000
    • New non-County facility: $24,000
    • Security modifications: $25,000
    • Secured Storage: $7,000
    • Staffing: Range from $50,000 to $100,000 annually depending on business hours and staffing levels

• Private option
  • No County government location, but support of private dispensary
  • Potential, but undefined, risk to County
  • Potential economic development benefit
Discussion regarding possible amendments to Eastern Summit County Development Code for the adaptive reuse of historic structures; Ray Milliner

Ray Milliner, County Planner, reviewed the following staff report regarding possible amendments to the Eastern Summit County Development Code for the adaptive reuse of historic structures.

To: Summit County Council  
From: Ray Milliner, County Planner  
Date of Meeting: February 7, 2019  
Type of Item: Code Amendment – Work Session  
Process: Legislative

RECOMMENDATION: Staff recommends that the Summit County Council review the ordinance relating to the adaptive reuse of historic structures, and provide direction.

Proposal  
The purpose of the ordinance is to provide owners of historic structures in Eastern Summit County with opportunities to establish an adaptive reuse in the building while limiting the impacts of the use on adjacent property owners.

Background  
In April of 2018 the Eastern Summit County Planning Commission reviewed changes to the Use Table in Chapter 3 of the Eastern Summit County Development Code. As part of the review, Commission members noted that the “Historic structures, preservation of, including related accessory and supporting uses” line had been removed from the table and enquired as to why. Staff responded that there was no program in the code for the use, and therefore there was no need to feature it in the table. It was noted that the Snyderville Basin Development Code does have a program that has been used on occasion and has been relatively successful. Commission members commented that perhaps it would be beneficial to have the same program available for residents of the Eastern Summit County Planning area, and directed staff to research the possibility.

Based on this direction, staff returned to the Commission for a work session on June 7, 2018 to explain the Snyderville Basin program and further discuss the possibility of creating a historic preservation program for Eastern Summit County. Commissioners reviewed the Basin language and directed staff to modify it to fit the needs of Eastern Summit County.

The Commission reviewed the language on October 4, and conducted a public hearing and forwarded a positive recommendation to the Council on November 1, 2018.

Proposed Language  
It is important to note the proposed process is entirely voluntary. The purpose of the language is to create incentives for owners of historically significant structures, with the end goal of
preserving them. There are 4 distinct sections in the language. Staff has provided a short description of each below (See Exhibit A for complete language).

1. **Determination of Significance**: This section establishes guidelines for determining what buildings are eligible for designation as “historically significant.” The Planning Commission would make that determination prior to the submittal of a Conditional Use Permit for the adaptive reuse. Criteria for Historically Significant determinations are based on language from the Secretary of the Interior’s standards.

2. **Additional Uses Allowed**: This section establishes the uses that would be allowed in a historic building above what is permitted by the underlying zone.

3. **Qualifying Provisions**: Establishes criteria that a project must meet prior to becoming eligible for Planning Commission review of a Conditional Use Permit.

4. **Use table**: This section identifies where the use is allowed, conditional or low impact.

**Proposed Process**

1. The owner of a historic property would submit a Conditional Use Permit application for the adaptive reuse of a historic structure.

2. Staff would review the application for compliance with the established criteria in the proposed language and prepare a recommendation to the Planning Commission.

3. The Planning Commission would be asked to:

   a. Make findings for a determination of Historical Significance per the criteria in the proposed Code language.

   b. Evaluate the proposal and make findings per the proposed qualifying provisions.

   c. Evaluate the proposal and make findings of compliance with the criteria for a Conditional Use Permit.

This process can be conducted concurrently.

**Analysis**

Section 11-5-3 of the Eastern Summit County Development Code establishes a process for amendments to the text of the Code, it states that whenever an amendment to the Code is initiated, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, can approve, approve with modifications or deny the amendment. There is no criterion.

The Eastern Summit County General Plan has specific goals related to future amendments.

**Goal 2.3. b States:**

“Consider development of a heritage preservation plan.”

**Code Amendments**
Analysis: The proposed ordinance is a heritage preservation plan and therefore meets its compatible with the goals of the General Plan.

Recommendation
Staff recommends that the Summit County Council review the ordinance relating to the adaptive reuse of historic structures, and provide direction.

EXHIBIT A
11-6-21: ADAPTIVE REUSE OF HISTORICALLY SIGNIFICANT STRUCTURES:

Historically significant buildings are valued in Summit County based upon their contribution to the general welfare, aesthetics and values of property and historical education of Summit County. Historically significant buildings tell the story of Summit County and provide architectural and/or cultural significance. The purpose of these regulations is to provide for the adaptive reuse of a historically significant building with a new use that meets the criteria set forth in this code.

A. No Increase In Density: No increase in density above what is allowed by the underlying zoning district is or shall be granted through these provisions.

B. Use Must Be Contained Within The Historic Structure: The adaptive reuse of a historically significant building must be confined to the building itself.
   
   a. Exception: The adaptive reuse may include exterior patios and decks, provided they are associated with the use, and the patios and decks do not detract from the historical character of the building.

C. Determination Of Historic Significance Required: Prior to any review for an adaptive reuse of the property, the property owner must demonstrate that the Structure is "historically significant". Determinations of historical significance shall be made by the Planning Commission, who must find that the Structure or Building meets at least one of the following definitions set forth in subsection D of this section.

D. Historically Significant Is Defined As:

1. A building or structure associated with events that have made a significant contribution to the broad patterns of Summit County's history; or
2. A building or structure associated with the lives of significant persons in the past; or
3. A building or structure which embodies the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
4. A building or structure which has yielded or may be likely to yield, information important in history or prehistory.

E. Additional Uses Allowed: In addition to the allowed, conditional and low impact uses designated in the underlying zoning district, the following uses may be approved as a conditional use in a historically significant building in any zoning district:

   o Professional Office;
   o Restaurant; and
   o Retail Commercial Establishments.

Code Amendments
F. Qualifying Provisions: In order to qualify for conditional use review under section 11-4-7, "Conditional Use Permit", of this title, the applicant must first demonstrate compliance with all of the following to the planning commission:

1. The building is designated as historically significant by the Planning Commission. The designation process must be completed prior to the county accepting a conditional use application for the structure unless the Community Development Director determines that it is in the best interest of the County to process the designation and conditional use applications together.

2. The adaptive reuse will require minimal physical change to the building as these features are important in defining the overall historic character of the building and environment.

3. The adaptive reuse is contained entirely within the historically significant structure, unless specifically excepted in Section 11-6-21.B.a of this Chapter.

4. Significant archaeological resources affected by the project shall be protected and preserved. If such resources, for the adaptive reuse, must be disturbed, mitigation measures may be undertaken and approved by the Community Development Director. Disturbances to archaeological resources shall be kept to a minimum.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the property shall be preserved.

6. The proposed adaptive reuse will not have a material net cumulative adverse impact on the neighborhood or the county due to:

   a) Traffic;
   b) Parking;
   c) Signs;
   d) Lighting;
   e) Removal of landscaping; and
   f) Noise, fumes or odors.

G. Deed Or Restrictive Use Covenant Required: As a condition of the Adaptive Reuse of a Historically Significant Structure Conditional Use Permit, the property owner shall record a deed or restrictive use covenant to benefit the County, which protects the historical structure from demolition and changes contrary to the intent of the preservation of historical structures provision herein.
11-3-16: CHART OF ALLOWED AND PERMITTED USES:

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>R-2.5</th>
<th>AG-5</th>
<th>AG-10</th>
<th>AG-20</th>
<th>AG-40</th>
<th>AG-80</th>
<th>CA</th>
<th>C</th>
<th>L</th>
<th>I</th>
<th>Additional Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adaptive reuse of a historically significant structure</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>See Section 11-6-21 for additional information</td>
</tr>
</tbody>
</table>

Discussion regarding possible amendments to the Eastern Summit County Development Code to create lighting regulations; Ray Milliner

Ray Milliner then reviewed the following staff report regarding possible amendments to the Eastern Summit County Development Code to create lighting regulations.
STAFF REPORT

To: Summit County Council
From: Ray Milliner, County Planner
Date of Meeting: February 7, 2019
Type of Item: Code Amendment – Work Session
Process: Legislative

RECOMMENDATION: Staff recommends that the Summit County Council review the proposal to amend Chapter 11-6 of the Eastern Summit County Development Code to create lighting regulations for Eastern Summit County and provide staff with direction.

Background

Over the past few months, staff has received an increasing number of complaints with regard to lighting in Eastern Summit County (generally revolving around uses having too much lighting, light trespass, unnecessary lighting etc.). The general staff response is to approach the property owner and inform them that staff has received a complaint and request that they address the issue. However, the property owner is under no obligation to make the changes because there are no regulations in the Development Code for lighting.

Concurrent with these issues, members of the County Council and the Planning Commission mentioned that they would like to see a lighting ordinance created in the Eastern Summit County Development Code. As a result, on June 7, 2018 the Eastern Summit County Planning Commission conducted a work session to discuss the likelihood of creating lighting regulations in Eastern Summit County. Commissioners reviewed an ordinance from another jurisdiction and directed staff to create language specific for Eastern Summit County. The Commission conducted public hearings on October 1, November 1, December 6, 2018 and then on January 17, 2019, the Commission forwarded a positive recommendation to the County Council for a new ordinance creating lighting regulations in Eastern Summit County.

The purpose of this work session is to:

1. To explain the purpose of a lighting ordinance and what it does;
2. To introduce the ordinance recommended to the Council by the Planning Commission; and
3. To receive direction from the Council.

There is a large range of how restrictive or liberal a lighting ordinance can be, however, an effective lighting ordinance generally:
- Promotes full-cutoff (down directed and fully shielded) fixtures for most uses.
- Prohibits floodlighting and unshielded wall packs.
- Prohibits up lighting of buildings and signs.
- Requires that nonessential lighting be turned off after business hours.
- Requires lighting plans for new construction that demonstrate compliance with height, lumens and number of lights allowed.

The proposed ordinance addresses each of these items. Ordinance highlights include:

1. Requires compliance of all uses, commercial and residential.
2. Requires that all new lighting be full cutoff.
3. Provides exemptions for certain lighting (agriculture, traffic lights, public safety, holiday lights etc.).
4. Prohibits certain types of lights (architectural lighting, landscape lighting, spot/flood lights).
5. Establishes an amortization schedule requiring that all lighting be in compliance with the code after 7 years of the adoption of the ordinance.

To create the ordinance language, staff consulted with representatives from the University of Utah Consortium for Dark Sky Studies, Springdale City, Torrey City and Ketchum City. Each of these resources provided valuable guidance for the creation of the ordinance.

Staff has attached the Planning Commission recommended lighting ordinance to this staff report for Council review. Staff is requesting that the Commission review the document and provide direction.

Analysis

Section 11-5-3 of the Eastern Summit County Development Code establishes a process for amendments to the text of the Code, it states that whenever an amendment to the Code is initiated, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, can approve, approve with modifications or deny the amendment. There is no criterion.

The Eastern Summit County General Plan has specific goals related to future amendments.

Goal 2.1. g States:

"Enact ordinances, resolutions, codes and other forms of land use controls to reduce nuisances and land use incompatibilities."

Goal 2.1.i States:

Code Amendments
"Create appropriate and predictable development procedures in the Development Code to ensure that all land use and development is adequately reviewed and determined to be consistent with the goals of this Plan before any approvals are granted."

The proposed lighting regulations are designed specifically to prevent the degradation of the night sky (to ensure that people can still see the stars at night) as well as to prevent glare and light trespass onto neighboring properties. Further, regulations will encourage individuals to use lighting fixtures that are energy efficient, which will foster economic and environmental gains.

Recommendation

Staff recommends that the Summit County Council review the proposal to amend Chapter 11-6 of the Eastern Summit County Development Code to create lighting regulations for Eastern Summit County and provide staff with direction.

EXHIBIT A
PROPOSED AMENDMENTS TO CHAPTER 6
11-6-20: LIGHTING REGULATIONS:

A. Purpose

The purpose of this Section is to:

1. To prevent the degradation of the nighttime visual environment by production of unsightly and dangerous glare;
2. To create lighting practices that promote the health and safety of Summit County's citizens and visitors;
3. To prevent unnecessary waste of energy and resources in the production of excessive light or wasted light;
4. To prevent interference in the use or enjoyment of property which is not intended to be illuminated at night and the loss of the scenic view of the night sky due to increased urban sky-glow.

B. Applicability

All exterior outdoor lighting installed after the effective date of this chapter in all zones in Eastern Summit County shall conform to the requirements established by this chapter.

1. This chapter does not apply to indoor lighting.
2. All existing outdoor lighting that does not meet the requirements of this chapter and is not exempted by this chapter shall be considered a nonconforming use and as such shall be regulated as outlined in Chapter 11-6-2 of this title.
3. Should this chapter be found to be in conflict with other sections of this Code, the more restrictive shall apply.

C. Application and Review Procedures

Lighting Plans Required: All development permit applications or submittals that propose street lighting or other outdoor lights shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources shall comply with this Code and shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.

D. Full Cutoff Fixture Requirements:

1. Unless specifically exempted by this chapter, all outdoor lighting shall use full cutoff fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture.
2. Lighting must not be placed at a location, angle, or height that directs illumination or horizontal trespass outside the property boundaries where the light fixtures are located.
3. In order to qualify as a "full cutoff" fixture, a light fixture must have the top and sides made of completely opaque material so that light only escapes through the bottom of the fixture.

Code Amendments
Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as full cutoff. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as full cutoff.

4. Exemptions To Full Cutoff Fixture Requirements:

   a. Fixtures having a total light output less than one thousand (1,000) lumens (allowing a maximum of a 60 watt incandescent or a 15 watt compact fluorescent bulb) are exempted from the full cutoff requirement provided:

   i. The fixture has a top that is completely opaque such that no light is directed upwards.
   ii. The fixture has sides that completely cover the light source and are made of opaque or semi opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light.
   iii. Semi opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material.
   iv. Completely transparent materials, such as clear glass, are not allowed.
   v. The bulb or lamp must not be visible from any point outside the property on which the fixture is located.

E. Exemptions.

The following types of lighting installations shall be exempt from the provisions, requirements and review standards of this Section, including those requirements pertaining to Community Development Director review.

1. Agricultural lighting. Lighting for Agricultural Activities or Agricultural Buildings as defined in Appendix A of this Chapter is exempt from the requirements of this Section, provided such lighting is down directed and shielded to prevent glare to the level of a nuisance on adjacent streets or properties.

2. Holiday lighting. Winter holiday lighting which is temporary in nature and which is illuminated only between and including November 15 and February 1 shall be exempt from the provisions of this Section, provided that such lighting does not create glare to the level of a nuisance on adjacent streets or properties, is maintained in an attractive condition and does not constitute a fire hazard.

3. Traffic control signals and devices.

4. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.

5. The lighting of Federal or State flags, per the regulations for lighting a flag in the United States Code Title 36, Chapter 10.

6. Low voltage low voltage lights and solar lights used to illuminate pathways in residential areas, provided the lights are installed no more than eighteen inches (18") above the adjacent ground level.

Code Amendments
F. Prohibited Lighting

The following are prohibited:

1. Floodlights or spotlights affixed to buildings or poles for the purpose of lighting parking lots or sales display lot areas.
2. Architectural lighting intended to accent or draw attention to architectural features of a building.
3. Landscape lighting intended to accent or draw attention to landscape elements on the property.
4. Search lights, laser source lights or any similar high intensity lighting is prohibited except in emergencies by police and fire personnel or at their direction.
5. Up lighting to illuminate buildings and other structures.
6. Flashing, blinking, intermittent or other lights that move or give the impression of movement.

G. Amortization of Nonconforming Outdoor Lighting

Amortization: The County shall require the termination of use of any and all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this Section.

Schedule of Amortization: All outdoor lighting legally existing and installed prior to the effective date of this chapter (February _____ 2019) and which is not exempted shall be considered nonconforming and shall be brought into compliance by the property owner as follows:

1. Immediate abatement as a condition for approval upon application for a building permit, sign permit, conditional use permit, design development review or similar County permit or review when said site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred (1,500) square feet. Projects less than one thousand five hundred (1,500) square feet will not be subject to immediate abatement.
2. All damaged or inoperative nonconforming lighting shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.
3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with this chapter within seven (7) years from the effective date of this chapter.

H. Requirements for Lighting Non-Motorized Commercial/Private Recreation facilities.

All requests for new outdoor Non-Motorized Commercial/Private Recreation facilities lighting fixtures shall meet the following requirements:

1. The recreational lighting has provisions for minimizing glare, spill light and up light by the use of louvers, hoods, or shielding.
2. The recreational lighting will only illuminate the field or court area with no direct illumination falling outside of those areas.
3. Pole mounted recreational lighting shall be limited to eighteen feet (18') in height.
4. Pole mounted recreational lighting must be set back a minimum of sixty feet (60') from adjacent residential properties.
5. Lighting for sports fields shall be shut off no later than eleven o'clock (11:00) P.M.
6. The lighting for nonfield and noncourt areas shall conform to all provisions of this Chapter.

Exemption: Because of their unique requirements for nighttime visibility and their limited hours of operation, lighting fixtures for baseball diamonds, playing fields, rodeo grounds, tennis courts or other similar uses may exceed the eighteen foot (18') height limit subject to the following:

1. Planning Commission review. All applications for pole height greater than eighteen feet (18') shall be reviewed by the Eastern Summit County Planning Commission.
2. In no case shall any lighting fixture exceed seventy feet (70') in height as measured from the top of the fixture to the adjacent grade or the horizontal plane being lit by the fixture.
3. Lighting fixtures shall be subject to all other requirements in this Chapter.
Unacceptable / Discouraged
Fixtures that produce glare and light trespass

- Unshielded Floodlights or Poorly-Shielded Floodlight
- Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures
- Drop-Lens & Sag-Lines Fixtures w/ exposed bulb / retractor lens
- Unshielded Streetlight
- Unshielded Bollard Light

Acceptable
Fixtures that direct the light source to minimize glare and light trespass and to facilitate better vision at night

- Full Cutoff Fixtures
- Fully Shielded Wallpack & Wall Mount Fixtures
- Fully Shielded Fixtures
- Fully Shielded Streetlight
- Fully Shielded Bollard Light
- Fully Shielded Streetlight Fixtures
- Fully Shielded "Porch" Style Fixtures
- Shielded / Property-lined PAR Floodlights
- Flush Mounted or Side Shielded Under Canopy Fixtures

Code Amendments
Protecting the night sky starts with YOU!

1. Light only what you need
2. Use energy efficient bulbs and only as bright as you need
3. Shield lights and direct them down
4. Only use light when you need it
5. Choose warm white light bulbs
6. Join IDA!

We need your help to continue the fight against light pollution.

Legislative update: Kim Carson and Janna Young

Council Member Carson and Deputy Manager Janna Young presented the following legislative update.
STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: February 6, 2019
Type of Item: Weekly Legislative Update
Process: Work Session

During the 2019 general session of the Utah State Legislature, staff, along with Councilmember Kim Carson, will provide the County Council weekly updates on the issues and activities the county is monitoring at the State Capitol.

Requested Council Action
None.

Background
On Monday, January 28, 2019, the general session of Utah’s 63rd legislature began and will run until Thursday, March 14, 2019. During the session, Summit County’s internal legislative working group tracks activity at the State Capitol.

The County’s legislative working group is comprised of the County Assessor, Auditor, Clerk, (2) Councilmembers, Recorder, Treasurer, Health Department Director, Chief Financial Officer, Community Development Director, Economic Development Director, Transportation Planning Director, County Manager, Deputy County Manager, and representatives from the County Attorney’s Office and Sheriff’s Office.

This group meets weekly to monitor bills, share information, decide county positions on legislation, participate in Utah Association of County’s (UAC) weekly policy and legislative coordinating meetings, work closely with the county’s House and Senate members and the county’s lobbyist on issues, attend committee meetings, and potentially testify before committees, if appropriate.

Each week at the County Council meeting, Councilmember Kim Carson, Deputy County Attorney, Jami Brackin, and Deputy County Manager, Janna Young reports to the Council on these activities, and requests input on issues and support for proposed county positions on bills.
2019 Legislative Session

Expectations
While it is difficult to predict the tone and tenor of the legislative session, we can expect the discussion to be dominated by tax reform and changes to the ballot initiatives passed by voters this past November, such as Proposition 2, regarding medical cannabis, and Proposition 3, involving Medicaid expansion.

This will also be a big year for infrastructure investments. The State is projecting a $1.3 billion surplus and is talking about appropriating around $500 million of that to transportation infrastructure projects.

Summit County’s Proactive Initiatives
Unique this legislative session is a number of bills Summit County is directly and proactively working on with lawmakers. These are:

1. **Water Quality** (Sponsor: Rep. Wilde): Addresses the public health challenge of failing septic systems and the downstream effects of water contamination. The bill would allow for the creation, in limited circumstances, of involuntary tax assessment areas that will be used solely for the purpose of preserving water quality when current septic practices have been shown to be impacting the overall water quality of an area. The effort involves UAC, health departments and water districts.

2. **100% Net Community Renewable Energy** (Sponsor: Rep. Handy): This is a joint effort with Rocky Mountain Power, Park City Municipal Corporation, and Salt Lake City on legislation to enable the utility company to enter into a renewable energy program with a municipality or county without shifting costs or benefits of the program to nonparticipating customers (UAC supports).

3. **Oil and Gas Amendments** (Sponsor: Rep. Wilde): Modifies oil and gas provisions adopted during the 2018 general session (S.B. 191) to address concerns Summit County raised affecting our ability to regulate subsurface pipelines (UAC supports).

Bills/Issues the County is Monitoring
Based on the bills that have been released to the public as of the date of this staff report, combined with information provided by UAC’s legislative team and the County’s lobbyist, Summit County is currently following the below issues:

**Tax Reform**
As mentioned previously, the state is projecting a $1.3 billion surplus. The surplus is almost entirely due to an increase in income tax, which by the state constitution
can only be spent on education. At the same time, the state has seen a decrease in sales tax revenues due to the fact people are spending more money on services, which are not taxed, rather than goods, which are taxed.

Unfortunately, this decrease to the general fund is putting at issue the state’s ability to maintain roads and other critical services across Utah. As a result, there are several bills being pushed to reform the state tax code.

**General Sales Tax:** One proposal looks at expanding the tax base by taxing services, while at the same time lowering the rate for either the income tax or local option sales tax. The challenge is figuring out which services are taxed and how to ensure communities that do not have a large concentration of that service are not hurt by lowering the rate.

**Distribution of Sales Tax:** At the same time, the House of Representatives, in particular is also looking at changing the sales tax distribution formula from 50% point of sale and 50% population to 100% population. This proposal hurts commercial centers and rural Utah. Summit County has a large commercial center but a small population and will lose at least $2 million every year as a result of this change. House leadership is fully entrenched in this issue as two of their members are sponsoring the bill, but the Senate does not appear to be as supportive.

**SB 42, Tangible Business Personal Property Tax (Sen McKay):** This legislation, which was scheduled for Committee on January 31st, would exempt businesses from the personal property tax if they pay sales tax on items eligible for the tax. This would impact counties that have a large percentage of their revenues coming from centrally assessed entities and instead shift the tax burden to property taxpayers. UAC has asked the Senator to pull the bill off the Committee agenda until they can have the fiscal analyst provide numbers to fully understand the impact this would have on all 29 counties in the state. Early estimates show an overall $80 million impact from the bill but we are not sure of the specific Summit County impact.

**SB 96, Medicaid Expansion (Sen. Christensen)**
This past November, voters approved proposition 3, which would expand Medicaid coverage to 135% of poverty level at a 90/10 funding split between the federal government and the state, with counties paying for 2% of the state’s match. The state is saying there is not enough money in the state coffers to cover their match at 135%.

The Senate bill, which passed out of Committee on January 29th, would fund 100% of poverty level and cover the rest through a commercial exchange, covering around 100,000 additional lives. The state also plans to file for a waiver from the
federal government. If successful, this would reduce the state’s match requirement to a 70/30 split with counties paying 6% of the state’s match.

The waiver process will take about one year. In the interim, the state will pay the majority of the 70/30 match, saving counties roughly $7 million. Over the next 12 months, the state will take $7 million of county pass-through dollars to cover this, but going forward, hold counties harmless from any additional matching requirement.

To pay for the expansion, the Governor is recommending an additional $15 million in cuts of behavioral dollars and pass-through monies, which will drastically reduce funding for successful programs in the county, such as JRI and Drug Court. UAC is working with the Legislature to not take the Governor’s recommendation but go with original plan of taking the $7 million and relieving counties from contributing anymore.

**Change to County Elected Offices**
Three different lawmakers were proposing legislation to change currently elected county offices to appointed positions made by the County Commission or Council. Everyone has agreed to drop their bills this year but we can anticipate this issue coming up as a study session item during interim. The motivations behind the proposals are to depoliticize county offices as well as reduce the burden for anyone wanting to serve in the positions due to the specialized skill sets required to do the job (such as surveyors, assessors, auditors, recorders, etc).

**SB 13, Income Tax Domicile Amendments (Sen. Bramble)**
This bill would require the County Assessor to send a notice to taxpayers saying they need to sign an affidavit reaffirming their primary residence in order to maintain the tax exemption. If the homeowner does not send the affidavit back, they would lose their residential exemption. Unfortunately, only about 40% of individuals statistically send back notices like this, meaning the County will need to work with angry tax payers whose taxes double because they did not return the affidavit. The 30-day grace period is maintained and if someone misses the signature, s/he can go to Board of Equalization to fix it.

**Three Community Reinvestment Agency (CRA/RDA) Bills Henderson (SB 56):** This is a UAC-driven bill. It would require counties to create a database of all RDA project areas in the county, which UAC will do for us, as a way to eliminate the annual reporting requirement currently in statute. Salt Lake County has developed a software system, which UAC will expand to include all counties and push out to the public. Counties will need to enter in new projects as they come online. Eliminating the annual reporting requirement will save counties around $20,000-$30,000/year. It will take about two years for database to be created and pushed out statewide.
**Coleman (HB 70):** This bill changes the affordable housing requirement currently in the CRA/RDA statute.

**Harper (SB 98):** This bill originally eliminated the management fee counties are able to charge for managing CRA/RDAs. Senator Harper is an RDA Director for a city and was upset over the management fees Salt Lake County was charging his projects. After speaking with UAC staff, the Senator agreed both cities and counties should be able to charge management fees but they should be negotiable and at maximum, the county fee should be the same as what cities charge. Most cities are charging a 2.5% – 5% fee.

---

**Discussion with Mountain Regional Water Special Service District regarding water loss, energy impacts, and detection methods; Scott Morrison and Doug Evans**

Scott Morrison, MRWSSD District Manager and Doug Evans gave the following presentation regarding water loss, energy impacts, and detection methods.
Water Loss – Energy Impacts and Detection Methods

Mountain Regional Water

Scott Morrison

Doug Evans
Objective

- Educate the Summit County Council on Mountain Regional Water's water loss trends over the years, the energy footprint of our lost water, our leak detection methods, and future efforts that will reduce our loss rate.
Consideration of Water Losses

- Unaccounted for Water
  - Leaks
    - Main lines
    - Service lines – between main and meter
  - Flushing
    - Planned water quality based activities – volume is recorded
    - New construction – recording to begin in 2019
  - Construction/Maintenance Induced
    - Maintenance activities often require draining a portion of the system – if known, recording to begin in 2019
- Billing/Accounting Inaccuracies
- Theft and Unauthorized use
- Metering Inaccuracies
Water Loss Statistics

- Our current total water loss averages close to 48,000 gallons per customer per year.
- Approximately 50% of the average annual indoor usage for a single family residence in Utah.
- Although we have made significant improvements over the years, we have more work to do!

"The average city water utility loses up to 30% through leaks or un-billed usage."

Mountain Regional began with losses of >60% in 2001.

Today's losses are approximately 15% of water produced.
Mountain Regional Annual Water Loss Trends

Unaccounted for Water Losses (12 mo. running ave.)

- 12 Mo. Ave % Loss
- 12 Mo. Ave Total Loss
Energy Footprint of Lost Water

- Total System Losses = 241M Gallons in 2017
- Average Energy & Power Cost per 1,000 Gallons in 2017 = $0.217
- Total Energy & Power Cost of Lost Water in 2017 = $52,286
Reducing Water Losses is Equivalent to Developing a New Source

GPM Saved Through Water Loss Management Programs
Leak Detection Methods – To Date

- System Water Mass Balances (Production less Customer Use)
- Field Locating Equipment
  - Acoustic Sounding (listening) Equipment
  - Digital Leak Correlation Equipment
- Our Customers
- Hydro Informatics – SCADA 2.0
Hydro Informatics – SCADA 2.0

75,000 Data Points Per Minute, and Growing!
Hydro Informatics – SCADA 2.0

Timberline Water Demand Trend January 2019

Leak Occurred on January 22nd
Leak Repaired on January 24th
Leak Rate = 55 gallons per minute
Future Improvement Methods

- AWWA Water Loss Audit Process
  - Improved Accounting & Tracking of Water Losses
- Taking our Available Data a Step Further
  - The coupling of MRW’s SCADA and new real-time metering systems offers spatial understanding of water loss in real-time
- Continued Use of Field Locating Equipment
- Targeted Capital Improvement/Infrastructure Replacement Projects
- Customer Real-Time Data Access (EyeOnWater) – Water Conservation
Discussion regarding Eastern Summit County Water Conservancy Special Service District: Helen Strachan and Phil Bondurant

Helen Strachan, Deputy Attorney, and Phil Bondurant from the Health Department reviewed the following staff report regarding the Eastern Summit County Water Conservancy Special Service District.

To: Summit County Council and County Manager, Tom Fisher
From: Helen Strachan, Deputy County Attorney
Date: February 6, 2019
Re: Future of the Eastern Summit County Water Conservancy Special Service District

Introduction and Background: The purpose of this work session is to discuss the future of the existing Eastern Summit County Water Conservancy Special Service District (the “District”). In the fall of 2007, in order to tackle the issues regarding waste water treatment in Eastern Summit County, Summit County created the Eastern Summit County Sewer Advisory Committee (ESAC) made up of staff representatives from the Community Development Department, Engineering Department, Health Departments, Attorney’s Office, Planning Commission, and other community members. ESAC was set up to address the growing demand for individual septic systems in Eastern Summit County. It was also set up to address the difficulties within the then-Eastern Summit County General Plan and Development Code for major developments with regard to sewer. At the time\(^1\), Policy 6.2.5 of the General Plan included regulatory language that stated as follows:

> All major development shall be required to connect to municipal infrastructure or install a package sewer treatment facility that can be connected to a municipal or sewer improvement district infrastructure in the future. Summit County may consider septic systems only on large lots that comply with the minimum area requirements of the agricultural zone district, including on the AP, AG-100, and AG-160, within which the property is located.

---

\(^1\) This language was removed from the General Plan when it was amended in 2013. County Staff is in the process of re-evaluating this language for possible inclusion in either the Board of Health Code or Summit County Code. However, as it was written, it appeared to have actually resulted in unintended consequences inasmuch as it acted to incentivize five-lot subdivisions with individual septic systems. This is something that staff is currently analyzing.
The Development Code further defined major development as subdivisions of six or more lots. This General Plan language was and still is consistent with Utah State’s Department of Environmental Quality administrative rules, which require that a “body politic” such as a special service district “sponsor” all large underground wastewater disposal systems that are designed to handle more than 5,000 gallons per day of domestic wastewater. In 2007, the County did not have such a “body politic,” separate and apart from the County itself to be a sponsoring body. Moreover, at the time, the Community Development Department had a pending application for a major subdivision, Indian Hollow an eighty-five lot subdivision (later amended to sixty-five) located off Democrat Alley, which added pressure for the County to move towards the creation of the District. The Indian Hollow subdivision was not in a position to connect to municipal sewer, leaving them with the requirement that they have a large system sponsored by a body politic.

In January of 2008, ESAC presented to the Board of County Commissioners (the “BCC”) its findings and recommendations, which included the establishment of an Eastern Summit County special service district that would have management and oversight responsibilities over east side waste water facilities. The special service district would be the “body politic” necessary by Utah law to oversee larger systems for major developments. The BCC decided to move forward with the District’s creation and it was established in December of 2008. The District, as it currently exists, consists of all of Eastern Summit County with the exception of the municipalities, the Promontory/South Point specially planned areas, and Indian Hollow (a map of the District will be provided at the February 6th meeting). Prior to the creation of the District, the Indian Hollow developers petitioned the BCC to create the “Indian Hollow Creek Special Service District” in order to move forward with subdivision approval and this separate district was created in May 2008. I shall discuss this in further detail later in this report.

**District Structure:** The District’s structure was codified in Title 2, Chapter 20 of the Summit County Code (see Exhibit A, Title 2, Chapter 20). The County Council sits as the District’s governing board (the “Board”). The Board has appointed the County Manager as the General Manager of the District, whose role is to govern day-to-day operations, prepare an annual budget, provide recommendations to the Board on policies/procedures/regulations, and provide a recommendation on a fee structure. The County Manager, as the General Manager, is also considered the “final approval” of wastewater systems that serve ten or fewer lots, with the Board retaining the “final approval” for all wastewater systems that serve more than 10 lots. The Board also created ESAC (essentially the same board that was created as part of the District’s genesis), as an advisory board to both the Board and the General Manager. ESAC’s role is to analyze existing wastewater systems and conduct an inventory of existing systems, create a process for approval of wastewater systems, and review all proposed wastewater systems. ESAC’s efforts in its review of wastewater systems essentially duplicates the efforts of what is being done at the staff level in the Health Department. They are to also assist the General Manager in all of his above-described duties and make recommendations to either the General Manager or the Board on all proposed wastewater systems. ESAC is not considered an administrative control board under Utah’s special service district act and Chapter 20, at
this time, does not call for the creation of such an administrative control board. Thus, ESAC is advisory only and does not have the legal authority to govern the District like an administrative control board does.

It is not a stretch to say that the District is a skeletal district. While it is a legal entity, a dependent special service district created under the laws of the State of Utah, it is little more than that. ESAC essentially only meets to make recommendations on proposed waste water systems, but has not actively fulfilled its other duties. Likewise, neither the Board nor the Manager have functioned beyond their roles as the approval body for proposed wastewater systems. The District has no policies, procedures, or regulations and has no fee structure. Since 2008, there has been very little need to create a full-fledged District. The County, like the Country, was in the midst of a recession and growth was stagnant in Eastern Summit County. With the exception of Indian Hollow (whose subdivision application goes back to 1998), there have been no pending applications for larger developments in Eastern Summit County. Things are beginning to change, which has led staff to the conclusion that the District needs meat on the bones.

Recent Developments:
Indian Hollow: As previously mentioned, Indian Hollow created its own special service district in order to move forward with subdivision approval. Indian Hollow has received final subdivision plat approval from the County Manager, who based his decision for approval on the Findings of Fact, Conclusions of Law and Conditions of Approval for Indian Hollow’s preliminary plan (the “Approval”). The Approval requires the Indian Hollow Developers to not protest the dissolution of the Indian Hollow Creek Special Service District on the basis that such a separate district is unnecessary given the District’s existence. It requires State approval of their advanced wastewater system and the annexation of the Indian Hollow subdivision into the boundaries of the District. The Indian Hollow system would then be under the jurisdiction of the District for the system’s operation, maintenance and repair. It is anticipated that the Indian Hollow developers will bond for and construct their own advanced wastewater system, along with all other development infrastructure. However, as explained above, the District is not in a current position to oversee the future management of the system without making significant changes to the makeup and structure of the District.

Master Planned Developments: As the Council is well aware, the Council amended the Eastern Summit County Development code, doing away with the specially planned area process and replacing it with a “master planned development” (“MPD”) process. The MPD process is triggered for, among other things, any subdivision resulting in four or more lots or any application, which includes a density bonus within a residential zone. The Community Development Department has received its first application for an MPD called “Trail Ridge,” a twenty-six lot subdivision in the Cherry Canyon area outside of Wanship. The application is in its infancy and has yet to be before the Eastern Summit County Planning Commission, however, the developer has already approached the Summit County Health Department, wishing to install

2 The Final Subdivision Plat approval was recently granted on January 31, 2019, as the developer desired to amend the those Findings of Fact, Conclusions of Law, and Conditions of Approval that formed the basis of the County Manager’s approval.
individual onsite wastewater systems on each individual lot, rather than installing a large, advanced package system, similar to Indian Hollow's proposed system. The proposed individual septic systems were denied by the Health Department and that denial was appealed to the Board of Health, who denied that appeal, favoring a package system for the development. Like Indian Hollow, if this MPD is approved and if, as a condition of approval an advanced system is required, the District, who has jurisdiction over this area outside of Wanship, would be the necessary "body politic" that would oversee this system. While staff understands that this project is in its infancy and there are still many moving parts, we anticipate more MPD applications in the near future.

*Echo Sewer:* It is also worth mentioning what can be learned from the County's creation of the Echo Sewer District. Back in 2012, Echo Sewer Company, a private sewer company servicing the residents of unincorporated Echo, approached the County because their system had failed as determined by the Utah State of Department of Environmental Quality. Echo attempted to receive funding from the State Water Quality Board to repair their system but because they were a private company, not a body politic, they were unable to receive funding. Ultimately, the County Council, spurred by the Echo residents, created the Echo Sewer Special Service District. While the County Council technically sits as the governing body for the Echo Sewer Special Service District, it has delegated its oversight to the Health Department. If the County had a functioning District, the responsibilities for running the Echo Sewer Special Service District could possibly be transferred to the District in the future, relieving the Health Department of this responsibility that is beyond their normal scope of work.

**Recommendations:** In light of the above developments, it is Staff's recommendation that Council provide direction on the future of this District. Staff would like to amend Title 2, Chapter 20 of the Summit County Code. We would like the governing language of the District to include the creation of an administrative control board (the "ACB") that would be the oversight body for the District (with the County Council retaining certain powers as the ultimate "governing body"). Preference in choosing members of the ACB would be given to those with certain strengths, such as experience in public and/or environmental health, land development, and the like. We anticipate that the ACB would take on many of the current functions of ESAC, but unlike ESAC, the ACB would have actual authority of the District. The ACB, with the assistance of County staff, would put together the necessary regulations for the District's management, as well as a fee schedule for future maintenance of waste water systems. In time, we anticipate having a separate General Manager in place that will oversee the day-to-day operations of the District. Essentially, Staff would like to see this District function similar to its counterpart on the west side, the Snyderville Basin Water Reclamation District. Staff believes it is necessary to have a functioning District in order for there to be successful and meaningful development in eastern Summit County.
EXHIBIT A

Chapter 20
EASTERN SUMMIT COUNTY WATER CONSERVANCY SPECIAL SERVICE DISTRICT

2-20-1: PURPOSE:
2-20-2: DEFINITIONS:
2-20-3: GOVERNING BOARD:
2-20-4: POWERS AND DUTIES:
2-20-5: GENERAL MANAGER:
2-20-6: SEWER ADVISORY COMMITTEE:
2-20-7: OPERATION:
2-20-8: INDEMNIFICATION:
2-20-9: INSURANCE:
2-20-10: ANNUAL REPORT:

2-20-1: PURPOSE:

To provide for the public health, safety, and general welfare of the residents living within the jurisdictional boundaries of the eastern Summit County water conservancy special service district, the district is authorized to provide a system for the collection, treatment, and disposition of sewage through facilities or systems acquired or constructed for that purpose through construction, purchase, lease, contract, gift or condemnation or any combination thereof. (Ord. 749-A, 12-15-2010)

2-20-2: DEFINITIONS:

COUNTY: Summit County, Utah.

COUNTY COUNCIL: The Summit County council who exercises legislative authority in the county.

COUNTY MANAGER: The chief executive officer of the county.

DISTRICT: The eastern Summit County water conservancy special service district.

ESAC: The eastern Summit County sewer advisory committee or "the committee" comprised of Summit County staff from the community development department, engineering department, the health department, and two (2) members from the public at large.

GOVERNING BOARD: The county council of Summit County.

OWNERS: The owners of property within the boundaries of the eastern Summit County water conservancy special service district. (Ord. 749-A, 12-15-2010)
EXHIBIT A

2-20-3: GOVERNING BOARD:

As provided pursuant to Utah Code Annotated sections 17D-1-102(5) and 17D-1-301, the district is hereby governed by the county council and is considered the governing board of the district. (Ord. 749-A, 12-15-2010)

2-20-4: POWERS AND DUTIES:

The governing board of the district hereby has all rights, powers, authority and duties to exercise all or any of the powers provided for in Utah Code Annotated sections 17D-1-103, 17D-1-105, 17D-1-106, 17D-1-301, and 17D-1-501 et seq. The governing board has control and supervisory authority of the district and may delegate such further powers and authority as provided by statute. In addition, the governing board shall have the following authority and duties:

A. The board shall conduct its business according to bylaws, which it shall adopt, with the board meeting as needed to act on the business of the district. The bylaws may be amended from time to time by a majority vote of the board.

B. The board shall appoint the county manager as the general manager for the district, who shall have the duties described in section 2-20-5 of this chapter.

C. The board shall appoint members of ESAC, on recommendation by the general manager.

D. The board, with the guidance of the general manager and ESAC, shall adopt policies, procedures, and regulations for the district. (Ord. 749-A, 12-15-2010)

2-20-5: GENERAL MANAGER:

The governing board hereby delegates the following powers, authorities and duties to a general manager, who shall oversee the district:

A. To govern the day to day operations of the district;

B. To prepare, in cooperation with the governing board, an annual budget for the district, which will conform to Utah Code Annotated section 17B-1-601 et seq., "fiscal procedures for local district" and recommend the budget so prepared to the county council. The budget shall demonstrate all proposed expenditures and the fees to be established and collected as revenue to the district's budget;
EXHIBIT A

C. To provide a recommendation to the board as to the operation of the district, including policies, procedures, and regulations for the district;

D. To provide a recommendation to the governing board as to the establishment and collection of the fees and charges for the various wastewater management services provided to the owners with the fee schedules reviewed and approved by the county council.

E. To be the "final approval" for wastewater systems that serve ten (10) or fewer lots, as that term is defined in title 11, appendix A of this code. The county council, as the governing board of the district, shall be the final approval for any and all wastewater systems that serve more than ten (10) lots. This duty shall be made a part of the policies, procedures, and regulations, once adopted, for the district as described in section 2-20-4 of this chapter. (Ord. 749-A, 12-15-2010)

2-20-6: SEWER ADVISORY COMMITTEE:

A. Creation, Purpose, And Authority: The governing board hereby creates the "eastern Summit County sewer advisory committee", which shall act in an advisory capacity to the governing board and the general manager. ESAC shall generally advise the governing board and the general manager on wastewater issues and systems within eastern Summit County. There shall be no actual or apparent authority vested in this committee except for the authority granted herein.

B. Guiding Principles For ESAC: The following guiding principles shall exist for ESAC:

1. In conjunction with the Summit County health department and the municipalities of eastern Summit County, analyze the existing wastewater systems and conduct an inventory of existing wastewater systems.

2. Create an efficient process for the approval by either the general manager or the governing board of wastewater systems in eastern Summit County.

3. Jointly review all proposed wastewater systems with staff of the Summit County community development department, engineering department, and health department, who shall address regional impacts and opportunities of wastewater systems.

C. Powers And Duties: The governing board hereby delegates the following powers and duties to ESAC:

1. To assist the general manager in governing the day to day operations of the district.
EXHIBIT A

2. To assist the general manager with providing a recommendation to the governing board as to the operation of the district, including policies, procedures, and regulations for the district.

3. To assist the general manager with providing a recommendation to the governing board as to the establishment and collection of the fees and charges for the various wastewater management services provided to the owners with the fee schedules reviewed and approved by the county council.

4. To provide a recommendation to either the general manager or the governing board on wastewater systems, as described in subsection 2-20-5E of this chapter.

5. To act in an advisory role to the general manager and the governing board or to other officials and departments in any matters pertaining to wastewater issues within eastern Summit County.

6. ESAC, through its chair, or his/her designee, shall make both an oral and written report annually to the governing board concerning its activities during the past year and its proposals for the coming year.

7. ESAC shall not have the power to obligate the county for funds and/or expenditures or incur any debt on behalf of the county.

8. All powers and duties prescribed and delegated herein are delegated to ESAC as a unit, and all action hereunder shall be of ESAC acting as a whole. No action of any individual committee member is authorized, except through the approval of the governing board.

9. ESAC shall have any other power and/or duty as prescribed and authorized by the governing board.

D. Membership:

1. ESAC shall consist of five (5) members who shall be appointed by the governing board, on the recommendation of the general manager.

2. Membership of ESAC shall be as follows:

   a. One member from the community development department.

   b. One member from the engineering department.

   c. One member from the health department.

   d. Two (2) members from the public at large.
EXHIBIT A

3. One representative of the county attorney's office shall serve as ex officio member of ESAC, but shall have no right to vote on any matter before the committee.

4. ESAC may, in its discretion, add up to three (3) ex officio members, to assist with the communications and functions of the committee. Said ex officio members shall not have any voting rights.

5. Members of ESAC serve at the pleasure of the general manager and may be removed and replaced at any time. There are no terms limits.

E. Officers:

1. The voting members of ESAC shall appoint a chair and vice chair. The chair shall prepare meeting agendas and shall preside over and conduct all meetings. The chair, or his/her designee, shall act as the representative to the general manager and the governing board for all committee transactions and shall have the responsibility of presenting all proposals from ESAC to the general manager and/or the governing board. The chair and vice chair shall serve a term of one year.

F. Meetings And Procedures:

1. ESAC shall meet as needed. A notice of the time and place of each meeting shall be given to ESAC members not less than three (3) days in advance of the meeting.

2. All meetings of ESAC shall comply with the Utah open meetings laws as found in section 52-4-101 et seq., Utah Code Annotated (1953), as amended.

3. Executive closed sessions may be scheduled whenever the chair deems such action permissible under the Utah open meetings act, and with the concurrence of the county attorney.

4. Written minutes of each open meeting shall be prepared, preserved and made available for public inspection.

5. A majority of the voting committee members shall constitute a quorum and the action of the majority of the members present shall be the action of the committee.

6. Committee members shall attend all meetings unless their absence is excused by the chairperson.

7. All recommendations shall be made at a public meeting by motion, made and seconded and by a voice vote. The motion shall be in the form of findings of fact and shall state the reason for the
findings by the committee and a statement of any conditions to be attached to the action. (Ord. 749-A, 12-15-2010)

2-20-7: OPERATION:

The district may utilize the services of the county treasurer and auditor to assist in financial matters. All collections, investments, disbursements, procurement, and other financial transactions will be managed by the county treasurer, who is delegated the role of district treasurer. The governing board delegates the recording and safeguarding of all minutes of meetings of the board to the county clerk of Summit County, who shall act as secretary of the district. (Ord. 749-A, 12-15-2010)

2-20-8: INDEMNIFICATION:

The district shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil or criminal, administrative or investigative, by reason of the fact that he or she is or was the general manager, a director, officer, employee, or agent of the district. The indemnification shall be for all expenses (including attorney fees), judgments, fines, and amount paid in settlement, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding, including any appeal of the action, suit or proceeding, if he or she acted in good faith or in a manner he or she reasonably believed to be in or not opposed to the best interests of the district, and with respect to any criminal action or proceeding, if he or she had no reasonable cause to believe the conduct was unlawful.

Determination of any action, suit, or proceeding by judgment, order, settlement, conviction or on a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the party did not meet the applicable standard of conduct. Indemnification under this section may be paid by the district in advance of the final disposition of any action, suit, or proceeding, on a preliminary determination that the director, officer, employee, or agent met the applicable standard of conduct and on receipt of an undertaking by or on behalf of the general manager, director, officer, employee, or agent to repay the amount, unless it is ultimately determined that he or she is not entitled to be indemnified by the district as authorized in this section.

The district shall also indemnify any director, officer, employee, or agent who has been successful on the merits or otherwise, in defense of any action, suit, or proceeding, or in defense of any claim, issue, or matter in the action, suit, or proceeding, against all expenses, including attorney fees, actually and reasonably incurred, without the necessity of an independent determination that the general manager, a director, officer, employee, or agent met any appropriate standard of conduct.

The indemnification provided for in this section shall continue as to any person who has ceased to be the general manager, a director, officer, employee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of that person. (Ord. 749-A, 12-15-2010)
EXHIBIT A

2-20-9: INSURANCE:

The district shall have power to purchase and maintain insurance on behalf of any person who is the general manager, a director, officer, employee, or agent of the district against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the district would have authority to indemnify him or her against the liability under the provisions of this section, or under law. (Ord. 749-A, 12-15-2010)

2-20-10: ANNUAL REPORT:

The district shall make an annual presentation to the county council of its goals, budget and activities. (Ord. 749-A, 12-15-2010)
Convene as the Board of Equalization

Council Member Clyde made a motion to convene as the Board of Equalization. Council Member Carson seconded the motion and all voted in favor, 5-0.

Discussion and possible approval of Summit Land Conservancy’s request for property tax exemption: Alisa Robinson

Alisa Robinson, Deputy Assessor, presented the following information regarding Summit Land Conservancy’s request for property tax exemption.

<table>
<thead>
<tr>
<th>Name of organization applying</th>
<th>EIN, SSN, or other tax ID number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summit Land Conservancy</td>
<td>42-15-38872</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Po Box 1716</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>Park City</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>UT</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>Contact person</td>
<td></td>
</tr>
<tr>
<td>Nelson</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>840-60</td>
<td></td>
</tr>
</tbody>
</table>

**Exemption Information**

This property is exclusively used for (check one):

- [ ] Religious purposes  
- [x] Charitable purposes  
- [ ] Educational purposes

Describe the purpose of this nonprofit organization:

The Summit Land Conservancy is a non-profit, accredited land trust that holds permanent conservation easements on pieces of land to protect them from development in perpetuity, as well as educates adults and kids about the importance of open spaces and conservation.

Describe why this property should be exempt from ad valorem property taxes:

These parcels were purchased for the sole purpose of permanent conservation. They will be owned by Summit Land Conservancy only for the duration of 2019, at which point they will be turned over to the HOA with permanent conservation easement.

**Attachments**

1. A certified copy of the Articles of Incorporation of the nonprofit entity.
2. A copy of current by-laws and/or other organizational information.
3. A copy of the 501(c)(3) certification issued by the IRS.
4. Completed schedules as follows:
   - **Schedule A** – Real Property; one schedule for each parcel of real property under consideration.
   - **Schedule B** – Personal Property used exclusively for religious, charitable, or educational purposes.
   - **Schedule C** – Financial information related to the property under consideration; complete only applicable portions.
Dear Applicant:

Our letter dated August 27, 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements.
Articles of Amendment to Articles of Incorporation (Non-Profit)

Pursuant to UCA §16-6a part 10, the individual named below causes this Amendment to the Articles of Incorporation to be delivered to the Utah Division of Corporations for filing, and states as follows:

1. The name of the corporation is: Conserving Our Open Lands

2. The date the following amendment(s) was adopted: April 12, 2004

3. If changing the corporation name, the new name of the corporation is: Summit Land Conservancy

4. The text of each amendment adopted (include attachment if additional space needed):

5. Indicate the manner in which the amendment(s) was adopted (mark only one):

☐ The amendment was adopted by the board of directors or incorporators without member action and member action was not required.

☐ The amendment was adopted by the members AND the number of votes cast for the amendment by each voting group entitled to vote separately on the amendment was sufficient for approval by that voting group.

6. Delayed effective date (if not to be effective upon filing) (not to exceed 90 days)

Under penalties of perjury, I declare that this Amendment of Articles of Incorporation has been examined by me and is, to the best of my knowledge and belief, true, correct and complete.

By: [Signature] Title: Executive Director

Dated this 14th day of April, 2004

Mail In: PO Box 146705
Salt Lake City, UT 84114-6705
Walk In: 160 East 300 South, Main Floor
Information Center: (801) 530-4849.
Toll Free (877) 526-3994 (within Utah)
Fax: (801) 530-6438
Web Site: http://www.commerce.utah.gov/cor

Under UBAAMA (63-5-201), all registration information submitted by the Division is considered to be public record. For confidentiality purposes, a business entity's physical address may be provided rather than the residential or private address of any individual affiliated with the entity.
ARTICLES OF INCORPORATION
FOR
CONSERVING OUR OPEN LANDS
(A Utah Nonprofit Corporation)

The undersigned, a natural person of the age of twenty-one (21) or more, for the purpose of forming a nonprofit corporation, pursuant to Title 16, Chapter 6 of the Utah Code (the "Utah Nonprofit Corporation and Co-operative Association Act"), does hereby adopt the following articles of incorporation.

ARTICLE I.
NAME

The name of the corporation shall be Conserving Our Open Lands.

ARTICLE II.
TERM

The term of the existence of this corporation shall be perpetual, subject to dissolution as authorized by law.

ARTICLE III.
PURPOSE

The corporation is organized and shall be operated exclusively for the purposes of preserving open lands, critical view and watersheds, lands and trails of historical significance and animal habitats. The foregoing purposes and activities shall be carried out in accordance with, and so as not to conflict with or adversely impact the tax exempt status of this corporation. No part of the assets, income, net earnings or profit of the corporation shall be distributable or inure to the benefit of its contributors, members, trustees, officers, or any entity, private individual or person, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Article III. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. The corporation shall not operate to facilitate the transaction of specific business of its Board of Trustees or promote the private interest of its Board of Trustees or engage in any activities which would constitute a regular business of a kind ordinarily carried on for profit. Notwithstanding any other provision of these Articles, the corporation shall not carry on any activities not permitted to be carried on by (i) a corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United States Internal Revenue laws), (ii) a corporation contributions to which are deductible under Section 170(c)(2) of the United States Internal Revenue Code of 1986 (or corresponding provisions of any future United States Internal Revenue laws) or (iii) a nonprofit
corporation incorporated under the Utah Non-Profit Corporation and Co-operative Association Act. No provision of these Articles shall be interpreted to allow the Corporation or its officers to act in violation of Sections 4941 through 4945 of the United States Internal Revenue Code or any successor provision thereto.

ARTICLE IV.
MEMBERS AND STOCK

This corporation is not a membership corporation. The corporation shall have no members. This corporation shall have no stock.

ARTICLE V.
POWERS

This corporation shall have all general powers provided for nonprofit corporations under Title 16, Chapter 6 of the Utah Code (the Utah Nonprofit Corporation and Co-operative Association Act) and such special powers as hereinafter set forth:

1. To have perpetual succession by its corporate name unless earlier dissolution is affected under Utah law.

2. To sue and to be sued, complain and defend in its corporate name.

3. To have a corporate seal which may be altered at pleasure, and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced.

4. To purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use and deal in and with real or personal property, or any interest therein, wherever situated.

5. To sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of its property and assets or any interest therein.

6. To purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of, and otherwise use and deal in and with, all manner and kind of equity and debt securities shares or other interests, in or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partnerships or individuals, or direct or indirect obligations of the United States, or of other government, state, territory, governmental district or municipality or of any instrumentality thereof.

7. To make contracts and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises and income.

8. To lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds sold, loaned, or invested.
9. To conduct its affairs, transact its business, carry on its operations, and have offices and exercise the powers granted by the Utah Nonprofit Corporation and Co-operative Association Act in any state, territory, district or possession of the United States, or in any foreign country.

10. To elect or appoint trustees, officers and agents of the corporation, and to define their duties and fix their compensation for services rendered, but not in contravention of the purposes of the corporation.

11. To make and alter bylaws, or resolutions, not inconsistent with these Articles or with the laws of this state, for the administration and regulation of the affairs of the corporation.

12. To make any charitable donation either in cash or in other assets for the public welfare, charitable, or educational purposes, which donations shall be determined expedient for the furtherance of the purposes of the corporation, and as determined by the Board of Trustees of the corporation.

13. To indemnify any trustee or officer or former trustee or officer of the corporation or any person who may have served at its request, against expenses actually and necessarily incurred by him in connection with the defense of any action, suit or proceeding in which he is made a party by reason of being or having been such trustee, director or officer, except in relation to matters as to which he shall be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in the performance of his duty; but such indemnification shall not be deemed exclusive of any other rights to which such trustee, director or officer may be entitled, under any bylaw, agreement, vote of the governing board or members or otherwise.

14. To voluntarily dissolve and distribute its assets for one or more exempt purposes as set forth in Article III hereof.

15. To have and exercise all powers necessary or convenient to affect any or all of the purposes for which the corporation is organized, including the right to raise funds by such means or methods as the governing board may deem advisable, not inconsistent with law or these Articles or bylaws.

16. To make contracts and to perform services for fees with any person, corporate or personal, and to accept reasonable payment therefore.

17. To invest the monies of the corporation not immediately required for its purposes herein in or upon such investments, securities or properties as may be thought fit, subject nevertheless to such conditions (if any) as may from time to time be imposed or required by federal and state law (including tax laws).

18. To pay out of the funds of the corporation, the costs, charges and expenses of and incidental to the formation of the corporation. To do all such other things as shall further the attainment of the purposes of the corporation.
ARTICLE VI.
TRUSTEES

The corporate powers shall be exercised by a governing board which shall be known as the Board of Trustees, which shall consist of not less than three (3) individuals. Subject to the foregoing limitation, upon any vacancy in the Board of Trustees, the replacement member(s) shall be duly appointed by the remaining existing Board of Trustees. The initial Board of Trustees shall consist of the following:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blaise Carrig</td>
<td>418 West 5200 North Park City, Utah 84098</td>
</tr>
<tr>
<td>Tim B. Henney</td>
<td>P.O. Box 3927 3168 American Saddler Park City, Utah 84060</td>
</tr>
<tr>
<td>Genevieve Maire Rosol</td>
<td>8755 South 1540 East Sandy, Utah 84093</td>
</tr>
<tr>
<td>Lawrence E. Stevens</td>
<td>4405 Woodenshoe Lane Pega, Utah 84061</td>
</tr>
<tr>
<td>Frederick Vallejo</td>
<td>P.O. Box 4558 Park City, 84060</td>
</tr>
<tr>
<td>Tyler Richardson</td>
<td>P.O. Box 1 Park City, Utah 84060</td>
</tr>
<tr>
<td>Pam Prevatt Woll</td>
<td>7974 N. Springshire Park City, Utah 84098</td>
</tr>
<tr>
<td>Richard Sheinberg</td>
<td>627 Woodside Ave. P.O. Box 2593 Park City, Utah 84060</td>
</tr>
</tbody>
</table>

ARTICLE VII.
INCORPORATOR

The name and address of the incorporator of this corporation is:

Lawrence E. Stevens
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, Utah 84145
ARTICLE VIII.
PRINCIPAL OFFICE

The address of the initial principal office of the corporation is: 201 South Main Street, Suite 1800, Salt Lake City, Utah 84145.

ARTICLE IX.
BYLAWS

The Board of Trustees may adopt bylaws for the regulation of the internal affairs of the corporation. If bylaws are adopted, they shall not be in conflict with the Articles and such bylaws may be amended from time to time or repealed by a two-thirds (2/3rds) vote of the members of the Board of Trustees.

ARTICLE X.
DISSOLUTION

Upon the dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all liabilities of the corporation, dispose of all assets exclusively for the purposes of the corporation in such manner, or to such state or local governmental units and political subdivisions and organizations organized and operated for charitable or educational purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue laws), as the Board of Trustees shall determine. Any such assets not so disposed shall be disposed of by a court of general jurisdiction in the State of Utah exclusively for such purposes.

ARTICLE XI.
AMENDMENT

These Articles of Incorporation may be amended in any particular, as provided by the laws of the state of Utah, subject only to the reservation that no amendment may be made that would change the purposes of this corporation so as to include purposes that would not be exclusively charitable or educational within the meaning of the Internal Revenue laws of the United States or that would permit funds or property of the corporation to inure to the benefit of an individual, entity or person or private interest in the activities of this corporation beyond the powers provided in these Articles of Incorporation. In the event that any provision of these Articles of Incorporation or any amendment hereinafter adopted shall be adjudged ultra-vires, or otherwise invalid, the remaining provisions, powers and conditions herein expressed shall be deemed unaffected and in full force and effect, so far as the same may be separable.

ARTICLE XII.
REGISTERED OFFICE AND AGENT

The address of the corporation’s initial registered office and the name of its original registered agent at such address is as follows: Lawrence E. Stevens, Parsons Behle & Latimer, 201 South Main Street, Suite 1800, Salt Lake City, Utah 84145.
IN WITNESS WHEREOF, on the 8th day of April, 2002, the undersigned hereby declares under penalties of perjury that the statements herein contained are true and correct to the best of his knowledge, information and belief.

Lawrence E. Stevens

STATE OF UTAH

COUNTY OF SALT LAKE

On the 8th day of April, 2002, personally appeared before me Lawrence E. Stevens, who being by me duly sworn did say that he is the incorporator of the Conserving Our Open Lands, that he signed the foregoing Articles of Incorporation as incorporator of such nonprofit corporation, and that the statements therein contained are true and correct to the best of his knowledge, information and belief. In witness whereof, I hereunto set my hand this 8th day of April, 2002.

Mary Victoria Scott
NOTARY PUBLIC
Residing at: Salt Lake City, Utah
My Commission Expires:

Mary Victoria Scott
Notary Public
State of Utah
My Comm. Expires Feb 23, 2005
201 S Main St #1800 SLC UT 84111

The undersigned, Lawrence E. Stevens, hereby acknowledges appointment as registered agent for Conserving Our Open Lands in accordance with Section 16-6-25.1 U.C.A.

Lawrence E. Stevens, Registered Agent
BYLAWS

Of

SUMMIT LAND CONSERVANCY

PO BOX 1775
Park City, UT 84060

Adopted 2006
Revised as noted November 2009
Revised 2013
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>I</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>I</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>9</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>II</td>
<td>12</td>
<td>5</td>
</tr>
<tr>
<td>II</td>
<td>13</td>
<td>5</td>
</tr>
<tr>
<td>II</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>6</td>
</tr>
<tr>
<td>III</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>III</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>III</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>7</td>
</tr>
<tr>
<td>IV</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>IV</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>IV</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>IV</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>V</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>V</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>V</td>
<td>10</td>
<td>9</td>
</tr>
</tbody>
</table>

Summit Land Conservancy  Bylaws  Page 1
Revised 2009. Revised 2013
Section 11. Treasurer .......................................................... 9

ARTICLE VI – CERTAIN TRANSACTIONS .................................................. 10
Section 1. Loans .......................................................... 10
Section 2. Conflicting Interest Transactions ..................... 10
Section 3. Approval ...................................................... 10

ARTICLE VII – INDEMNIFICATION AND INSURANCE ........................................ 10
Section 1. Right of Indemnity ........................................ 10
Section 2. Approval of Indemnity .................................. 11
Section 3. Advancing Expenses ..................................... 11
Section 4. Insurance ...................................................... 11

ARTICLE VIII – GRANTS AND ADMINISTRATION ........................................ 11
Section 1. Purpose of Grants ........................................ 11
Section 2. Exclusive Power in the Board of Directors ..... 11
Section 3. Refusal; Withdrawal ..................................... 11
Section 4. Accounting Required ................................. 12
Section 5. Restriction on Contributions ....................... 12

ARTICLE IX – MISCELLANEOUS .............................................................. 12
Section 1. Fiscal Year ..................................................... 12
Section 2. Contracts, Notes and Checks ........................ 12
Section 3. Annual Reports to Directors ......................... 12
Section 4. Amendments ............................................... 12
Section 5. Governing Law ............................................. 13
BYLAWS
of
SUMMIT LAND CONSERVANCY

ARTICLE I
PRINCIPAL OFFICE

The principal office of this corporation shall be located in the county of Summit, State of Utah.

ARTICLE II
MEMBERSHIP

This corporation shall have no voting members, but the Board of Directors may, by resolution, establish one or more classes of nonvoting members and provide for eligibility requirements for membership and rights and duties of members, including the obligation to pay dues.

ARTICLE III
BOARD OF DIRECTORS

Section 1. Powers. This corporation shall have powers to the full extent allowed by law. All powers and activities of this corporation shall be exercised and managed by the Board of Directors of this corporation directly or, if delegated, under the ultimate direction of the Board.

Section 2. Number of Directors. The number of Directors shall not be less than five, with the maximum number of Directors to be fixed from time to time by resolution of the Board of Directors.

Section 3. Selection and Term of Office of Directors. This corporation shall have two categories of directors: Elected Directors and Ex Officio Directors.

(a). Elected Directors. Each Director is asked to serve a three-year term. Beginning on January 1, 2014 all current Directors who have already served a three-year term or more will be deemed for the purpose of these Bylaws to have served one full three-year term. A director may serve a second three-year term only upon a request made to and approved by the Board. Going forward, any director who has served two consecutive three-year terms is required to leave the Board for at least one year before being eligible for reelection. All board members are expected to attend all Board meetings, unless excused at least one week in advance of the meeting. Three absences in a one-year period is grounds for dismissal from the Board. (clarified 2013)

(i). Executive Director: In addition to the Elected Directors, the Executive Director shall serve as a voting director.

(ii). Nominating Committee. This committee may consist of the Conservancy Board Chair or another director as appointed by the Board, who will chair the committee and two (2) or more Directors. The Nominating Committee will deliver its report with the nominations for available director seats to the Board on or before one week prior to the annual meeting for each year. Its report will consist of a slate of proposed nominees for directors’ positions up for election. The Nominating Committee shall take into
account a nominee’s understanding of the purposes of the Corporation and the nominee’s qualifications.

(b). **Ex Officio Directors.** The Board shall have authority to appoint ex officio directors from and upon such terms as the Board may determine who shall be non-voting members of the Board.

Section 5. **Vacancies.** A vacancy shall be deemed to exist on the Board in the event that the actual number of directors is less than five. Vacancies of Elected Directors may be filled by the remaining directors for the unexpired portion of the term.

Section 6. **Resignation and Removal.** Resignation shall be effective upon receipt in writing by the Board Chair, the Secretary, or the Board of Directors of this corporation, unless a later effective date is specified in the resignation. A majority of the directors then in office may remove any director at any time, with or without cause.

Section 7. **Annual Meetings.** A meeting of the Board of Directors shall be held at least once a year. Annual meetings shall be called by the Board Chair or any two directors, and noticed in accordance with Section 9.

Section 8. **Special Meeting.** Special meeting of Board of Directors may be called by the Board Chair or any two directors, and noticed in accordance with Section 9.

Section 9. **Notice.** Notice of the annual meeting and any special meetings of the Board of Directors shall be given to each director at least four days before any such meeting if given by first-class mail or forty-eight hours before any such meeting if given personally or by telephone, including voice messaging system or other system or technology designated to record and communicate messages, telegraph, facsimile, electronic mail, or other electronic means, and shall state the date, place, and time of the meeting.

Section 10. **Waiver of Notice.** The transactions of any meeting of the Board of Directors, however called and noticed and wherever held, shall be valid as though taken at a meeting duly held after proper call and notice, if a quorum is present, and if, either before or after the meeting, each of the directors not present signs a written waiver of notice, a consent to holding the meeting, or an approval of the minutes. The waiver of notice or consent need not specify the purpose of the meeting. All waivers, consents and approvals shall be filed with the corporate records or made a part of the minutes of the meeting. Notice of a meeting shall also be deemed given to any director who attends the meeting without protesting the lack of adequate notice before the meeting or at its commencement.

Section 11. **Quorum.** A majority of the total number of Directors then in office, or five Directors, whichever number is lower, shall constitute a quorum provided that in no event shall the required quorum be less than three Directors whichever is larger. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, except as otherwise provided in Article III, Sections 5 (filling board vacancies), 6 (removing Directors) and 12 (taking action without a meeting); Article IV, Section 1 (appointing Board Committees); Article VI, Section 3 (approving conflicting interest transactions); Article VII, Section 2 (approving indemnification); and Article IX, Section 4 (amending Bylaws), or as otherwise provided in the Utah Nonprofit Corporation Law. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action taken in approved by at least a majority of the required quorum for such meeting.
Section 12. **Action Without Meeting.** Any action required or permitted to be taken by the Board may be taken without a meeting if all members of the Board shall individually consent to such action. Such written consents shall be filed with the minutes of the proceedings of the Board. Each Director must submit a written vote. The majority of votes shall decide the action. Such written consents shall have the same force and effect as the unanimous vote of such Directors. (clarified 2013)

Section 13. **Telephone and Video Meetings.** Directors may participate in a meeting through the use of conference telephone, electronic video screen communication, or other communication equipment, so long as all of the following apply:

(a) Each Director participating in the meeting can communicate with all of the other Directors by email or voice;
(b) Each Director is provided with the means of participating in all matters before the Board, including the capacity to propose, or to interpose an objection to, a specific to be taken by the corporation; and
(c) This corporation verifies that (i) a person communicating by telephone, electronic video screen or other communications equipment is entitled to participate in the Board meeting as a Director, or by invitation of the Board or otherwise, and (ii) all motions, votes, or other actions required to be made by a Director were actually made by a Director and not someone who is not entitled to participate as a director.
(d) Minutes from telephone and video meetings will be kept, approved and filed with other meeting minutes.

Section 14. **Standard of Care.**

A. General. A Director shall perform the duties of a director, including duties as a member of any Board Committee on which the director may serve, in good faith, in a manner such Director believes to be in the best interest of this corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like situation would use under similar circumstances.

In performing the duties of a Director, a Director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by:

(i) One or more officers or employees of this corporation whom the Director believes to be reliable and competent as to the matters presented;
(ii) Legal counsel, independent accountants, or other persons as to matters which the Director believes to be within such person’s professional or expert competence; or
(iii) A Board Committee upon which the director does not serve, as to matters within its designated authority, provided that the Director believes such Committee merits confidence;

so long as in any such case, the Director acts in good faith after reasonable inquiry when the need therefore is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

Except as provided in Article VI below, a person who performs the duties of a Director in accordance with this Section shall have no liability based upon any failure or alleged failure to discharge that person obligations as a Director, including, without limiting the generality of the foregoing, any actions or omissions which
exceed or defeat a public or charitable purpose to which a corporation, or assets held
by it, are dedicated.

B. Investments. Except with respect to assets held for use or used directly in carrying
out this corporation’s charitable activities, in investing, reinvesting, purchasing or
acquiring, exchanging, selling and managing this corporation’s investments, the
Board shall avoid speculation, looking instead to the permanent disposition of the
funds, considering the probable income as well as the probable safety of this
corporation’s capital. No investment violates this section where it conforms to
provisions authorizing such investment contained in an instrument or agreement
pursuant to which the assets were contributed to this corporation.

Section 15. Inspection. Every Director shall have the absolute right at any reasonable
time to inspect and copy all books, records, and documents, and to inspect the physical properties
of this corporation.

Section 16. Compensation. No Director shall be entitled to compensation for services as
a member of the Board of Directors. The Board may authorize, by resolution the reimbursement
to a Director of actual reasonable expenses incurred in carrying out his or her duties as a director.
(adopted November, 2009)

ARTICLE IV
COMMITTEES

Section 1. Board Committees. The Board of Directors may, by resolution adopted by a
majority of the directors then in office, create any number of Board Committees, each consisting
of two or more Directors, to serve at the pleasure of the Board. Appointments to any Board
Committee shall be by a majority vote of the directors then in office. Board Committees may be
given all the authority of the Board, except for the powers to:

(a) Set the number of Directors within a range specified in these Bylaws;
(b) Elect directors or remove Directors;
(c) Fill vacancies on the Board of Directors or on any Board Committee;
(d) Approve a conservation easement, the purchase or sale of land in fee, or the purchase
   or sale of any recordable interest in land;
(e) Amend or repeal these Bylaws or adopt new Bylaws;
(f) Adopt amendments to the Articles of Incorporation of this corporation;
(g) Amend or repeal any resolution of the Board of Directors which by its express terms
   is not so amendable or repealable;
(h) Create any other Board Committees or appoint the members of any Board
   Committees; or
(i) Approve any merger, reorganization, voluntary dissolution, or disposition of
   substantially all of the assets of this corporation.
(Revised November, 2009)

Section 2. Executive Committee. The Board, by resolution adopted by a majority of the
Board, shall elect an Executive Committee which shall consist of five members of the Board then
serving three of whom shall be those Directors holding the elected office of President, Vice
President and Treasurer. Each member of the Executive Committee shall continue to be a member of such Committee until the annual meeting of Members which shall be held next after designation as a member of such Committee or until the earlier termination as a Director. The Executive Director shall always be designated as an ex officio member of the Executive Committee. To the extent permitted by law and subject to the limitations set forth in Section I above, the Executive Committee may exercise all the powers of the Board in the management of the business and affairs of the corporation (including the power to authorize the seal of the corporation to be affixed to all papers which may require it; but excluding the power to appoint a member of the Executive Committee) in such manner as the Executive Committee shall deem to be in the best interests of the corporation. An act of the Executive Committee taken within the scope of its authority shall be an act of the Board. The Executive Committee shall render in the form of minutes a report of any actions taken at each regular meeting of the Board and at any other time when so directed by the Board.

Meetings of the Executive Committee shall be held at such times, on such dates and at such places as shall be fixed by resolution adopted by a majority of the Executive Committee, or as shall be fixed by the Chairman of the Executive Committee or in the absence of the Chairman of the Executive Committee, the Executive Director. Special meetings of the Executive Committee may be called by the Chairman of the Executive Committee.

Four members of the Executive Committee shall constitute a quorum for the transaction of business, and the act of a majority of the members of the Executive Committee shall be the act of the Executive Committee.

(Adopted November, 2009)

Section 3. Advisory Committees. The Board of Directors may establish one or more Advisory Committees to the Board. The members of any Advisory Committee may consist of Directors or non-directors and may be appointed as the Board determines. Advisory committees may not exercise the authority of the Board to make decisions on behalf of this corporation, but shall be restricted to making recommendations to the Board or Board Committees, and implementing Board or Board Committee decisions and policies under the supervision and control of the Board or Board Committee.

Section 4. Meetings.

A. Of Board Committees. Meetings and actions of Board Committees shall be governed by and held and taken in accordance with the provisions of Article III of these Bylaws concerning meetings and actions of the Board of Directors, with such changes in the content of those Bylaws as are necessary to substitute the Board Committee and its members for the Board of Directors and its members. Minutes shall be kept of each meeting of any Board Committee and shall be filed with the corporate records.

B. Of Advisory Committees. Advisory Committees shall determine their own meeting rules and whether minutes shall be kept.

The Board of Directors may adopt rules for the governance of any Board or Advisory Committee not inconsistent with the provisions of these Bylaws.

Section 5. Changes in committees; Resignations; Removals; Vacancies. The Board shall have power, by resolution adopted by a majority of the Board, at any time to change or remove the members of, to fill vacancies in, and to discharge any committee created pursuant to these Bylaws, either with or without cause. Any member of any such committee may resign at any time by giving written notice to the Board or the Chairman.
of the Board. Such resignation shall take effect upon receipt of such notice or at any later
time specified therein; and, unless otherwise specified therein, acceptance of such
resignation shall not be necessary to make it effective. Any vacancy in any committee,
whether arising from death, resignation, an increase in the number of committee members
or any other cause, shall be filled by the Board in the manner prescribed in these Bylaws.
(Adopted November 2009)

ARTICLE V
OFFICERS

Section 1. Officers. The officers of this corporation shall be a Board Chair, an Executive
Director, a Vice Chair, a Secretary, and a Treasurer. The corporation may also have, at the
discretion of the director, such other officers as the same person, except that neither the Secretary
nor the Treasure may serve concurrently as the Board Chair, if any.

Section 2. Election. The Executive Director shall be chosen by the Board from time to
time. Each other officer of this corporation shall be elected annually by the Board of Directors.
Each officer shall serve at the pleasure of the Board, subject to the rights, if any, of an officer
under any contract of employment.

Section 3. Removal. Subject rights, if any, of an officer under any contract of
employment, any officer may be removed, with or without cause, by the Board of Directors.
Removal of the Executive Director may only be accomplished by terminating his or her
employment as Executive Director.

Section 4. Resignation. Any officer may resign at any time by giving written notice to
this corporation. Any resignation shall take effect on receipt of that notice by such officer or at any later
time specified by that notice and, unless otherwise specified in that notice, the acceptance of the
resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights,
if any, of this corporation under any contract to which the officer is a party.

Section 5. Vacancies. A vacancy in any office for any reason shall be filled in the same
manner as these Bylaws provide for election to that office.

Section 6. Board Chair. The duties of the Board Chair shall be as follows; to preside at
all meetings of the Board; in the absence of the Executive Director or Treasurer, to sign checks, or other
orders drawn upon any bank or other depositories in which funds and securities of the Corporation are
deposited; to join with the Executive Director, Secretary, or Treasurer, in signing the name of the
Corporation to all other papers, documents, and writings requiring the signature of the Corporation,
except as herein provided; to see that the orders of the Board are carried out promptly or to advise the
Board if its orders are not carried out and to appoint the chairperson of any committees authorized by the
Board.

In the event of a vacancy in the office of the Executive, or by a majority vote of the Board, any one or
more of the duties of the Executive Director may be assumed by the Board Chair.

Section 7. Regulatory Affairs Director. The Regulatory Affairs Director of the
Conservancy shall be the senior staff member, serving at the pleasure of the Board of Directors, with day
to day authority relating to land trust matters and governmental agencies.
Section 8. Executive Director. The Executive Director shall be the senior member of the Conservancy staff, serving at the pleasure of the Board of Directors, subject to the terms of any contract of employment. The Executive Director shall be the senior operating officer of the Corporation and, subject to the direction and control of the Board, shall have general charge of the day-to-day affairs of the Corporation. In general, the powers and duties of the Executive Director shall be those ordinarily exercised or performed by the chief operating officer of a corporation and such other powers and duties may be assigned to the Executive Director by the Board. Without limiting the preceding sentence by this specification, the Executive Director shall attend all meetings of the Board; unless otherwise directed by the Board, shall have full power to vote in the name of the Corporation, in person or by general or limited proxy, all shares of stock and other voting securities owned by the corporation; shall see that the resolutions and directions of the Board are carried into effect; and subject to review by the Board may hire agents and employees as the Executive Director deems to be necessary or convenient in the conduct of the day to day affairs of the Corporation and may fix their compensation, prescribe their powers and duties and terminate their service at any time.

The Executive Director shall prepare, and submit to the Board, at least sixty (60) days prior to the commencement of each fiscal year, an annual budget and strategic plan (the “Annual Budget and Strategic Plan”) which describes the business plan for the Conservancy for the next fiscal year. Each Annual Budget and Strategic Plan approved by the Board shall remain operative until amended by the Board or a successor Annual Budget and Strategic Plan has been approved by the Board. The Executive Director shall conduct day-to-day affairs of the Corporation in accordance with the approved Annual Budget and Strategic Plan.

Except in those instances in which the authority to execute is expressly delegated to another officer or agent of the Corporation or a different mode of execution is expressly prescribed by the Board or these Bylaws, the Executive Director may execute for the Corporation such documents as needed for the conduct of the Corporation's affairs in the ordinary course and in implementation of the Annual Budget and Strategic Plan, as well as any deeds, mortgages, leases, bonds, contracts, checks, notes or other documents which the Board has authorized to be executed. The Executive Director may accomplish such execution either under or without the seal of the Corporation and either individually or with the Secretary, any Assistant Secretary, or any other officer thereunto authorized by the Board, according to the requirements of the form of the document.

Section 9. Vice Chair. The Vice Chair shall, in the absence of the Board Chair, carry out the duties of the Board Chair and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

Section 10. Secretary. The Secretary shall supervise the keeping of a full and complete record of the proceedings of the members and the Board of directors and its committees, if any, shall supervise the giving of such notice as may be proper or necessary, shall supervise the keeping of the minute books and membership records of this corporation, and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

Section 11. Treasurer. The Treasurer shall supervise the charge and custody of all funds of this corporation, the deposit of such funds in the manner prescribed by the Board of Directors, and the keeping and maintaining of adequate and correct amounts of this corporation's properties and business transactions, shall render reports and accountings as required, and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.
ARTICLE VI
CERTAIN TRANSACTIONS

Section 1. Loans and Property Acquisitions. Except as permitted by the Utah Nonprofit Corporation Law, this corporation shall not make any loan of money or property to, or guarantee the obligation of, any Director or officer; nor shall this corporation acquire any real property or interest in real property including any conservation easement from any Director or officer; provided, however, that this corporation may advance money to a Director or officer of this corporation or any subsidiary for expenses reasonably anticipated to be incurred in performance of the duties of such Director so long as such individual would be entitled to be reimbursed for such expenses absent that advance.

Section 2. Conflicting Interest Transactions. Except as provided in Section 3 below, the Board of Directors shall not approve, or permit the corporation to engage in, any conflicting transaction. A conflicting interest transaction is a transaction to which this corporation is a party and in which one or more of its Directors has a material financial interest as defined in Section 16-6a-825 of the Utah Nonprofit Corporation Act.

Section 3. Approval. This corporation may engage in a conflicting interest transaction if the transaction is approved by as required by law. This corporation may also engage in a conflicting interest transaction if the Board determines, before the transaction, that (a) this corporation is entering into the transaction for its own benefit; (b) the transaction is fair and reasonable to this corporation at the time; (c) after reasonable investigation, the Board determines that it could not have obtained a more advantageous arrangement with reasonable effort under the circumstances; and (d) the Board has received favorable advice from legal counsel. Such determinations must be made by the Board in good faith, with knowledge of the material facts concerning the transaction and the Director’s interest in the transaction, and by a vote of a majority of the Directors then in office, without counting the vote of the interested Director or Directors.

Where it is not reasonably practicable to obtain approval of the Board before entering into a self-dealing transaction, a Board Committee may approve such transaction in a manner consistent with the requirements above; provided that, at its next meeting, the full Board determines in good faith that the Board Committee’s approval of the transaction was consistent with the requirements above and that it was not reasonably practical to obtain advance approval by the full Board, and ratifies the transaction by a majority of the Directors then in office without the vote of any interested director.

ARTICLE VII
INDEMNIFICATION AND INSURANCE

Section 1. Right of Indemnity. To the fullest extent allowed by Part 9 of the Utah Nonprofit Corporation Law, this corporation shall indemnify and advance expenses to its agents, in connection with any proceeding, and in accordance with section 16-6a-902. For purposes of this Article, “agent” shall have the same meaning as in Section 16-6a-901(5) of the Utah Nonprofit Corporation Law including (a) Directors, officers, employees, other agents, and persons formerly occupying such positions; “proceeding” shall have the same meaning as in Section 16-6a-901(8), 1; and “expenses” shall have the same meaning as in Section 16-6a-901(5), including reasonable attorney’s fees.

Section 2. Approval of Indemnity. On written request to the Board of Directors in each specific case by any agent seeking indemnification, to the extent that the agent has been successful on the merits, the Board shall promptly authorize indemnification in accordance with Article III. Otherwise, the Board shall promptly determine, by a majority vote of a quorum consisting of Directors who are not parties to
the proceeding, whether, in the specific case, the agent has met the applicable standard of conduct stated in Section 14 of Article III, and, if so, may authorize indemnification to the extent permitted thereby.

Section 3. Advancing Expenses. The Board of Directors may authorize the advance of expenses incurred by or on behalf of an agent of this corporation in defending any proceeding prior to final disposition, if the Board finds that:

(a) The requested advances are reasonable in amount under the circumstances; and

(b) Before any advance is made, the agent will submit a written undertaking satisfactory to the Board to repay the advance unless it is ultimately determined that the agent is entitled to indemnification for the expenses under this Article.

The Board shall determine whether the undertaking must be secured, and whether interest shall accrue on the obligation created thereby.

Section 4. Insurance. The Board of Directors may adopt a resolution authorizing the purchase of insurance on behalf of any agent against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, and such insurance may provide for coverage against liabilities beyond this corporation's power to indemnify the agent under the law.

ARTICLE VIII
GRANTS ADMINISTRATION

Section 1. Purpose of Grants. This corporation shall have the power to both apply for and make grants and contributions and to both render and receive other financial assistance in cash or in kind for the purposes expressed in this corporation's Articles of Incorporation.

Section 2. Exclusive Power in the Board of Directors. The Board of Directors shall have exclusive control over conservation easements, grants, contributions, and other financial assistance given by this corporation. The Board shall review all requests for funds and shall require that such requests specify the use to which the funds will be put. If the Board approves a request for funds, the Board shall authorize payment of such funds to the approval grants. The Board shall be required to specifically approve the terms and conditions of any conservation easement or other comparable document relating to the acquisition or stewardship of any real property.

Section 3. Refusal; Withdrawal. The Board of Directors, in its absolute discretion, shall have the right to refuse to enter into any conservation easements or other comparable transaction, or make any grants or contributions, or to render other financial assistance, if for any reason it is the determination of the Board that the purposes and benefits of the corporation are not being properly served.

Section 4. Accounting Required. The Board of Directors may require that grantees furnish a periodic accounting to show that the funds granted by this corporation were expended for the purposes that were approved by the Board.

Section 5. Restrictions on Contributions. This corporation shall retain complete control and discretion over the use of all contributions it receives. Contributions received by the corporation from
solicitations for specific grants shall be regarded as for the use of this corporation and not for any particular organization or individual mentioned in the solicitation.

ARTICLE IX
MISCELLANEOUS

Section 1. Fiscal Year. The fiscal year of this corporation shall end each year on December 31.

Section 2. Contracts, Notes and Checks. All contracts entered into on behalf of this corporation must be authorized by the Board of Directors or the person or persons on whom such authority may be conferred by the Board from time to time, and, except as otherwise provided by law, every check, draft, promissory note, money order, or other evidence of indebtedness of this corporation shall be signed by the person or persons on whom such power may be conferred by the Board from time to time.

Section 3. Annual Reports to Directors. Within 120 days after the end of this corporation’s fiscal year, the Executive Director shall furnish a written report to all directors of this corporation containing the following information:

(a) The assets and liabilities, including the trust funds of this corporation, as of the end of the fiscal year;
(b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;
(c) The revenue or receipts of this corporation, both unrestricted and restricted to particular purposes, for the fiscal year;
(d) The expenses or disbursements of this corporation, for both general and restricted purposes, for the fiscal year; and
(e) Any transaction during the previous fiscal year involving more than $500 between this corporation and any of its Directors or officers (other than reimbursements for reasonable expenses incurred by a Director or officer on behalf of the Corporation), or any of a number of such transactions in which the same person had a direct or indirect material financial interest, and which transactions in the aggregate involved more than $1,000, as well as the amount and circumstances of any indemnifications or advances aggregating more than $500 paid during the fiscal year to any Director or officer of this corporation. For each transaction, the report must disclose the names of the interested persons involved in such transaction, stating such person’s relationship to this corporation, the nature of such person’s interest in the transaction and, where practicable, the value of such interest.

The foregoing report shall be accompanied by any report thereon of independent accountants or, if there is no such report, the certificate of an authorized officer of this corporation that such statements were prepared without an audit from the books and records of this corporation.

Section 4. Amendments. Proposed amendments to these Bylaws shall be submitted in writing to the directors at least one week in advance of any Board meeting at which they will be considered for adoption. The vote of a majority of the directors in office or the unanimous written consent of the directors shall be required to adopt a bylaw amendment.

Section 5. Governing Law. In all matters not specified in these Bylaws, or in the event these Bylaws shall not comply with applicable law, the Utah Nonprofit Corporation Law as then in effect shall apply.
## Application for Exemption – Benefactors

### Schedule C

<table>
<thead>
<tr>
<th>Property Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of organization applying</strong></td>
</tr>
<tr>
<td><strong>Property parcel or account number</strong></td>
</tr>
<tr>
<td><strong>Contact person</strong></td>
</tr>
<tr>
<td><strong>Property location</strong></td>
</tr>
</tbody>
</table>

### Financial Information

1. Does the use of the property in any way create funds, revenue, products or services that are sold or given away?  
   - Yes [X]  
   - No  
   - If yes, state the amount and describe in detail: $  

2. If you answered Yes in question 1, what portion of funds, revenue, products or services:  
   - Are used directly for the purposes for which exemption is claimed?  
     - Percentage: ___
     - Describe the individuals or organizations receiving benefits, and how they are selected:  
   - Are used indirectly for the purposes for which exemption is claimed?  
     - Percentage: ___
     - Describe the individuals or organizations receiving benefits, and how they are selected:  
   - Are given to any shareholder or individuals or are distributed from the use of the property ___
     - Explain in detail:  

3. Does anyone receive compensation in wages, goods, services or other benefits, for services rendered with respect to the property?  
   - Yes [X]  
   - No  
   - If yes, attach the following information for each individual:  
     - Total compensation received in detail, e.g., money, goods, living quarters, services or other benefits.  
     - How the compensation is determined.  
     - Explanation of the services performed, including duties and working hours.  
     - Relationship of the individual to the owner, user or operator of the property, and whether the individual is a trustee, director, shareholder, lessee, member, employee or contributor of the owner.  

(continued on reverse)
Attachments  Attach the following documentation

1. Copies of any financial statements, income statements, profit and loss statements or other records that accurately reflect the use of the described property, including the source of all funds, the amount received from each source, and the use of such funds for the most recent fiscal year available.

2. All information requested in question 3, above.

3. If the use of the property did not create any funds, revenue, products or services that are sold or given away, but did result in a benefit to any individual or organization, attach detailed documentation indicating the following:
   a. All individuals or organizations benefited.
   b. The amount of benefit received by each.
   c. How such individuals or organizations were selected.

Certification

I certify that all statements and information on this sheet are true and correct to the best of my knowledge, and that I will notify the Board of Equalization if any of the information should change. I further certify that I have authority to sign this document.

Name (printed)  Position or capacity  Date signed
Amber Nelson  Director of Operations  11/10/19
Signature
Property Owner

EIN, SSN, or other tax ID number
42-1538872

Property Information and Description

Briefly describe the personal property under consideration for exemption
NOT APPLICABLE — only undeveloped lots

List the original acquisition cost and year acquired.

<table>
<thead>
<tr>
<th>Item</th>
<th>Year Acquired</th>
<th>Acquisition Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Furniture and fixtures</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Commercial and industrial equipment</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Mobile homes</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Other personal property</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Estimated current value for items with unknown acquisition cost</td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

List all motor vehicles under consideration for exemption, including passenger cars, trucks and vans; motorcycles; campers, motor homes, travel trailers and other RVs; boats and watercraft; aircraft; and medium or heavy duty trucks.

<table>
<thead>
<tr>
<th>License Plate No.</th>
<th>Type of Vehicle</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>VIN/HIN</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Use of Property

1. Is the personal property used at a given parcel of real property?
   _Yes _ No
   If yes, indicate the property parcel number or address:
   If no, where is the property usually located?

2. Describe in detail all activities and functions that the property is used for, and the date the use began.

3. Have all activities and functions in 2 continued without interruption since the use began?
   _Yes _ No
   If no, explain any interim or non use:
   (continued on reverse)
4. Was all property listed on page 1 acquired prior to January 1 of the tax year in question?  ____ Yes  ____ No

   If no, indicate when property was or will be acquired:

5. Is any of the personal property listed on page 1 subject to any rental or lease agreements?  ____ Yes  ____ No

   If yes, complete the following schedule.

<table>
<thead>
<tr>
<th>Description of Property</th>
<th>Lessor</th>
<th>Lessee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Application for Exemption – Real Property Schedule A

UCA §59-2-1101 and 1102
Form PT-020A
PT-020a.ai Rev. 10/99

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner
Full name of the owner of record
Summit Land Conservancy

EIN, SSN, or other tax ID number
42-1538872

Address
PO Box 1775
Park City, UT

Telephone
(435) 649-9884

City
State
UT
Zip
84060

Property Location
Enclave at SunCanyon, Summit County

Brief description of parcel
Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12, Park City, UT

Property parcel number
ECSC-2-AM, ECSC-3-AM, ECSC-4-AM,
ECSC-5-AM, ECSC-6-AM, ECSC-8-AM,
ECSC-9-AM, ECSC-10-AM, ECSC-12-AM

Date the property was acquired
12/01/18

Acreage:
0.66

List separately and describe each building or physical structure on the property
NONE

Use of Property
1. Complete this first question separately for each building or structure, use additional sheets as necessary.
   a. Building or structure
   b. Activities or functions this building or structure is used for
   c. Percentage of building or structure used for this purpose
   d. Approximate hours per month building or structure is used for this purpose
   e. Date use for this purpose began

2. Have all activities/functions listed in 1 continued without interruption since first starting? Yes No
   If no, explain any interim or non-use:

3. Is there any use of the property, buildings or structures other than described in 1 above? Yes No
   If yes, describe:

4. Is all or part of the property, buildings or structures rented or leased? Yes No
   If yes, answer the following.
   a. Name of person or entity renting or leasing the property
   b. Describe the portion that is rented or leased
   c. Amount of rent or other compensation received
   d. How is the rent or compensation determined?

Attachments: Attach the following items:
1. A copy of the legal description of the real property under consideration.
2. A current photograph of the real property under consideration.
Exhibit "A"

Lots 2 through 6, inclusive, Lots 8 through 10, inclusive and Lot 12, ENCLAVE AT SUN CANYON P.U.D. AMENDING LOTS 1-12 & 32-35, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

Together with a right and easement of use and enjoyment in and to the Common Areas described, and as provided for, in said Declaration of Covenants, Conditions, and Restrictions, which include without limitation, an easement for vehicular ingress and egress over and across said Common Areas to and from said Lot to a physically open and legally dedicated public street.

Together with the non-exclusive right to use all existing trails all trails constructed from time to time on Lot "A" The Enclave at Cedar Draw Amended, pursuant to that certain Lot A Use Agreement recorded March 12, 2008 as Entry No. 839702 in Book 1919 at Page 450 of the official records.
Council Member Carson made a motion to approve the request for property tax exemption for the Summit Land Conservancy. Council Member Wright seconded the motion and all voted in favor, 5-0.

Discussion and possible approval of Save Our Stage Foundation’s request for property tax exemption; Alisa Robinson

Alisa Robinson then presented the following information regarding Save Our Stage Foundation’s request for property tax exemption.
Application for Property Tax Exemption

Summit County Board of Equalization

This application should be used to apply for exemption from ad valorem (value-based) property tax.

Nonprofit Entity Information

Name of organization applying:
Save Our Stage Foundation, LLC

Address:
P.O. Box 890

City:
Park City

Contact person:
Steve Hooker

Exemption Information

This property is exclusively used for (check one):
☐ Religious purposes ☑ Charitable purposes ☐ Educational purposes

☐ Other (specify)

Describe the purpose of this nonprofit organization:
To maintain and operate the Egyptian Childrens Black Box theater as a community theater, Childrens theater and Black Box theater for the benefit of the Park City and Summit County children, citizens and theater patrons.

Describe why this property should be exempt from ad valorem property taxes:
This property supports nonprofit theater and education with only donations, fund raising and volunteers. We turn no child away.

Attachments
Attach the following documentation:

1. A certified copy of the Articles of Incorporation of the nonprofit entity.
2. A copy of current by-laws and/or other organizational information.
3. A copy of the 501(c)(3) certification issued by the IRS.
4. Completed schedules as follows:
   - Schedule A — Real Property; one schedule for each parcel of real property under consideration.
   - Schedule B — Personal Property used exclusively for religious, charitable, or educational purposes.
   - Schedule C — Financial information related to the property under consideration; complete only applicable portions.
**Application for Exemption – Real Property**

**Schedule A**

Complete a separate Schedule A for each parcel of real property under consideration.

**Property Owner**

<table>
<thead>
<tr>
<th>Full name of the owner of record</th>
<th>EIN, SSN, or other tax ID number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Save Our Stage Foundation</td>
<td>87-0513169</td>
</tr>
</tbody>
</table>

**Address**

| P.O. Box 890                     | 435-649-1129                    |

**City**

<table>
<thead>
<tr>
<th>Park City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Utah</td>
<td>80460</td>
</tr>
</tbody>
</table>

**Property Information and Description**

**Property Location**

<table>
<thead>
<tr>
<th>Basement level 333 Main Street C1</th>
<th>Property parcel number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PCOMC-C1-1AM</td>
</tr>
</tbody>
</table>

**Brief description of parcel**

| Unit C1 Main Street, Lower level of the Parkite building. |

**List separately and describe each building or physical structure on the property.**

The Parkite is a mixed use residential and commercial building of 62050sf plus 29402sf of commercial space. C1 is a unit of 8138sf in the basement level.

**Use of Property**

1. Complete this first question separately for each building or structure, use additional sheets as necessary.
   a. Building or structure: Basement level commercial condo space.
   b. Activities or functions this building or structure is used for: Egyptian Theater Blackbox Theater and Childrens theater.
   c. Percentage of building or structure used for this purpose: 100%
   d. Approximate hours per month building or structure is used for this purpose: 100 hours per month
   e. Date use for this purpose began: 1/10/18

2. Have all activities/functions listed in 1 continued without interruption since first starting? Yes No

   If no, explain any interim or non-use:

3. Is there any use of the property, buildings or structures other than described in 1 above? Yes No

   If yes, describe:

4. Is all or part of the property, buildings or structures rented or leased? Yes No

   If yes, answer the following:
   a. Name of person or entity renting or leasing the property: Park City Performances
   b. Describe the portion that is rented or leased: 100%
   c. Amount of rent or other compensation received: $1250. per month
   d. How is the rent or compensation determined: an amount equal to cost of Ins & CAM.

**Attachments**

Attach the following items:

1. A copy of the legal description of the real property under consideration.
2. A current photograph of the real property under consideration.
# Application for Exemption - Personal Property

**Schedule B**

### Property Owner
- **Property Owner:** Save Our Stage Foundation
- **UIN, EIN, or other tax ID number:** 87-0513169
- **Address:** P.O. Box 890
- **City:** Park City
- **State:** Utah
- **ZIP:** 84060

### Property Information and Description
- **Property Location:** 333 Main Street suite C1, lower level
- **Personal property account number (if any):** PCOMC-C1-1AM
- **Briefly describe the personal property under consideration for exemption:** Basement level, suite C1 of approximately 8100sf.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Year Acquired</th>
<th>Acquisition Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Furniture and fixtures</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Commercial and industrial equipment</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Mobile homes</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Other personal property</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td><strong>Estimated current value for items with unknown acquisition cost</strong></td>
<td>$</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>License Plate No.</th>
<th>Type of Vehicle</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>VIN/HIN</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Use of Property
1. **Is the personal property used at a given parcel of real property?**  
   - Yes [x]  
   - No
   
   **If yes, indicate the property parcel number or address:**

   **If no, where is the property usually located?**

2. **Describe in detail all activities and functions that the property is used for, and the date the use began.**  
   - Nonprofit children's theater, community events and fund raising. Use of the premises will begin 1/1/19.

3. **Have all activities and functions in 2 continued without interruption since the use began?**  
   - Yes [x]  
   - No
   
   **If no, explain any interim or non use:** no use during remodel work.

(continued on reverse)
Application for Exemption – Benefactors  
Schedule C

UCA §59-2-1101 and 1102  
Form PT-20C  
PT-0201 at Rev. 9/00

Property Owner

Name of organization applying  
Save Our Stage Foundation

Property parcel or account number  
87-0513169

Contact person  
Steve Hooker

Telephone  
435-649-1129

Property location  
333 Main Street suite C1, lower level

Financial Information

1. Does the use of the property in any way create funds, revenue, products or services that are sold or given away?  
   X Yes  No
   If yes, state the amount and describe in detail: $8000 per year as rent for the theater

2. If you answered Yes in question 1, what portion of funds, revenue, products or services:
   a. Are used directly for the purposes for which exemption is claimed?  100%
      Describe the individuals or organizations receiving benefits, and how they are selected:
      All proceeds from donations and ticket revenue are used for the Park City Performances and Childrens Theater. All students are selected for benefits.
   b. Are used indirectly for the purposes for which exemption is claimed?  0%
      Describe the individuals or organizations receiving benefits, and how they are selected:
   c. Are given to any shareholder or individuals or are distributed from the use of the property  0%
      Explain in detail:

3. Does anyone receive compensation in wages, goods, services or other benefits, for services rendered with respect to the property?  
   X Yes  No
   If yes, attach the following information for each individual:
   a. Total compensation received in detail, e.g., money, goods, living quarters, services or other benefits.
   b. How the compensation is determined.
   c. Explanation of the services performed, including duties and working hours.
   d. Relationship of the individual to the owner, user or operator of the property, and whether the individual is a trustee, director, shareholder, lessor, member, employee or contributor of the owner.

(continued on reverse)
Attachments

Attach the following documentation

1. Copies of any financial statements, income statements, profit and loss statements or other records that accurately reflect the use of the described property, including the source of all funds, the amount received from each source, and the use of such funds for the most recent fiscal year available.

2. All information requested in question 3, above.

3. If the use of the property did not create any funds, revenue, products or services that are sold or given away, but did result in a benefit to any individual or organization, attach detailed documentation indicating the following:
   a. All individuals or organizations benefited.
   b. The amount of benefit received by each.
   c. How such individuals or organizations were selected.

Certification

I certify that all statements and information on this sheet are true and correct to the best of my knowledge, and that I will notify the Board of Equalization if any of the information should change. I further certify that I have authority to sign this document.

Name (printed): Steven C. Hauker
Position or capacity: Secretary/Treasurer
Signature: [Signature]
Date signed: 3/7/19
Annual Statement for
Continued Property Tax Exemption

This statement should be used annually to apply for continued exemption from property tax.

General Information
Name of organization applying (must be record owner of property)
Save Our Stage Foundation

Address
P.O.Box 890
City Park City
State Utah
Zip code 84060
Current tax year 2019
Tax year of original exemption 2019

Contact person/authorized representative
Steve Hooker
Telephone number 435-649-1129

Property location, including county
333 Main Street suite C1, lower level
Postal, account or serial number PCOMC-C1-1AM

Questions
1. Has there been any change in the use of this property since January 1 of last year? □ Yes □ No
   If yes, describe:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

2. Does any person or organization conduct business for profit on the property listed above? □ Yes □ No
   If yes, describe the use and give the name and address of the property user:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

3. Does any organization use the real property listed above and pay a fee greater than the cost of maintenance and utilities? □ Yes □ No
   If yes, describe the use and give the name and address of the property user:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

4. Is any personal property at this location being leased or rented from someone else? □ Yes □ No
   If yes, list the name and address of the owner and the type, make, model and serial number of the property:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

Certification

I certify that all the information herein, including any accompanying statements or documents, is true, correct and complete to the best of my knowledge and belief.

Signature of owner or record owner's authorized representative

Position with organization

Date
Employer Identification Number: 87-0513169
Case Number: 755108053
Contact Person: ANNETTE SMITH
Contact Telephone Number: (214) 767-6023
Accounting Period Ending: December 31
Foundation Status Classification: 509(a)(1)
Advance Ruling Period Begins: August 25, 1993
Advance Ruling Period Ends: December 31, 1997
Addendum Applies: Yes

Dear Applicant:

Based on the information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not yet making a final determination of your foundation status under section 501(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we
THE SAVE OUR STAGE FOUNDATION

will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of $100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA). Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning August 25, 1993.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally $25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally $25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of
the fifth month after the end of your annual accounting period. We charge a penalty of $10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed $5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue ruling 56-304, C.B. 1956-2, page 306.)

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.
THE SAVE OUR STAGE FOUNDATION

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Bobby E. Scott
District Director

Enclosure(s):
Addendum
Form 872-C
Pursuant to Revenue Procedure 92-85, you have been granted an extension of the 15-month filing period fixed by section 1.501-1(a)(2) of the Income Tax Regulations. Accordingly, your exemption is effective August 25, 1993.
### Federal Asset Report

**Save Our STAGE Childrens Theatre**

<table>
<thead>
<tr>
<th>Asset</th>
<th>Description</th>
<th>Date In Service</th>
<th>Cost</th>
<th>Bus Sec %</th>
<th>179 Bonus</th>
<th>Basis for Dep</th>
<th>Per Conv Meth</th>
<th>Prior</th>
<th>Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>EGYP. CHILDRENS THEATRE BLDG</td>
<td>1/10/18</td>
<td>1,350,000</td>
<td>1,350,000</td>
<td>39</td>
<td>MM S/L</td>
<td>0</td>
<td>32,344</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1,350,000</td>
<td>1,350,000</td>
<td></td>
<td></td>
<td></td>
<td>32,344</td>
<td></td>
</tr>
</tbody>
</table>

**Other Depreciation:**

| 2     | EGYP. CHILDRENS THEATRE - LAND   | 1/10/18         | 150,000  |           | 0          | Land          | 0             | 0     | 0       |

|       | Total Other Depreciation         |                 | 150,000  |           | 0          |               | 0             | 0     | 0       |

|       | Total ACRS and Other Depreciation|                 | 150,000  |           | 0          |               | 0             | 0     | 0       |

**Grand Totals**

|       |                                 |                 | 1,500,000 | 1,500,000 | 0          |               | 0             | 32,344 |         |

|       | Less: Dispositions and Transfers |                 | 0         | 0         | 0          |               | 0             | 0     | 0       |

|       | Less: Start-up/Org Expense      |                 | 0         | 0         | 0          |               | 0             | 0     | 0       |

|       | Net Grand Totals                |                 | 1,500,000 | 1,500,000 | 0          |               | 0             | 32,344 |         |
Application for Property Tax Exemption

Nonprofit Entity Information

Name of organization applying: Save Our Stage Foundation
EIN, SSN, or other tax ID number: 87-0513169
Address: POBox 890
City: Park City
State: Utah
Zip: 84060
Tax year: 2018
Contact person: Steve Hooker
Telephone: 4356491129

Exemption Information

This property is exclusively used for (check one):

- Religious purposes
- Charitable purposes
- Educational purposes
- Literary

Describe the purpose of this nonprofit organization:

To acquire, maintain and operate property known as The Egyptian Childrens Theater as a community theater for children. The Black Box Theater will be located in the Parkite building on 333 Main Stree

The theater will occupy Suite C1, basement level of the property. This theater will be operated for the benefit of the community and its children.

We dedicate the theater to the education of Literary and theatrical purposes for all children from all backgrounds in the community.

Describe why this property should be exempt from ad valorem property taxes:

This property will support the non-profits arts and theater groups. This location will educate, perform and allow Black Box Theater events.

Such teaching events in this property are sponsored by donations and scholarships from the public.

We turn no one away regardless of the ability to pay.

Attachments: Attach the following documentation:

1. A certified copy of the Articles of Incorporation of the nonprofit entity.
2. A copy of current by-laws and/or other organizational information.
3. A copy of the 501(c)(3) certification issued by the IRS.
4. Completed schedules as follows:
   - Schedule A – Real Property; one schedule for each parcel of real property under consideration.
   - Schedule B – Personal Property used exclusively for religious, charitable, or educational purposes.
   - Schedule C – Financial information related to the property under consideration; complete only applicable portions.
September 18, 2018

Save Our Stage Foundation is requesting Property Tax Exemption for property address 333 Main Street Park City. The property was acquired on January 12, 2018 and the owner currently receives the exemption for the Egyptian Theatre located at 328 Main Street, Park City. The deadline is March 1 for Property Tax Exemption applications and the property must be acquired by January 1.

The assessor recommends that the exemption be provided for this parcel since the owner has been operating as a non-profit 501c3 historically and this purchase was just an expansion of current operations.

Alisa Robinson
Exemption Specialist
435-336-3257

333 Main St C1 PC
3,718,750-
2018 30,19225
## Property Valuation and Tax Changes

**Account Number:** 0491346  
**Parcel Number:** PCOMC-C1-1AM  
**Acres:** 0  
**Tax Area:** 9

### Mailing Address

**Summit County Auditor**  
**60 North Main**  
**PO Box 128**  
**Coalville, UT 84017**  
**435-336-3019**

**Saving Our Stage Foundation**  
**PO Box 890**  
**PARK CITY, UT 84060-0890**

### Property Address

**333 Main St #C1**

**Owner:** Saving Our Stage Foundation

### Value of Your Property

<table>
<thead>
<tr>
<th>Property Type</th>
<th>2017 Market Value</th>
<th>2017 Taxable Value</th>
<th>2018 Market Value</th>
<th>2018 Taxable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Primary Building</td>
<td>3,718,750</td>
<td>3,718,750</td>
<td>3,718,750</td>
<td>3,718,750</td>
</tr>
</tbody>
</table>

**Total Property Value:** 3,718,750

### Taxing Entities

<table>
<thead>
<tr>
<th>Taxing Entity</th>
<th>Taxes 2017</th>
<th>Rate 2017</th>
<th>Taxes 2018</th>
<th>Rate 2018</th>
<th>Taxable Value</th>
<th>Taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park City</td>
<td>8672.13</td>
<td>0.002280</td>
<td>8476.75</td>
<td>0.002664</td>
<td>3,718,750</td>
<td>9906.75</td>
</tr>
<tr>
<td>State Basic School Levy</td>
<td>7656.91</td>
<td>0.001934</td>
<td>7192.06</td>
<td>0.001934</td>
<td>3,718,750</td>
<td>7192.06</td>
</tr>
<tr>
<td>Summit County</td>
<td>5831.00</td>
<td>0.001666</td>
<td>6195.44</td>
<td>0.001666</td>
<td>3,718,750</td>
<td>6195.44</td>
</tr>
<tr>
<td>PC Fire</td>
<td>2528.75</td>
<td>0.000831</td>
<td>3090.28</td>
<td>0.000831</td>
<td>3,718,750</td>
<td>3090.28</td>
</tr>
<tr>
<td>Local Assess/Collect</td>
<td>2759.31</td>
<td>0.000726</td>
<td>2699.81</td>
<td>0.000726</td>
<td>3,718,750</td>
<td>2699.81</td>
</tr>
<tr>
<td>Weber Basin</td>
<td>647.08</td>
<td>0.000164</td>
<td>628.47</td>
<td>0.000169</td>
<td>3,718,750</td>
<td>628.47</td>
</tr>
<tr>
<td>PC Charter School Levy</td>
<td>189.66</td>
<td>0.000059</td>
<td>145.03</td>
<td>0.000059</td>
<td>3,718,750</td>
<td>145.03</td>
</tr>
<tr>
<td>Mosquito Abatement</td>
<td>115.28</td>
<td>0.000030</td>
<td>111.56</td>
<td>0.000030</td>
<td>3,718,750</td>
<td>111.56</td>
</tr>
<tr>
<td>Multi County &amp; C</td>
<td>37.19</td>
<td>0.000009</td>
<td>33.47</td>
<td>0.000009</td>
<td>3,718,750</td>
<td>33.47</td>
</tr>
</tbody>
</table>

**Total Taxes:** 29,080.63  
**Total Rate:** 0.007848  
**Total Taxable Value:** 29,184.75  
**Total Taxes 2018:** 3,718,750  
**Total Rate 2018:** 0.008232  
**Total Taxable Value 2018:** 3,612.75  
**Change in Tax:** 1,428.00  
**Change in %:** 4.90%

### Notice to Property Owners

**This is Not a Bill  Do Not Pay**

**Property Owners:** If this parcel is your primary residence or a long-term residential rental with a yearly lease, your Property Type/Status should read “Primary Improved Property”. Primary Improved Property is taxed at 55% of market value. If your Property Type/Status reads “Primary Improved Property” and this parcel is NOT your primary residence or a long-term residential rental with a yearly lease, you must notify the Summit County Assessor.

If you choose to appeal the market value and/or property type of your parcel, you must file an appeal application with the County Board of Equalization. Please note that only the market value and/or property type can be appealed to the Board of Equalization. Evidence supporting your estimation of market value must be included when filing your application.

For further information or to obtain an appeal application, please visit the Summit County website at summitcounty.org or call (435) 336-3019. July 25 through September 17 from 8:00 AM to 5:00 PM, MDT. Information is also available at the County Auditor’s Office at 60 N Main, Suite #202, Coalville, UT 84017. The appeal deadline is September 17, 2018, at 5:00 PM, MDT. All appeal applications and evidence must be received prior to that time.

Please report any change of address to: Summit County Recorder, (435) 336-3285. If this property has sold, please forward this notice to the new owner. Property Tax Notices will be mailed prior to November 1, 2018.

**This does not include Tax Credits, Circuit Breakers, or Abatements**
GENERAL INFORMATION

Property taxes are one of the primary sources of funds for local governments, counties, school districts, cities, towns, and special agencies such as water and sewer districts. The state and federal government do not receive any revenue from your property tax. Fire and police protection, schools, roads, and senior citizen programs are examples of local services funded by your property taxes.

MARKET VS. TAXABLE VALUE

Property taxes are based upon the market value of your property on January 1st of the current year. Market value is determined by your County Assessor. As the market value of your property increases or decreases, your property tax may also increase or decrease. Market Value: is the price your property would sell for if it were offered for a reasonable amount of time. This assumes that both the buyer and seller are unrelated, well-informed and under no pressure to buy or sell the property. Taxable Value: is the value used to calculate taxes due on your property. A primary residence receives a 45 percent exemption from market value. A primary residence is any dwelling that is occupied more than 50 percent of the year. Each household may only have one primary residence. For most other classes of property the taxable value is the same as the market value.

TAX RATES

Tax rates are set by the various governmental entities with the legal power to levy taxes. These governmental entities include counties; school districts; cities and towns; and special taxing districts, such as water and sewer districts and cemetery districts.

WHAT IS A “NOTICE OF PROPERTY VALUATION AND TAX CHANGES”?

Utah State law requires that before taxes may be increased, your county must give notice to you of proposed changes. Two types of changes may take place: (1) the appraised market value of your property on January 1st, and (2) the proposed taxes that property owners will pay. The law requires that notification be given in advance of the proposed tax increase and of the time and location of the budget meetings at which public input will be received. This is a notice of property valuation and tax change and not a tax bill.

DO NOT PAY ANY AMOUNT SHOWN ON THIS NOTICE.

CURRENT AND PROPOSED PROPERTY TAXES

Tax Last Year: This is the amount of tax that you were charged last year. The actual tax that you paid may have been less if you received a tax credit based upon a veteran’s exemption, blind exemption, indigent abatement, or circuit breaker. Taxes on personal property, motor vehicles or special assessments are not included in these amounts.

This Year’s Tax if No Budget Change: This is the amount of tax you will be charged if property tax revenues for each taxing entity are not increased. These amounts do not reflect any reduction for a veteran’s exemption, blind exemption, indigent abatement, or circuit breaker for which you may be eligible, or taxes on personal property, motor vehicles, or special assessments.

This Year’s Tax if Proposed Budget is Passed: This is the tax you will be charged if the property tax revenues requested by each entity are adopted. These amounts do not reflect any reduction for a veteran’s exemption, blind exemption, indigent abatement, or circuit breaker for which you may be eligible, or taxes on personal property, motor vehicles, or special assessments. You are encouraged to participate in the public meetings where these budgets are discussed. The locations and times for these budget meetings are listed on this notice.

APPEALS

The Notice of Property Valuation and Tax Changes shows the value placed on your property by the County Assessor. If you believe the value of your property is incorrect, contact your County Auditor within 45 days of the mailing of this notice. Your appeal must address the issue of market value, not the rate of tax. Evidence supporting your estimation of the market value must be included in the appeal. If you do not agree with the County Board of Equalization decision, you may appeal to the State Tax Commission. Appeals to the State Tax Commission must be filed with your County Auditor within 30 days after the final action of the County Board of Equalization.

TAX RELIEF

There are tax relief programs for full time county resident’s primary home. Vacant land does not qualify. To obtain information or to see if you qualify for any of the following programs, please contact the County Auditor’s Office. Applications are due by September 4.

♦ Active Duty Armed Forces Exemption (see UCA 59-2-1104 thru 1105)
♦ Veteran’s Exemption (available to veterans with at least a 10% disability as a result of their service, or their unmarried surviving spouse and orphans) on primary residence and/or vehicle registration.
♦ Blind Exemption (available to the visually impaired and their surviving spouse and orphans) on primary residence and/or vehicle registration.
♦ Low Income Abatement (must be at least 65 years of age, or under age 65 and disabled or under extreme hardship based on annual income limitation.)
♦ Circuit Breaker (available to those age 66 or older, or for a widow or widower and based on an annual income limitation.)

TAXES DUE

Taxes become delinquent if they are not paid by November 30, 2018.

FOR QUESTIONS OR MORE INFORMATION VISIT SUMMITCOUNTY.ORG OR CONTACT COUNTY OFFICES BELOW

Contact the COUNTY AUDITOR’S OFFICE regarding:
☼ Board of Equalization valuation appeals
435-336-3019, 435-615-3019 or 435-783-4351 x3019
☼ Tax Rates
☼ Tax Relief Programs
435-336-3016, 435-615-3016 or 435-783-4351 x3016

Contact the COUNTY TREASURER’S OFFICE regarding:
☼ Delinquent Taxes
☼ Tax Payments
435-336-3267, 435-615-3267 or 435-783-4351 x3267

Contact the COUNTY RECORDER’S OFFICE regarding:
☼ Ownership
☼ Legal Descriptions
☼ Mailing Addresses
435-336-3238, 435-615-3238 or 435-783-4351 x3238

Contact the COUNTY ASSESSOR’S OFFICE regarding:
☼ Property Value Information
435-336-3257, 435-615-3257 or 435-783-4351 x3257
Application for Exemption – Real Property
Schedule A

Complete a separate Schedule A for each parcel of real property under consideration

Property Owner
Full name of the owner of record
Save Our Stage Foundation

EIN, SSN, or other tax ID number
87-0913169

Address
PO Box 880

Telephone
435-940-1129

City
Park City

State
Utah

Zip
84060

Property Information and Description

Property Location
333 Main Street suite C1, lower level

Property parcel number
PCCMC-C1-1AM

Brief description of parcel
Unit C1 of the Parkite Commercial Condominiums, lower level basement.

Date the property was acquired
1/1/2018

Acreage:
0

List separately and describe each building or physical structure on the property

The Parkite is a mixed use of residential and commercial condominiums total of the building is 162055sf of which 8942sf is commercial with C1 unit as 8138sf.

Use of Property

1. Complete this first question separately for each building or structure, use additional sheets as necessary.
   a. Building or structure
   basement level commercial condo.
   b. Activities or functions this building or structure is used for
   Black box teaching theater and Childrens theater.
   c. Percentage of building or structure used for this purpose
   100%
   d. Approximate hours per month building or structure is used for this purpose
   100 hrs per month, 5 class hours per day.
   e. Date use for this purpose began
   1/1/2018

2. Have all activities/functions listed in 1 continued without interruption since first starting?  
   x Yes  ____ No

   If no, explain any interim or non-use:

3. Is there any use of the property, buildings or structures other than described in 1 above?  
   ____ Yes  x  No

   If yes, describe:

4. Is all or part of the property, buildings or structures rented or leased?  
   x Yes  ____ No

   If yes, answer the following.
   a. Name of person or entity renting or leasing the property
   Park City Performances
   b. Describe the portion that is rented or leased
   100%
   c. Amount of rent or other compensation received
   $1500.00 per month
   d. How is the rent or compensation determined?
   An amount equal to cost to cover business expense such as insurance, book keeping and common area

Attachments: Attach the following items

1. A copy of the legal description of the real property under consideration.
2. A current photograph of the real property under consideration.
# Application for Exemption - Personal Property

**Schedule B**

**Property Owner**
- **Property owner**: Save Our Stage Foundation
- **EIN, SSN, or other tax ID number**: 87-0913169

**Address**
- **POBox**: 860
- **City**: Park City
- **State**: Utah
- **Zip**: 84060

**Property Information and Description**

**Property Location**
- **Property Location**: 333 Main Street suite C1, lower level

**Briefly describe the personal property under consideration for exemption**

Threater equipment chairs, tables, lights, props

**List the original acquisition cost and year acquired.**

<table>
<thead>
<tr>
<th>Item</th>
<th>Original Acquisition Cost</th>
<th>Year Acquired</th>
</tr>
</thead>
<tbody>
<tr>
<td>Furniture and fixtures</td>
<td>$ na</td>
<td></td>
</tr>
<tr>
<td>Commercial and industrial equipment</td>
<td>$ na</td>
<td></td>
</tr>
<tr>
<td>Mobile homes</td>
<td>$ na</td>
<td></td>
</tr>
<tr>
<td>Other personal property</td>
<td>$ na</td>
<td></td>
</tr>
</tbody>
</table>

**Estimated current value for items with unknown acquisition cost**

<table>
<thead>
<tr>
<th>Item</th>
<th>Current Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Furniture and fixtures</td>
<td>$ na</td>
</tr>
</tbody>
</table>

**List all motor vehicles under consideration for exemption, including passenger cars, trucks and vans; motorcycles; campers, motor homes, travel trailers and other RVs; boats and watercraft; aircraft; and medium or heavy duty trucks.**

<table>
<thead>
<tr>
<th>Plate No.</th>
<th>Vehicle Type</th>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Use of Property**

1. **Is the personal property used at a given parcel of real property?**
   - Yes [x]  No [ ]
   - If yes, indicate the property parcel number or address: 326 Min Street Park City, UT The Egyptian Theater
   - If no, where is the property usually located?

2. **Describe in detail all activities and functions that the property is used for, and the date the use began.**
   - Black box theater and children's theater.
   - ___________________________  ___________________________
   - ___________________________  ___________________________
   - ___________________________  ___________________________

3. **Have all activities and functions in 2 continued without interruption since the use began?**
   - Yes [x]  No [ ]
   - If no, explain any interim or non use: ___________________________  ___________________________  ___________________________
4. Was all property listed on page 1 acquired prior to January 1 of the tax year in question?  Yes  No
   If no, indicate when property was or will be acquired:  January 12, 2018

5. Is any of the personal property listed on page 1 subject to any rental or lease agreements?  Yes  No
   If yes, complete the following schedule.

<table>
<thead>
<tr>
<th>Description of Property</th>
<th>Rental/Lease Information</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Application for Exemption - Benefactors
schedule C

Property Owner

name or organization applying: Save Our Stage Foundation

Property parcel or account number: PCOMC-C1-1AM

Contact person: Steve Hooker

Telephone: 4356491129

Property location:
333 Main Street, Park City, UT 84060

Financial Information

1. Does the use of the property in any way create funds, revenue, products or services that are sold or given away? Yes  
   If yes, state the amount and describe in detail: $9000 per year as rent for the theater.

2. If you answered Yes in question 1, what portion of funds, revenue, products or services:
   a. Are used directly for the purposes for which exemption is claimed? 100 %
   b. Describe the individuals or organizations receiving benefits, and how they are selected:
      Park City Performances and the Egyptian Children's Theater, selected as the non-profit theater group of Park City.
   c. Are used indirectly for the purposes for which exemption is claimed? 100 %
   d. Describe the individuals or organizations receiving benefits, and how they are selected:
      PCP is charged in rent the amount equal to the SOS Fndn costs of the building insurance.
   e. Are given to any shareholder or individuals or are distributed from the use of the property 0 %
      Explain in detail:

3. Does anyone receive compensation in wages, goods, services or other benefits, for services rendered with respect to the property? Yes  
   If yes, attach the following information for each individual:
   a. Total compensation received in detail, e.g., money, goods, living quarters, services or other benefits.
   b. How the compensation is determined.
   c. Explanation of the services performed, including duties and working hours.
   d. Relationship of the individual to the owner, user or operator of the property, and whether the individual is a trustee, director, shareholder, lessor, member, employee or contributor of the owner.

(continued on reverse)
Attachments  Attach the following documentation

1. Copies of any financial statements, income statements, profit and loss statements or other records that accurately reflect the use of the described property, including the source of all funds, the amount received from each source, and the use of such funds for the most recent fiscal year available.

2. All information requested in question 3, above.

3. If the use of the property did not create any funds, revenue, products or services that are sold or given away, but did result in a benefit to any individual or organization, attach detailed documentation indicating the following:
   a. All individuals or organizations benefited.
   b. The amount of benefit received by each.
   c. How such individuals or organizations were selected.

Certification

I certify that all statements and information on this sheet are true and correct to the best of my knowledge, and that I will notify the Board of Equalization if any of the information should change. I further certify that I have authority to sign this document.

Name (printed)  Position or capacity
Steven Hooker  Sec/Treas.

Signature  Dates Signed
X  9/15/18
Annual Statement for
Continued Property Tax Exemption

This statement should be used annually to apply for continued exemption from property tax.

General Information

Name of organization applying (must be record owner of property)
Save Our Stage Foundation

Address
P.O. Box 890
City
Park City, Utah
84060
Current tax year
2018
Tax year of original exemption
1994
Telephone number
435-649-1129

Contact person / authorized representative
Steve Hooker

Property location, including county
333 Main Street C1 Park City, UT 84060 Summit Cty.

Questions

1. Has there been any change in the use of this property since January 1 of last year? yes X No

2. If yes, describe: __________________________________________________________

   __________________________________________________________

   __________________________________________________________

3. Does any person or organization conduct business for profit on the property listed above? Yes X No

4. If yes, describe the use and give the name and address of the property user: __________________________________________________________

   __________________________________________________________

   __________________________________________________________

5. Does any organization use the property listed above and pay a fee greater than the cost of maintenance and utilities? yes X No

   If yes, describe the use and give the name and address of the property user: __________________________________________________________

   __________________________________________________________

6. Is any personal property at this location being leased or rented from someone else? Yes X No

   If yes, list the name and address of the owner and the type, make, model and serial number of the property: ____________________________

   __________________________________________________________

Certification

I certify that all the information herein, including any accompanying statements or documents, is true, correct and complete to the best of my knowledge and belief.

Signature of owner of record or owner's authorized representative

Position with organization

Date 9/15/18
<table>
<thead>
<tr>
<th></th>
<th>income</th>
<th>expense</th>
<th>balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ET Jan rent 1/2/16</td>
<td>750</td>
<td></td>
<td>133214.12</td>
</tr>
<tr>
<td>Dec int 2015</td>
<td></td>
<td>4.22</td>
<td></td>
</tr>
<tr>
<td>ET Feb rent 2/8/16</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Jan int</td>
<td></td>
<td>4.54</td>
<td></td>
</tr>
<tr>
<td>ET March rent 3/15/16</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Feb int</td>
<td></td>
<td>4.57</td>
<td></td>
</tr>
<tr>
<td>ET April rent 4/8/16</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>March int</td>
<td></td>
<td>4.30</td>
<td></td>
</tr>
<tr>
<td>ET May rent 5/10</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>April int</td>
<td></td>
<td>4.76</td>
<td></td>
</tr>
<tr>
<td>ET June rent 6/15</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>May int</td>
<td></td>
<td>4.49</td>
<td></td>
</tr>
<tr>
<td>ET July rent 07/110/2016</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>June int</td>
<td></td>
<td>4.36</td>
<td></td>
</tr>
<tr>
<td>ET August rent 7/24</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>July int</td>
<td></td>
<td>4.37</td>
<td></td>
</tr>
<tr>
<td>August Travelers Ins payment phone pay #58451812</td>
<td>-6872.00</td>
<td></td>
<td>pd 08/05/2016</td>
</tr>
<tr>
<td>ET Sept rent 7/24</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Aug int</td>
<td></td>
<td>4.83</td>
<td></td>
</tr>
<tr>
<td>ET Oct rent 9/14</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Sept int</td>
<td></td>
<td>4.35</td>
<td></td>
</tr>
<tr>
<td>Travelers ins rebid credit refund ck#0016795045 9/14</td>
<td>571.00</td>
<td></td>
<td>credit 09/14/2016</td>
</tr>
<tr>
<td>USI E&amp;O ins. Ck # 3199477 10/21</td>
<td>-744.00</td>
<td></td>
<td>pd 10/21/2016</td>
</tr>
<tr>
<td>Oct int</td>
<td></td>
<td>4.51</td>
<td></td>
</tr>
<tr>
<td>ET Nov rent 10/1</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Nov int</td>
<td></td>
<td>4.38</td>
<td></td>
</tr>
<tr>
<td>ET Nov rent #2 11.24</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>ET Dec Rent 11.24</td>
<td></td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Dec int 12/30/2016</td>
<td></td>
<td>4.42</td>
<td></td>
</tr>
<tr>
<td>Year End balance</td>
<td></td>
<td></td>
<td>135222.85</td>
</tr>
</tbody>
</table>
Form 8879-EO
IRS e-file Signature Authorization for an Exempt Organization

For calendar year 2016, or fiscal year beginning ............... 2016, and ending ............... 20

Information about Form 8879-EO and its instructions is at www.irs.gov/form8879eo.

Do not send to the IRS. Keep for your records.

2016

Department of the Treasury
Internal Revenue Service

Name of exempt organization
SAVE OUR STAGE FOUNDATION
C/O THOMAS T. BILLINGS

Employer identification number
87-0513169

Name and title of officer
STEVE C. HOOKER
TREASURER

Part I Type of Return and Return Information (Whole Dollars Only)

Check the box for the return for which you are using this Form 8879-EO and enter the applicable amount, if any, from the return. If you check the box on line 1a, 2a, 3a, 4a, or 5a, below, and the amount on that line for the return being filed with this form was blank, then leave line 1b, 2b, 3b, 4b, or 5b, whichever is applicable, blank (do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. Do not complete more than 1 line in Part I.

1a Form 990 check here □ □ Total revenue, if any (Form 990, Part VIII, column (A), line 12) 1b -42,130
2a Form 990-EZ check here □ □ Total revenue, if any (Form 990-EZ, line 9) 2b
3a Form 1120-POL check here □ □ Total tax (Form 1120-POL, line 22) 3b
4a Form 990-PF check here □ □ Tax based on investment income (Form 990-PF, Part VI, line 5) 4b
5a Form 8868 check here □ □ Balance Due (Form 8868, line 3c) 5b

Part II Declaration and Signature Authorization of Officer

Under penalties of perjury, I declare that I am an officer of the above organization and that I have examined a copy of the organization's 2016 electronic return and accompanying schedules and statements and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the organization's electronic return and, if applicable, the organization's consent to electronic funds withdrawal.

Officer's PIN: check one box only

☒ I authorize THE CPA GROUP, LLC to enter my PIN 22165 as my signature

EROS EFIN/PIN. Enter your six-digit electronic filing identification number (EFIN) followed by your five-digit self-selected PIN.
87487955555

Part III Certification and Authentication

I certify that the above numeric entry is my PIN, which is my signature on the 2016 electronically filed return for the organization indicated above. I confirm that I am submitting this return in accordance with the requirements of Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

EROS signature □ □ BRENT J. BELL CPA Date 10/16/17

Do Not Submit This Form To The IRS Unless Requested To Do So
**Form 990**

**Return of Organization Exempt From Income Tax**

Under section 501(c), 627, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

- Do not enter social security numbers on this form as it may be made public.

**For the 2016 calendar year, or tax year beginning [ ] and ending [ ]**

<table>
<thead>
<tr>
<th>B</th>
<th>Check if applicable:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Address change</td>
</tr>
<tr>
<td></td>
<td>Name change</td>
</tr>
<tr>
<td></td>
<td>Initial return</td>
</tr>
<tr>
<td></td>
<td>Final return/</td>
</tr>
<tr>
<td></td>
<td>Amended return</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C</th>
<th>Name of organization</th>
<th>D</th>
<th>Employer identification number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SAVE OUR STAGE FOUNDATION</td>
<td></td>
<td>C/O THOMAS T. BILLINGS 87-0513169</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E</th>
<th>Telephone number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>435-649-1129</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>F</th>
<th>Name and address of principal officer:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SAL 6TH AVE 560</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>G</th>
<th>Gross receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>9,054</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>I</th>
<th>Tax-exempt status:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>501(c)(3)</td>
</tr>
<tr>
<td></td>
<td>501(c) ( ) ( ) ( 1201(c)(1) or 527</td>
</tr>
</tbody>
</table>

**J | Website: N/A**

**K | Form of organization: Corporation**

**L | Year of formation: 1994**

**Part I | Summary**

1. Briefly describe the organization's mission or most significant activities: **OPERATION OF A COMMUNITY THEATER.**

2. Check this box [ ] if the organization discontinued its operations or disposed of more than 25% of its net assets.

3. Number of voting members of the governing body (Part VI, line 1a) 3 6

4. Number of independent voting members of the governing body (Part VI, line 1b) 4 6

5. Total number of individuals employed in calendar year 2016 (Part V, line 2a) 8 0

6. Total number of volunteers (estimate if necessary) 6 6

7a. Total unrelated business revenue from Part VIII, column (C), line 12 7a 0

7b. Net unrelated business taxable income from Form 990-T, line 34 7b 0

**Part II | Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

<table>
<thead>
<tr>
<th>Sign Here</th>
<th>Signature of officer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>STEVE C. HOOKER</td>
</tr>
<tr>
<td></td>
<td>TREASURER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Paid</th>
<th>Date</th>
<th>Check</th>
<th>PTIN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preparer's name</th>
<th>Preparer's signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>BRENT J. BELL CPA</td>
<td>BRENT J. BELL CPA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use Only</th>
<th>Date</th>
<th>Check</th>
<th>PTIN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Phone no. 801-716-3000
- 5882 S 900 E # 200
- Phone no. 801-716-3000
- 5882 S 900 E # 200
- Phone no. 801-716-3000
- 5882 S 900 E # 200
- Phone no. 801-716-3000
Form 990 (2018) SAVE OUR STAGE FOUNDATION  87-0513169  Page 2

Part III  Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

☐

1  Briefly describe the organization's mission:
   ACQUIRE, MAINTAIN AND OPERATE THE EGYPTIAN THEATER IN PARK CITY, UTAH, TO
   BE UTILIZED AS A COMMUNITY THEATER, OFFERING THEATRE, CHILDREN'S WORKSHOPS
   AND OTHER PERFORMING ARTS.

2  Did the organization undertake any significant program services during the year which were not listed on the
   prior Form 990 or 990-EZ?
   ☐ Yes  ☑ No

   If "Yes," describe those new services on Schedule O.

3  Did the organization cease conducting, or make significant changes in how it conducts, any program
   services?
   ☐ Yes  ☑ No

   If "Yes," describe those changes on Schedule O.

4  Describe the organization's program service accomplishments for each of its three largest program services, as measured by
   expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others,
   the total expenses, and revenue, if any, for each program service reported.

4a (Code:  ) (Expenses $ 7,045 including grants of$  ) (Revenue $ 9,000 )
   ACQUIRE, MAINTAIN AND OPERATE THE EGYPTIAN THEATER IN PARK CITY, UTAH, TO
   BE UTILIZED AS A COMMUNITY THEATER, OFFERING THEATRE, CHILDREN'S WORKSHOPS
   AND OTHER PERFORMING ARTS.

4b (Code:  ) (Expenses $  ) (Including grants of$  ) (Revenue $  )

4c (Code:  ) (Expenses $  ) (Including grants of$  ) (Revenue $  )

4d Other program services (Describe in Schedule O.)

(Expenses $  ) (Including grants of$  ) (Revenue $  )

4e Total program service expenses ▲ 7,045

DAA  Form 990 (2018)
1. Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A  
   **Yes**  

2. Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)?  
   **No**  

3. Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I  
   **No**  

4. Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II  
   **No**  

5. Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III  
   **No**  

6. Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I  
   **No**  

7. Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II  
   **No**  

8. Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III  
   **No**  

9. Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV  
   **No**  

10. Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V  
    **No**  

11. If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.  
   a. Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI  
      **Yes**  
   b. Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII  
      **No**  
   c. Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII  
      **No**  
   d. Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX  
      **No**  
   e. Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X  
      **No**  
   f. Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X  
      **No**  
   g. Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII  
      **No**  
   h. Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional  
      **No**  

13. Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E  
    **Yes**  

14. Did the organization maintain an office, employees, or agents outside of the United States?  
   **Yes**  

15. Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at $100,000 or more? If "Yes," complete Schedule F, Parts I and IV  
    **No**  

16. Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or other assistance to or for any foreign organization? If "Yes," complete Schedule F, Parts II and IV  
    **No**  

17. Did the organization report a total of more than $15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11a? If "Yes," complete Schedule G, Part I (see instructions)  
    **No**  

18. Did the organization report more than $15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II  
    **No**  

19. Did the organization report more than $15,000 of gross income from gaming activities on Part VIII, line 9a?  
    **No**  

If "Yes," complete Schedule G, Part III
26a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H.

b If "Yes" to line 26a, did the organization attach a copy of its audited financial statements to this return?

21 Did the organization report more than $5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II.

22 Did the organization report more than $5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 27? If "Yes," complete Schedule I, Parts I and III.

23 Did the organization answer "Yes" to Part VII Section A, line 3, 4, or 5 about compensation of the organization’s current and former officers, directors, trustees, key employees, and highest compensated employees? If "Yes," complete Schedule J.

24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2000? If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 24e.

b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?

c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?

d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?

25a Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I.

b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization’s prior Forms 990 or 990-EZ?

26 Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? If "Yes," complete Schedule L, Part II.

27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? If "Yes," complete Schedule L, Part III.

28 Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):

a A current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV.

b A family member of a current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV.

c An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? If "Yes," complete Schedule L, Part IV.

29 Did the organization receive more than $25,000 in non-cash contributions? If "Yes," complete Schedule M.

30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If "Yes," complete Schedule M.

31 Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I.

32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II.

33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3T if "Yes," complete Schedule R, Part I.

34 Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Parts II, III, IV, and Part V, line 1.

35a Did the organization have a controlled entity within the meaning of section 512(b)(13)?

b If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Schedule R, Part V, line 2.

36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? If "Yes," complete Schedule R, Part V, line 2.

37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI.

38 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 12? Note. All Form 990 filers are required to complete Schedule O.
## Part V
### Statements Regarding Other IRS Filings and Tax Compliance

**Check if Schedule O contains a response or note to any line in this Part V.**

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>Enter the number reported in Box 3 of Form 1096. Enter &quot;0&quot; if not applicable.</td>
<td>1a</td>
<td>0</td>
</tr>
<tr>
<td>1b</td>
<td>Enter the number of Forms W-2G included in line 1a. Enter &quot;0&quot; if not applicable.</td>
<td>1b</td>
<td>0</td>
</tr>
<tr>
<td>1c</td>
<td>Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?</td>
<td>1c</td>
<td>X</td>
</tr>
<tr>
<td>2a</td>
<td>Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return.</td>
<td>2a</td>
<td>0</td>
</tr>
<tr>
<td>2b</td>
<td>If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note: If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).</td>
<td>2b</td>
<td>X</td>
</tr>
<tr>
<td>3a</td>
<td>Did the organization have unrelated business gross income of $1,000 or more during the year?</td>
<td>3a</td>
<td>X</td>
</tr>
<tr>
<td>3b</td>
<td>If &quot;Yes,&quot; has it filed a Form 990-T for this year? If &quot;No&quot; to line 3b, provide an explanation in Schedule O.</td>
<td>3b</td>
<td></td>
</tr>
<tr>
<td>4a</td>
<td>At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?</td>
<td>4a</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>b</td>
<td>If &quot;Yes,&quot; enter the name of the foreign country:</td>
<td></td>
</tr>
<tr>
<td>5a</td>
<td>Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?</td>
<td>5a</td>
<td>X</td>
</tr>
<tr>
<td>5b</td>
<td>Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?</td>
<td>5b</td>
<td>X</td>
</tr>
<tr>
<td>5c</td>
<td>If &quot;Yes&quot; to line 5a or 5b, did the organization file Form 8886-T?</td>
<td>5c</td>
<td>X</td>
</tr>
<tr>
<td>6a</td>
<td>Does the organization have annual gross receipts that are normally greater than $100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?</td>
<td>6a</td>
<td>X</td>
</tr>
<tr>
<td>6b</td>
<td>If &quot;Yes,&quot; did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?</td>
<td>6b</td>
<td>X</td>
</tr>
<tr>
<td>7</td>
<td>Organizations that may receive deductible contributions under section 170(c).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7a</td>
<td>Did the organization receive a payment in excess of $75 made partly as a contribution and partly for goods and services provided to the payor?</td>
<td>7a</td>
<td></td>
</tr>
<tr>
<td>7b</td>
<td>If &quot;Yes,&quot; did the organization notify the donor of the value of the goods or services provided?</td>
<td>7b</td>
<td></td>
</tr>
<tr>
<td>7c</td>
<td>Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?</td>
<td>7c</td>
<td></td>
</tr>
<tr>
<td>7d</td>
<td>If &quot;Yes,&quot; indicate the number of Forms 8282 filed during the year.</td>
<td>7d</td>
<td></td>
</tr>
<tr>
<td>7e</td>
<td>Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?</td>
<td>7e</td>
<td></td>
</tr>
<tr>
<td>7f</td>
<td>Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?</td>
<td>7f</td>
<td></td>
</tr>
<tr>
<td>7g</td>
<td>If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?</td>
<td>7g</td>
<td></td>
</tr>
<tr>
<td>7h</td>
<td>If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?</td>
<td>7h</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Sponsoring organizations maintaining donor advised funds.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9a</td>
<td>Did the sponsoring organization make any taxable distributions under section 4947?</td>
<td>9a</td>
<td></td>
</tr>
<tr>
<td>9b</td>
<td>Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?</td>
<td>9b</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Section 501(c)(7) organizations. Enter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a</td>
<td>Initiation fees and capital contributions included on Part VIII, line 12.</td>
<td>10a</td>
<td></td>
</tr>
<tr>
<td>10b</td>
<td>Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities.</td>
<td>10b</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Section 501(c)(12) organizations. Enter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11a</td>
<td>Gross income from members or shareholders.</td>
<td>11a</td>
<td></td>
</tr>
<tr>
<td>11b</td>
<td>Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them).</td>
<td>11b</td>
<td></td>
</tr>
<tr>
<td>12a</td>
<td>Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?</td>
<td>12a</td>
<td></td>
</tr>
<tr>
<td>12b</td>
<td>If &quot;Yes,&quot; enter the amount of tax-exempt interest received or accrued during the year.</td>
<td>12b</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Section 501(c)(29) qualified nonprofit health insurance issuers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13a</td>
<td>Is the organization licensed to issue qualified health plans in more than one state?</td>
<td>13a</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note. See the instructions for additional information the organization must report on Schedule O.</td>
<td>13a</td>
<td></td>
</tr>
<tr>
<td>13b</td>
<td>Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans.</td>
<td>13b</td>
<td></td>
</tr>
<tr>
<td>13c</td>
<td>Enter the amount of reserves on hand.</td>
<td>13c</td>
<td></td>
</tr>
<tr>
<td>14a</td>
<td>Did the organization receive any payments for indoor tanning services during the tax year?</td>
<td>14a</td>
<td>X</td>
</tr>
<tr>
<td>14b</td>
<td>If &quot;Yes,&quot; has it filed a Form 720 to report these payments? If &quot;No,&quot; provide an explanation in Schedule O.</td>
<td>14b</td>
<td></td>
</tr>
</tbody>
</table>
**Part VI** Governance, Management, and Disclosure

For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response or note to any line in this Part VI.

### Section A. Governing Body and Management

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

**1a** Enter the number of voting members of the governing body at the end of the tax year.

- If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.
- Enter the number of voting members included in line 1a, above, who are independent.

<table>
<thead>
<tr>
<th></th>
<th>1b</th>
<th>6</th>
</tr>
</thead>
</table>

**1b** Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?

- Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, or trustees, or key employees to a management company or other person?
- Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?
- Did the organization become aware during the year of a significant diversion of the organization's assets?
- Did the organization have members or stockholders?
- Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?

<table>
<thead>
<tr>
<th></th>
<th>7a</th>
<th>X</th>
</tr>
</thead>
</table>

**7a** Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?

<table>
<thead>
<tr>
<th></th>
<th>7b</th>
<th>X</th>
</tr>
</thead>
</table>

**7b** Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following?

<table>
<thead>
<tr>
<th></th>
<th>8a</th>
<th>X</th>
</tr>
</thead>
</table>

**8a** The governing body.

<table>
<thead>
<tr>
<th></th>
<th>8b</th>
<th>X</th>
</tr>
</thead>
</table>

**8b** Each committee with authority to act on behalf of the governing body.

<table>
<thead>
<tr>
<th></th>
<th>9</th>
<th>X</th>
</tr>
</thead>
</table>

**9** Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O.

### Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>10a</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**10a** Did the organization have local chapters, branches, or affiliates?

- Did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?

<table>
<thead>
<tr>
<th></th>
<th>10b</th>
<th></th>
</tr>
</thead>
</table>

**10b** Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?

<table>
<thead>
<tr>
<th></th>
<th>11a</th>
<th>X</th>
</tr>
</thead>
</table>

**11a** Describe in Schedule O the process, if any, used by the organization to review this Form 990.

<table>
<thead>
<tr>
<th></th>
<th>11b</th>
<th>X</th>
</tr>
</thead>
</table>

**11b** Did the organization have a written conflict of interest policy? If "No," go to line 13

<table>
<thead>
<tr>
<th></th>
<th>12a</th>
<th>X</th>
</tr>
</thead>
</table>

**12a** Did the organization have a written policy or procedure for disclosing annually interests that could give rise to conflicts?

<table>
<thead>
<tr>
<th></th>
<th>12b</th>
<th>X</th>
</tr>
</thead>
</table>

**12b** Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done.

<table>
<thead>
<tr>
<th></th>
<th>13</th>
<th>X</th>
</tr>
</thead>
</table>

**13** Did the organization have a written whistleblower policy?

<table>
<thead>
<tr>
<th></th>
<th>14</th>
<th>X</th>
</tr>
</thead>
</table>

**14** Did the organization have a written document retention and destruction policy?

<table>
<thead>
<tr>
<th></th>
<th>15a</th>
<th>X</th>
</tr>
</thead>
</table>

**15a** Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?

<table>
<thead>
<tr>
<th></th>
<th>15b</th>
<th>X</th>
</tr>
</thead>
</table>

**15b** Other officers or key employees of the organization.

<table>
<thead>
<tr>
<th></th>
<th>16a</th>
<th>X</th>
</tr>
</thead>
</table>

**16a** Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?

<table>
<thead>
<tr>
<th></th>
<th>16b</th>
<th>X</th>
</tr>
</thead>
</table>

**16b** If "Yes," did the organization follow a written policy or procedure regarding the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?

### Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed: NONE

18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (Section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.

- [ ] Own website
- [ ] Another's website
- [ ] Upon request
- [ ] Other (explain in Schedule O)

19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

20 State the name, address, and telephone number of the person who possesses the organization's books and records:

- **STEVE C. HOOKER**
- **PO BOX 890**
- **PARK CITY, UT 84060-0890 435-649-1129**
### Part VII

#### Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII

□

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's current officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's current key employees, if any. See instructions for definition of "key employee."
- List the organization's five highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations.
- List all of the organization's former officers, key employees, and highest compensated employees who received more than $100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's former directors or trustees that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

- Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

<table>
<thead>
<tr>
<th>(A) Name and Title</th>
<th>(B) Average hours per week (list any hours for related organizations below dotted line)</th>
<th>(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)</th>
<th>(D) Reportable compensation from the organization (W-2/1099-MISC)</th>
<th>(E) Reportable compensation from related organizations (W-2/1099-MISC)</th>
<th>(F) Estimated amount of other compensation from the organization and related organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) RICK ROGERS</td>
<td>1.00</td>
<td>TRUSTEE</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(2) TOM FEY</td>
<td>1.00</td>
<td>TRUSTEE</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(3) KEVIN SHANNON</td>
<td>1.00</td>
<td>TRUSTEE</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(4) THOMAS T. BILLINGS</td>
<td>1.00</td>
<td>TRUSTEE</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(5) DAVID KRAJESKI</td>
<td>1.00</td>
<td>PRESIDENT</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(6) STEVE C. HOOKER</td>
<td>1.00</td>
<td>TREASURER</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
## Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)

<table>
<thead>
<tr>
<th>(A) Name and title</th>
<th>(B) Average hours per week (list any hours for related organizations below dotted line)</th>
<th>(C) Position (do not check more than one box, unless person is both an officer and a director/shareholder)</th>
<th>(D) Reportable compensation from the organization (W-2/1099-MISC)</th>
<th>(E) Reportable compensation from related organizations (W-2/1099-MISC)</th>
<th>(F) Estimated amount of other compensation from the organization and related organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1b Sub-total

Total from continuation sheets to Part VII, Section A

d Total (add lines 1b and 1c)

2 Total number of individuals (including but not limited to those listed above) who received more than $100,000 of reportable compensation from the organization

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

3 Did the organization list any former officer, director, or trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual

4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? If "Yes," complete Schedule J for such individual

5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? If "Yes," complete Schedule J for such person

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>X</td>
</tr>
<tr>
<td>4</td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>X</td>
</tr>
</tbody>
</table>

## Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

<table>
<thead>
<tr>
<th>(A) Name and business address</th>
<th>(B) Description of services</th>
<th>(C) Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 Total number of independent contractors (including but not limited to those listed above) who received more than $100,000 of compensation from the organization

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Line</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1a</td>
<td>Federated campaigns</td>
</tr>
<tr>
<td>1b</td>
<td>Membership dues</td>
</tr>
<tr>
<td>1c</td>
<td>Fundraising events</td>
</tr>
<tr>
<td>1d</td>
<td>Related organizations</td>
</tr>
<tr>
<td>1e</td>
<td>Government grants (contributions)</td>
</tr>
<tr>
<td>1f</td>
<td>All other contributions, gifts, grants, and similar amounts not included above</td>
</tr>
<tr>
<td>g</td>
<td>Noncash contributions included in lines 1a-1f</td>
</tr>
<tr>
<td>h</td>
<td>Total, Add lines 1a-1f</td>
</tr>
<tr>
<td>3</td>
<td>Investment income (including dividends, interest, and other similar amounts)</td>
</tr>
<tr>
<td>4</td>
<td>Income from investment of tax-exempt bond proceeds</td>
</tr>
<tr>
<td>5</td>
<td>Royalties</td>
</tr>
<tr>
<td>6a</td>
<td>Gross rents</td>
</tr>
<tr>
<td>6b</td>
<td>Less: rental exps</td>
</tr>
<tr>
<td>6c</td>
<td>Rental inc. or rent</td>
</tr>
<tr>
<td>7a</td>
<td>Net rental income or (loss)</td>
</tr>
<tr>
<td>8a</td>
<td>Gross income from fundraising events (not including $ of contributions)</td>
</tr>
<tr>
<td>9a</td>
<td>Gross income from gaming activities</td>
</tr>
<tr>
<td>10a</td>
<td>Gross sales of inventory, less returns and allowances</td>
</tr>
<tr>
<td>11a</td>
<td>Miscellaneous revenue</td>
</tr>
<tr>
<td>12</td>
<td>Total revenue, see instructions</td>
</tr>
</tbody>
</table>
## Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX.

<table>
<thead>
<tr>
<th>Do not include amounts reported on lines 6d, 7b, 8b, 9b, and 10b of Part VIII.</th>
<th>(A) Total expenses</th>
<th>(B) Program service expenses</th>
<th>(C) Management and general expenses</th>
<th>(D) Fundraising expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Grants and other assistance to domestic individuals. See Part IV, line 22</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Benefits paid to or for members</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Compensation of current officers, directors, trustees, and key employees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Other salaries and wages</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Pension plan accruals and contributions (include section 401(a) and 402(b) employer contributions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Other employee benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Payroll taxes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Fees for services (non-employee):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Legal</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Accounting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Lobbying</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Professional fundraising services. See Part IV, line 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f Investment management fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Advertising and promotion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Office expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 Information technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Royalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Occupancy</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Payments of travel or entertainment expenses for any federal, state, or local public officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Conferences, conventions, and meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Interest</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Payments to affiliates</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Depreciation, depletion, and amortization</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Insurance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e All other expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Total functional expenses. Add lines 1 through 24e</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here □ if following SOP 98-2 (ASC 958-720)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(A) Beginning of year</td>
<td>(B) End of year</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>-----------------------</td>
<td>-----------------</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Cash—non-interest bearing</td>
<td>753</td>
<td>753</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Savings and temporary cash investments</td>
<td>133,214</td>
<td>135,223</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Pledges and grants receivable, net</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Accounts receivable, net</td>
<td>4</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L</td>
<td>5</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees’ beneficiary organizations (see instructions). Complete Part II of Schedule L</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Notes and loans receivable, net</td>
<td>7</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Inventories for sale or use</td>
<td>8</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Prepaid expenses and deferred charges</td>
<td>9</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>10a</td>
<td>Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D</td>
<td>1,967,174</td>
<td>924,795</td>
<td></td>
</tr>
<tr>
<td>10b</td>
<td>Less: accumulated depreciation</td>
<td>1,086,518</td>
<td>880,656</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Investments—publicly traded securities</td>
<td>11</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Investments—other securities. See Part IV, line 11</td>
<td>12</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Investments—program-related. See Part IV, line 11</td>
<td>13</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Intangible assets</td>
<td>14</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Other assets. See Part IV, line 11</td>
<td>15</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Total assets. Add lines 1 through 15 (must equal line 34)</td>
<td>1,058,762</td>
<td>1,016,632</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Accounts payable and accrued expenses</td>
<td>17</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Grants payable</td>
<td>18</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Deferred revenue</td>
<td>19</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Tax-exempt bond liabilities</td>
<td>20</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Escrow or custodial account liability. Complete Part IV of Schedule D</td>
<td>21</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L</td>
<td>22</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Secured mortgages and notes payable to unrelated third parties</td>
<td>23</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Unsecured notes and loans payable to unrelated third parties</td>
<td>24</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D</td>
<td>25</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Total liabilities. Add lines 17 through 26</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Organizations that follow SFAS 117 (ASC 958), check here and complete lines 27 through 29, and lines 33 and 34.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Unrestricted net assets</td>
<td>27</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Temporarily restricted net assets</td>
<td>28</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Permanently restricted net assets</td>
<td>28</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Organizations that do not follow SFAS 117 (ASC 958), check here and complete lines 30 through 34.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Capital stock or trust principal, or current funds</td>
<td>30</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Paid-in or capital surplus, or land, building, or equipment fund</td>
<td>31</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Retained earnings, endowment, accumulated income, or other funds</td>
<td>1,058,762</td>
<td>1,016,632</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Total net assets or fund balances</td>
<td>1,058,762</td>
<td>1,016,632</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Total liabilities and net assets/fund balances</td>
<td>1,058,762</td>
<td>1,016,632</td>
<td></td>
</tr>
</tbody>
</table>
### Part XI  Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total revenue (must equal Part VIII, column (A), line 12)</td>
</tr>
<tr>
<td>2</td>
<td>Total expenses (must equal Part IX, column (A), line 25)</td>
</tr>
<tr>
<td>3</td>
<td>Revenue less expenses. Subtract line 2 from line 1</td>
</tr>
<tr>
<td>4</td>
<td>Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))</td>
</tr>
<tr>
<td>6</td>
<td>Net unrealized gains (losses) on investments</td>
</tr>
<tr>
<td>8</td>
<td>Donated services and use of facilities</td>
</tr>
<tr>
<td>7</td>
<td>Investment expenses</td>
</tr>
<tr>
<td>8</td>
<td>Prior period adjustments</td>
</tr>
<tr>
<td>9</td>
<td>Other changes in net assets or fund balances (explain in Schedule O)</td>
</tr>
<tr>
<td>10</td>
<td>Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))</td>
</tr>
</tbody>
</table>

---

### Part XII  Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII:

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Accounting method used to prepare the Form 990:</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Cash</td>
<td>Accrual</td>
</tr>
<tr>
<td>2a</td>
<td>Were the organization's financial statements compiled or reviewed by an independent accountant?</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>“Yes,” check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Separate basis</td>
<td>Consolidated basis</td>
</tr>
<tr>
<td>2b</td>
<td>Were the organization's financial statements audited by an independent accountant?</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>“Yes,” check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Separate basis</td>
<td>Consolidated basis</td>
</tr>
<tr>
<td>2c</td>
<td>If “Yes” to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.</td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td>As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?</td>
<td></td>
</tr>
<tr>
<td>3b</td>
<td>If “Yes,” did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.</td>
<td></td>
</tr>
</tbody>
</table>
**Public Charity Status and Public Support**

**SAVE OUR STAGE FOUNDATION**

<table>
<thead>
<tr>
<th>Part I</th>
<th>Reason for Public Charity Status (All organizations must complete this part.) See instructions.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A church, convention of churches, or association of churches described in section 170(b)(1)(A)(i).</td>
</tr>
<tr>
<td>2</td>
<td>A school described in section 170(b)(1)(A)(ii). (Attach Schedule E (Form 990 or 990-EZ).)</td>
</tr>
<tr>
<td>3</td>
<td>A hospital or a cooperative hospital service organization described in section 170(b)(1)(A)(iii).</td>
</tr>
<tr>
<td>4</td>
<td>A medical research organization operated in conjunction with a hospital described in section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state:</td>
</tr>
<tr>
<td>5</td>
<td>An organization operated for the benefit of a college or university owned or operated by a governmental unit described in section 170(b)(1)(A)(iv). (Complete Part II.)</td>
</tr>
<tr>
<td>6</td>
<td>A federal, state, or local government or governmental unit described in section 170(b)(1)(A)(v).</td>
</tr>
<tr>
<td>7</td>
<td>An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in section 170(b)(1)(A)(vi). (Complete Part II.)</td>
</tr>
<tr>
<td>8</td>
<td>A community trust described in section 170(b)(1)(A)(vi). (Complete Part II.)</td>
</tr>
<tr>
<td>9</td>
<td>An agricultural research organization described in section 170(b)(1)(A)(ix) operated in conjunction with a land-grant college or university or a non-land grant college of agriculture (see instructions). Enter the name, city, and state of the college or university:</td>
</tr>
<tr>
<td>10</td>
<td>An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Complete Part III.)</td>
</tr>
</tbody>
</table>

**Type I**

- A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. You must complete Part IV, Sections A and B.

**Type II**

- A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supporting organization(s). You must complete Part IV, Sections A and C.

**Type III**

- Functionally integrated. A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). You must complete Part IV, Sections A, D, and E.

- Non-functionally integrated. A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). You must complete Part IV, Sections A and D, and Part V.

- Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.

**Enter the number of supported organizations**

**Provide the following information about the supported organization(s):**

<table>
<thead>
<tr>
<th>(i) Name of supported organization</th>
<th>(ii) EIN</th>
<th>(iii) Type of organization (described on lines 1–10 above (see instructions))</th>
<th>(iv) Is the organization listed in your governing document?</th>
<th>(v) Amount of monetary support (see instructions)</th>
<th>(vi) Amount of other support (see instructions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(C)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(D)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(E)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total**

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.
**Part II**
Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

**Section A. Public Support**

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2012</th>
<th>(b) 2013</th>
<th>(c) 2014</th>
<th>(d) 2015</th>
<th>(e) 2016</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Gifts, grants, contributions, and membership fees received. (Do not include any &quot;unusual grants.&quot;)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 The value of services or facilities furnished by a governmental unit to the organization without charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Total. Add lines 1 through 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Public support. Subtract line 5 from line 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Section B. Total Support**

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2012</th>
<th>(b) 2013</th>
<th>(c) 2014</th>
<th>(d) 2015</th>
<th>(e) 2016</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Amounts from line 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Net income from unrelated business activities, whether or not the business is regularly carried on</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Total support. Add lines 7 through 10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Gross receipts from related activities, etc. (see instructions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Section C. Computation of Public Support Percentage**

| Public support percentage for 2016 (line 6, column (f) divided by line 11, column (f)) | (a) 14 | (b) % |
| Public support percentage from 2015 Schedule A, Part II, line 14 | (c) 15 | (d) % |

| 16a 33 1/3% support test—2016. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization |         |         |
| 16b 33 1/3% support test—2016. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization |         |         |
| 17a 10%-facts-and-circumstances test—2016. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization |         |         |
| 17b 10%-facts-and-circumstances test—2016. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization |         |         |
| 18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions |         |         |
### Section A. Public Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2012</th>
<th>(b) 2013</th>
<th>(c) 2014</th>
<th>(d) 2015</th>
<th>(e) 2016</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Gifts, grants, contributions, and membership fees received (Do not include any &quot;unusual grants.&quot;)</td>
<td>9,000</td>
<td>9,250</td>
<td>9,000</td>
<td>9,053</td>
<td>9,054</td>
<td>44,357</td>
</tr>
<tr>
<td>2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Gross receipts from activities that are not an unrelated trade or business under section 513</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 The value of services or facilities furnished by a governmental unit to the organization without charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Total. Add lines 1 through 5</td>
<td>9,000</td>
<td>9,250</td>
<td>9,000</td>
<td>9,053</td>
<td>9,054</td>
<td>44,357</td>
</tr>
<tr>
<td>7a Amounts included on lines 1, 2, and 3 received from disqualified persons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of $5,000 or 1% of the amount on line 13 for the year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7c Add lines 7a and 7b</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Public support. (Subtract line 7c from line 6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>44,357</td>
</tr>
</tbody>
</table>

### Section B. Total Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2012</th>
<th>(b) 2013</th>
<th>(c) 2014</th>
<th>(d) 2015</th>
<th>(e) 2016</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Amounts from line 6</td>
<td>9,000</td>
<td>9,250</td>
<td>9,000</td>
<td>9,053</td>
<td>9,054</td>
<td>44,357</td>
</tr>
<tr>
<td>10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources</td>
<td>790</td>
<td>161</td>
<td>66</td>
<td>53</td>
<td>1,070</td>
<td></td>
</tr>
<tr>
<td>10b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11c Add lines 10a and 10b</td>
<td>790</td>
<td>161</td>
<td>66</td>
<td>53</td>
<td>1,070</td>
<td></td>
</tr>
<tr>
<td>11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Total support. (Add lines 8, 10c, 11, and 12)</td>
<td>9,790</td>
<td>9,411</td>
<td>9,066</td>
<td>9,106</td>
<td>9,054</td>
<td>45,427</td>
</tr>
</tbody>
</table>

First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here.

### Section C. Computation of Public Support Percentage

<table>
<thead>
<tr>
<th>Public support percentage for 2016 (line 6, column (f) divided by line 13, column (f))</th>
<th>15</th>
<th>97.64%</th>
</tr>
</thead>
</table>

### Section D. Computation of Investment Income Percentage

<table>
<thead>
<tr>
<th>Investment income percentage for 2016 (line 10c, column (f) divided by line 13, column (f))</th>
<th>17</th>
<th>2%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment income percentage from 2016 Schedule A, Part III, line 17</td>
<td>18</td>
<td>4%</td>
</tr>
</tbody>
</table>

33 1/3% support tests—2016. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 16 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization.

33 1/3% support tests—2016. If the organization did not check the box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization.

Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions.
### Section A. All Supporting Organizations

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Schedule A (Form 990 or 990-EZ) 2016**  
**SAVE OUR STAGE FOUNDATION**  
**87-0513169**  
**Page 6**

### Part IV  
**Supporting Organizations (continued)**

11. Has the organization accepted a gift or contribution from any of the following persons?

   a. A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?

   b. A family member of a person described in (a) above?

   c. A 35% controlled entity of a person described in (a) or (b) above? If "Yes" to a, b, or c, provide detail in Part VI.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>11a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11c</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section B. Type I Supporting Organizations

1. Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.

2. Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section C. Type II Supporting Organizations

1. Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section D. All Type III Supporting Organizations

1. Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Were any of the organization's officers, directors, or trustees, either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).

3. By reason of the relationship described in (2), did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section E. Type III Functionally-Integrated Supporting Organizations

1. Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions).
   a. The organization satisfied the Activities Test. Complete line 2 below.
   b. The organization is the parent of each of its supported organizations. Complete line 3 below.
   c. The organization supported a governmental entity. Describe in Part VI how you supported a government entity (see instructions).

2. Activities Test. Answer (a) and (b) below.

   a. Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.

   b. Did the activities described in (a) constitute activities that, for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.

3. Parent of Supported Organizations. Answer (a) and (b) below.

   a. Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? Provide details in Part VI.

   b. Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? If "Yes," describe in Part VI the role played by the organization in this regard.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3b</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Schedule A (Form 990 or 990-EZ) 2018**

SAVE OUR STAGE FOUNDATION

**87-0513169**

**Page 8**

**Part V  Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations**

Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

### Section A - Adjusted Net Income

<table>
<thead>
<tr>
<th>(A) Prior Year</th>
<th>(B) Current Year (optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Net short-term capital gain</td>
<td>1</td>
</tr>
<tr>
<td>2. Recoveries of prior-year distributions</td>
<td>2</td>
</tr>
<tr>
<td>3. Other gross income (see instructions)</td>
<td>3</td>
</tr>
<tr>
<td>4. Add lines 1 through 3.</td>
<td>4</td>
</tr>
<tr>
<td>5. Depreciation and depletion</td>
<td>5</td>
</tr>
<tr>
<td>6. Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)</td>
<td>6</td>
</tr>
<tr>
<td>7. Other expenses (see instructions)</td>
<td>7</td>
</tr>
<tr>
<td>8. Adjusted Net Income (subtract lines 5, 6 and 7 from line 4).</td>
<td>8</td>
</tr>
</tbody>
</table>

### Section B - Minimum Asset Amount

<table>
<thead>
<tr>
<th>(A) Prior Year</th>
<th>(B) Current Year (optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):</td>
<td></td>
</tr>
<tr>
<td>a. Average monthly value of securities</td>
<td>1a</td>
</tr>
<tr>
<td>b. Average monthly cash balances</td>
<td>1b</td>
</tr>
<tr>
<td>c. Fair market value of other non-exempt-use assets</td>
<td>1c</td>
</tr>
<tr>
<td>d. Total (add lines 1a, 1b, and 1c)</td>
<td>1d</td>
</tr>
<tr>
<td>e. Discount claimed for blockage or other factors (explain in detail in Part VI):</td>
<td></td>
</tr>
<tr>
<td>2. Acquisition indebtedness applicable to non-exempt-use assets</td>
<td>2</td>
</tr>
<tr>
<td>3. Subtract line 2 from line 1d.</td>
<td>3</td>
</tr>
<tr>
<td>4. Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions)</td>
<td>4</td>
</tr>
<tr>
<td>5. Net value of non-exempt-use assets (subtract line 4 from line 3)</td>
<td>5</td>
</tr>
<tr>
<td>6. Multiply line 5 by .035</td>
<td>6</td>
</tr>
<tr>
<td>7. Recoveries of prior-year distributions</td>
<td>7</td>
</tr>
<tr>
<td>8. Minimum Asset Amount (add line 7 to line 6)</td>
<td>8</td>
</tr>
</tbody>
</table>

### Section C - Distributable Amount

<table>
<thead>
<tr>
<th>Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Adjusted net income for prior year (from Section A, line 8, Column A)</td>
</tr>
<tr>
<td>2. Enter 85% of line 1</td>
</tr>
<tr>
<td>3. Minimum asset amount for prior year (from Section B, line 8, Column A)</td>
</tr>
<tr>
<td>4. Enter greater of line 2 or line 3.</td>
</tr>
<tr>
<td>5. Income tax imposed in prior year</td>
</tr>
<tr>
<td>6. Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).</td>
</tr>
</tbody>
</table>

Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).

---

DAA
**Part V - Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations (continued)**

Section D - Distributions

<table>
<thead>
<tr>
<th></th>
<th>Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Amounts paid to supported organizations to accomplish exempt purposes</td>
</tr>
<tr>
<td>2</td>
<td>Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity</td>
</tr>
<tr>
<td>3</td>
<td>Administrative expenses paid to accomplish exempt purposes of supported organizations</td>
</tr>
<tr>
<td>4</td>
<td>Amounts paid to acquire exempt-use assets</td>
</tr>
<tr>
<td>5</td>
<td>Qualified set-aside amounts (prior IRS approval required)</td>
</tr>
<tr>
<td>6</td>
<td>Other distributions (describe in Part VI). See instructions.</td>
</tr>
<tr>
<td>7</td>
<td>Total annual distributions. Add lines 1 through 6.</td>
</tr>
<tr>
<td>8</td>
<td>Distributions to attentive supported organizations to which the organization is responsive (provide details in Part VI). See instructions.</td>
</tr>
<tr>
<td>9</td>
<td>Distributable amount for 2016 from Section C, line 6</td>
</tr>
<tr>
<td>10</td>
<td>Line 8 amount divided by Line 9 amount</td>
</tr>
</tbody>
</table>

Section E - Distribution Allocations (see instructions)

<table>
<thead>
<tr>
<th></th>
<th>(i) Excess Distributions</th>
<th>(ii) Underdistributions Pre-2016</th>
<th>(iii) Distributable Amount for 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Distributable amount for 2016 from Section C, line 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Underdistributions, if any, for years prior to 2016 (reasonable cause required—explain in Part VI). See instructions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Excess distributions carryover, if any, to 2016:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>From 2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d</td>
<td>From 2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e</td>
<td>From 2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f</td>
<td>Total of lines 3a through e</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g</td>
<td>Applied to underdistributions of prior years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h</td>
<td>Applied to 2016 distributable amount</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i</td>
<td>Carryover from 2011 not applied (see instructions)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>j</td>
<td>Remainder. Subtract lines 3g, 3h, and 3i from 3f.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Distributions for 2016 from Section D, line 7:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Applied to underdistributions of prior years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td>Applied to 2016 distributable amount</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Remainder. Subtract lines 4a and 4b from 4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Remaining underdistributions for years prior to 2016, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in Part VI. See instructions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Remaining underdistributions for 2016. Subtract lines 3h and 4b from line 1. For result greater than zero, explain in Part VI. See instructions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Excess distributions carryover to 2017. Add lines 3j and 4c.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Breakdown of line 7:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b</td>
<td>Excess from 2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Excess from 2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d</td>
<td>Excess from 2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e</td>
<td>Excess from 2016</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Part VI Supplemental Information. Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3a, 3b, 4a, 4b, 5a, 5b, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b; Part V, line 1; Part V, Section B, line 1d; Part V, Section D, lines 5, 6, and 6; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See Instructions.)
SAVE OUR STAGE FOUNDATION
C/O THOMAS T. BILLINGS 87-0513169

Part I. Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts. Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

<table>
<thead>
<tr>
<th></th>
<th>Donor advised funds</th>
<th>Funds and other accounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number at end of year</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Aggregate value of contributions to (during year)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Aggregate value of grants from (during year)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Aggregate value at end of year</td>
<td></td>
</tr>
</tbody>
</table>

5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? □ Yes □ No

6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? □ Yes □ No

Part II. Conservation Easements. Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

<table>
<thead>
<tr>
<th></th>
<th>Held at the End of the Tax Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Purpose(s) of conservation easements held by the organization (check all that apply).</td>
</tr>
<tr>
<td></td>
<td>Preservation of land for public use (e.g., recreation or education)</td>
</tr>
<tr>
<td></td>
<td>Protection of natural habitat</td>
</tr>
<tr>
<td></td>
<td>Preservation of a historically important land area</td>
</tr>
<tr>
<td></td>
<td>Preservation of a certified historic structure</td>
</tr>
<tr>
<td></td>
<td>Preservation of open space</td>
</tr>
</tbody>
</table>

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

<table>
<thead>
<tr>
<th></th>
<th>2a</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Total number of conservation easements</td>
</tr>
<tr>
<td>b</td>
<td>Total acreage restricted by conservation easements</td>
</tr>
<tr>
<td>c</td>
<td>Number of conservation easements on a certified historic structure included in (c)</td>
</tr>
<tr>
<td>d</td>
<td>Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register</td>
</tr>
</tbody>
</table>

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year

4 Number of states where property subject to conservation easement is located

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handing of violations, and enforcing of the conservation easements it holds? □ Yes □ No

6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year

7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year $ ______

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(ii) and section 170(h)(4)(B)(v)? □ Yes □ No

9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

Part III. Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets. Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items.</td>
</tr>
<tr>
<td>b</td>
<td>If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:</td>
</tr>
<tr>
<td></td>
<td>(i) Revenue included on Form 990, Part VIII, line 1 $ ______</td>
</tr>
<tr>
<td></td>
<td>(ii) Assets included in Form 990, Part X $ ______</td>
</tr>
</tbody>
</table>

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Revenue included on Form 990, Part VIII, line 1 $ ______</td>
</tr>
<tr>
<td>b</td>
<td>Assets included in Form 990, Part X $ ______</td>
</tr>
</tbody>
</table>

For Paperwork Reduction Act Notice, see the Instructions for Form 990.
Schedule D (Form 990) 2016  
SAVE OUR STAGE FOUNDATION  87-0513169  
Page 2

Part III  Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):
   a Public exhibition
   b Scholarly research
   c Preservation for future generations
   d Loan or exchange programs
   e Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection?  
   Yes  [ ]  No  [ ]

Part IV  Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X?  
   Yes  [ ]  No  [ ]

b If "Yes," explain the arrangement in Part XIII and complete the following table:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1c</td>
<td></td>
</tr>
<tr>
<td>1d</td>
<td></td>
</tr>
<tr>
<td>1e</td>
<td></td>
</tr>
<tr>
<td>1f</td>
<td></td>
</tr>
</tbody>
</table>

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability?  
   Yes  [ ]  No  [ ]

b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided on Part XIII.

Part V  Endowment Funds.

Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

1a Beginning of year balance
   (a) Current year
   (b) Prior year
   (c) Two years back
   (d) Three years back
   (e) Four years back

b Contributions

c Net investment earnings, gains, and losses

d Grants or scholarships

e Other expenditures for facilities and programs

f Administrative expenses

g End of year balance

2 Provide the estimated percentage of the current year end balance (line 1g, column (e)) held as:
   a Board designated or quasi-endowment %
   b Permanent endowment %
   c Temporarily restricted endowment %

The percentages on lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:
   (i) unrelated organizations 3a(i)
   (ii) related organizations 3a(ii)

b If "Yes" on line 3a(ii), are the related organizations listed as required on Schedule R? 3b

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI  Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a.  See Form 990, Part X, line 10.

<table>
<thead>
<tr>
<th>Description of property</th>
<th>(a) Cost or other basis (investment)</th>
<th>(b) Cost or other basis (other)</th>
<th>(c) Accumulated depreciation</th>
<th>(d) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a Land</td>
<td>50,000</td>
<td></td>
<td></td>
<td>50,000</td>
</tr>
<tr>
<td>b Buildings</td>
<td>1,917,174</td>
<td>1,086,518</td>
<td>830,656</td>
<td></td>
</tr>
<tr>
<td>c Leasehold improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total.  Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (b), line 10c.)  
880,656
Schedule D (Form 990) 2016  
SAVE OUR STAGE FOUNDATION  
87-0513169  
Page 3

Part VII Investments—Other Securities.
Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

<table>
<thead>
<tr>
<th>(a) Description of security or category (including name of security)</th>
<th>(b) Book value</th>
<th>(c) Method of valuation: Cost or end-of-year market value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Financial derivatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Closely-held equity interests</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total. (Column (b) must equal Form 990, Part X, col. (B) line 12.)</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part VIII Investments—Program Related.
Complete if the organization answered "Yes" on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

<table>
<thead>
<tr>
<th>(a) Description of investment</th>
<th>(b) Book value</th>
<th>(c) Method of valuation: Cost or end-of-year market value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total. (Column (b) must equal Form 990, Part X, col. (B) line 13.)</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part IX Other Assets.
Complete if the organization answered "Yes" on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

<table>
<thead>
<tr>
<th>(a) Description</th>
<th>(b) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td><strong>Total. (Column (b) must equal Form 990, Part X, col. (B) line 15.)</strong></td>
<td></td>
</tr>
</tbody>
</table>

Part X Other Liabilities.
Complete if the organization answered "Yes" on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

<table>
<thead>
<tr>
<th>(a) Description of liability</th>
<th>(b) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Federal income taxes</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td><strong>Total. (Column (b) must equal Form 990, Part X, col. (B) line 25.)</strong></td>
<td></td>
</tr>
</tbody>
</table>

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization’s financial statements that reports the organization’s liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII. □

DAA

Schedule D (Form 990) 2016
### Part XI  Reconciliation of Revenue per Audited Financial Statements With Revenue per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total revenue, gains, and other support per audited financial statements</td>
</tr>
<tr>
<td>2</td>
<td>Amounts included on line 1 but not on Form 990, Part VIII, line 12:</td>
</tr>
<tr>
<td></td>
<td>a Net unrealized gains (losses) on investments</td>
</tr>
<tr>
<td></td>
<td>b Donated services and use of facilities</td>
</tr>
<tr>
<td></td>
<td>c Recoveries of prior year grants</td>
</tr>
<tr>
<td></td>
<td>d Other (Describe in Part XIII)</td>
</tr>
<tr>
<td></td>
<td>e Add lines 2a through 2d</td>
</tr>
<tr>
<td>3</td>
<td>Subtract line 2e from line 1</td>
</tr>
<tr>
<td>4</td>
<td>Amounts included on Form 990, Part VIII, line 12, but not on line 1:</td>
</tr>
<tr>
<td></td>
<td>a Investment expenses not included on Form 990, Part VIII, line 7b</td>
</tr>
<tr>
<td></td>
<td>b Other (Describe in Part XIII)</td>
</tr>
<tr>
<td></td>
<td>c Add lines 4a and 4b</td>
</tr>
<tr>
<td>5</td>
<td>Total revenue. Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.)</td>
</tr>
</tbody>
</table>

### Part XII  Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total expenses and losses per audited financial statements</td>
</tr>
<tr>
<td>2</td>
<td>Amounts included on line 1 but not on Form 990, Part IX, line 25:</td>
</tr>
<tr>
<td></td>
<td>a Donated services and use of facilities</td>
</tr>
<tr>
<td></td>
<td>b Prior year adjustments</td>
</tr>
<tr>
<td></td>
<td>c Other losses</td>
</tr>
<tr>
<td></td>
<td>d Other (Describe in Part XIII)</td>
</tr>
<tr>
<td></td>
<td>e Add lines 2a through 2d</td>
</tr>
<tr>
<td>3</td>
<td>Subtract line 2e from line 1</td>
</tr>
<tr>
<td>4</td>
<td>Amounts included on Form 990, Part IX, line 25, but not on line 1:</td>
</tr>
<tr>
<td></td>
<td>a Investment expenses not included on Form 990, Part VIII, line 7b</td>
</tr>
<tr>
<td></td>
<td>b Other (Describe in Part XIII)</td>
</tr>
<tr>
<td></td>
<td>c Add lines 4a and 4b</td>
</tr>
<tr>
<td>5</td>
<td>Total expenses. Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.)</td>
</tr>
</tbody>
</table>

### Part XIII  Supplemental Information.

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

---

DAA
FORM 990, PART VI, LINE 11B - ORGANIZATION'S PROCESS TO REVIEW FORM 990

COPY OF RETURN IS PROVIDED TO GOVERNING BODY BEFORE IT IS FILED.

FORM 990, PART VI, LINE 19 - GOVERNING DOCUMENTS DISCLOSURE EXPLANATION AVAILABLE FOR REVIEW UPON REQUEST.
### Part I: Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

<table>
<thead>
<tr>
<th></th>
<th>Description of property</th>
<th>Cost (business use only)</th>
<th>Tax Basis (see instructions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Maximum amount</td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Total cost of Section 179 property placed in service</td>
<td>2,010,000</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Reduction in limitation</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Dollar limitation for tax year</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

### Part II: Special Depreciation Allowance and Other Depreciation (Don't include listed property.) (See instructions.)

<table>
<thead>
<tr>
<th></th>
<th>Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)</th>
<th>14</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Property subject to section 168(f)(1) election</td>
<td>15</td>
</tr>
<tr>
<td>16</td>
<td>Other depreciation (including ACRS)</td>
<td>16</td>
</tr>
</tbody>
</table>

### Part III: MACRS Depreciation (Don't include listed property.) (See instructions.)

#### Section A—Assets Placed in Service During 2016 Tax Year Using the General Depreciation System

<table>
<thead>
<tr>
<th></th>
<th>Classification of property</th>
<th>Month and year placed in service</th>
<th>Basis for depreciation (business/investment use only—see instructions)</th>
<th>Recovery period</th>
<th>Method</th>
<th>Depreciation deduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>19a</td>
<td>3-year property</td>
<td></td>
<td></td>
<td>25 yrs.</td>
<td>S/L</td>
<td></td>
</tr>
<tr>
<td>19b</td>
<td>5-year property</td>
<td></td>
<td></td>
<td>27.5 yrs.</td>
<td>S/L</td>
<td></td>
</tr>
<tr>
<td>19c</td>
<td>7-year property</td>
<td></td>
<td></td>
<td>27.5 yrs.</td>
<td>S/L</td>
<td></td>
</tr>
<tr>
<td>19d</td>
<td>10-year property</td>
<td></td>
<td></td>
<td>39 yrs.</td>
<td>S/L</td>
<td></td>
</tr>
<tr>
<td>19e</td>
<td>15-year property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19f</td>
<td>20-year property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19g</td>
<td>25-year property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19h</td>
<td>Residential rental property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19i</td>
<td>Nonresidential real property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Section C—Assets Placed in Service During 2016 Tax Year Using the Alternative Depreciation System

<table>
<thead>
<tr>
<th></th>
<th>Class</th>
<th>Recovery Period</th>
<th>Method</th>
<th>Depreciation deduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>20a</td>
<td>12-year</td>
<td>12 yrs.</td>
<td>S/L</td>
<td></td>
</tr>
<tr>
<td>20b</td>
<td>40-year</td>
<td>40 yrs.</td>
<td>MM</td>
<td></td>
</tr>
</tbody>
</table>

### Part IV: Summary (See instructions.)

<table>
<thead>
<tr>
<th></th>
<th>Total amount placed in service</th>
<th>21</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>Enter here on the appropriate lines of your return. Partnerships and S corporations—see instructions</td>
<td>44,139</td>
</tr>
</tbody>
</table>

For Paperwork Reduction Act Notice, see separate instructions.
Council Member Clyde made a motion to approve the request including corrected clerical errors and review of the final application by the County Chair for Save Our Stage Foundation. Council Member Carson seconded the motion, all voted in favor, 5-0.

**Dismiss as the Board of Equalization**

Council Member Clyde made a motion to dismiss as the Board of Equalization. Council Member Robinson seconded the motion, all voted in favor, 5-0.

**Convene as the Governing Board of the Snyderville Basin Special Recreation District**

Council Member Clyde made a motion to Convene as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Carson seconded the motion, all voted in favor, 5-0.

Discussion and possible approval of a Real Estate Purchase Agreement (Snyderville Basin Special Recreation District and Newpark Retail, LLC; Dave Thomas.

Dave Thomas, Chief Civil Deputy Attorney, presented the following Agreement for consideration.
REAL ESTATE PURCHASE AGREEMENT

(SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT & NEWPARK RETAIL, LLC)

This Agreement (the “Agreement”) is made effective the 6th day of February, 2019 (the “Effective Date”), by and between Snyderville Basin Special Recreation District, a special service district of the State of Utah (the “District”) and Newpark Retail, LLC, a Utah limited liability company (“Newpark”) (each is a “Party” and collectively they are referred to as the “Parties”).

RECITALS

WHEREAS, the District is selling its 27,370 square feet of density in the Newpark SPA (the “Surplus Density”) for consideration.

WHEREAS, Newpark intends to make application (the “Application”) to Summit County for the siting and approval of a mixed use project, consisting of commercial, residential and workforce housing uses, generally consistent with Exhibit A hereto (the “Project”).

AND WHEREAS, Newpark desires to acquire the Surplus Density to construct the Project under the terms contained in this Agreement.

TERMS

NOW, THEREFORE, for adequate and real consideration, the receipt and sufficiency of which is hereby acknowledged, the premises, the mutual covenants and conditions set forth herein and other good and valuable consideration, the Parties hereby covenant and agree as follows:

1. Preamble and Recitals. The Parties hereto agree that the preamble and the Recitals to this Agreement are referred to and incorporated by reference in the Agreement, as if fully set forth herein.

2. Purchase and Sale of Property. The District hereby agrees to sell and Newpark hereby agrees to purchase the Surplus Density and all rights appurtenant thereto for the Purchase Price.


3.1 Purchase Price. The purchase price for the Surplus Density shall be Three Hundred Thousand Dollars ($300,000.00) (the “Purchase Price”).

3.2 Schedule of Payments. The Purchase Price shall be paid as follows:
(a) A Twenty Five Thousand Dollar and no cents ($25,000.00) refundable deposit shall be paid by Newpark to the District upon the execution of this Agreement;
(b) The balance of Two Hundred Seventy Five Thousand Dollars and no cents ($275,000.00) shall be due within ninety (90) days of final approval by Summit County of the Application to construct the Project, including the expiration all appeal deadlines that may apply to that Application.

4. **Failure of Condition.**

4.1 Approval of the Project is a condition of performance of this Agreement. In the event Newpark cannot obtain development approvals or Newpark determines that the Project is no longer feasible, its performance is excused under this Agreement and the District will return the refundable deposit with ten (10) days’ notice of the same.

4.2 Newpark shall make application for approval of the Project to Summit County within 180 calendar days of the Effective Date or thirty (30) calendar days following Design Review Committee approval, whichever is later, and shall proceed with reasonable diligence to obtain an approval from Summit County. Approval of the Project must be obtained by Newpark from Summit County no later than twenty four (24) months from the Effective Date. This deadline shall be tolled during any appeal of the approval of the Project, including any appeals to the Third Judicial District Court. Failure of any of these aforementioned conditions shall render the Project unfeasible, excusing performance and resulting in termination of this Agreement with the District to return the refundable deposit upon ten (10) days’ notice from Newpark.

5. **Disclaimer.** With respect to the Application, the Parties acknowledge and agree that Summit County shall retain its full administrative and legislative authority to approve or reject the Application consistent with state law, applicable development codes, and the Development Agreement for the Redstone Parkside Specially Planned Area, Kimball Junction, Summit County, Utah, dated October 18, 2001 (the “Development Agreement”).

6. **Title.** The District shall convey good and marketable title to the Surplus Density to Newpark at Closing by special warranty deed (the “Deed”) free and clear of any and all liens or encumbrances, and inclusive with any and all rights appurtenant to the Surplus Density. The Deed shall be in form and substance as set forth in Exhibit B.

7. **Closing.** The Parties shall effectuate the transactions contemplated by this Agreement through a closing (the “Closing”) held within ninety (90) calendar days of final approval by Summit County of the Application to construct the Project, including the expiration of all appeal deadlines that may apply to that Application. At the Closing, the Parties shall do the following: (a)
Newpark shall pay the balance of the Purchase Price to the District; and (b) District shall execute and deliver to Newpark for recording the Deed.

8. **Encumbrances.** The District will not take any action before Closing that would have a material negative impact on the Surplus Density.

9. **Pre-Closing Default and Failure to Close.** If the Closing does not take place as a result of the default of one of the Parties, the following shall apply:

   9.1 **District Default.** If the District defaults, Newpark may elect one of the following remedies: (i) cancel the Agreement and seek the return of any portion of the Purchase Price paid; or (ii) sue the District for specific performance of the Agreement.

   9.2 **Newpark’s Default.** If Newpark defaults, District may elect one of the following remedies: (i) cancel the Agreement; or (ii) sue Newpark for specific performance of the Agreement.

10. **Agency; Authority to Perform Due Diligence on the Project.** The District hereby appoints Newpark its agent for purposes of performing "Due Diligence" as to the feasibility of the Project, including the authority to file development applications with the appropriate governmental entities on behalf of the District and applications to amend The Commons at Newpark subdivision plat and final site plan. Prior to and up through Closing, Newpark shall use commercially reasonable efforts to keep the District informed of the progress of Newpark’s endeavors to obtain development approvals for the Project.

11. **Notices.** Any notice, demand, request, consent, approval or communication between the Parties shall be in writing and served personally or sent by registered or certified mail, postage prepaid, return receipt requested, addressed to the Parties as follows, or to such other address as the Parties may from time to time designate by written notice.

   **To Newpark:**
   Gary Crandall
   1776 Park Avenue #145
   Park City, Utah 84060

   **To District:**
   Snyderville Basin Special Recreation District
   Attn: District Director
   5715 Trailside Drive
   Park City, Utah 84098

12. **Miscellaneous Provisions.**

   12.1 **Jurisdiction; Attorney’s Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Utah. The Parties consent to the jurisdiction of the courts of the State of Utah and further agree that any action arising out of or relating to this Agreement may only be commenced in the Third
Judicial District Court for and in Summit County, State of Utah. The terms and provisions of this Agreement are for the benefit of the Parties only and no other person shall have any right or cause of action on account thereof. In the event of a dispute between the Parties, the prevailing Party in any action to interpret or enforce this Agreement shall be entitled to collect reasonable attorney fees and court cost from the non-prevailing Party.

12.2 **Time of Essence.** Time is of the essence of this Agreement and each and every term and provision hereof.

12.3 **Waiver or Modification.** A modification of any provision herein contained, or any other amendment to this Agreement, shall be effective only if the modification or amendment is in writing and signed by both Parties. No waiver by either Party hereto of any breach or default shall be considered to be waiver of any other breach or default. The waiver of any condition shall not constitute a waiver of any breach or default with respect to any covenant, representation or warranty. No failure or delay of either Party in the exercise of such right has expired, nor shall single or partial exercise of any right preclude other or further exercise thereof or of any other right.

12.4 **Successors and Assigns.** This Agreement shall inure to the benefit of, and be binding upon, the Parties hereto and their respective heirs, successors and assigns.

12.5 **Construction.** In the event any portion of this Agreement shall be declared by any court of competent jurisdiction to be invalid, illegal, or unenforceable, such portion shall be deemed severed from this Agreement, and the remaining parts hereof shall remain in full force and effect, as fully as though such invalid, illegal or unenforceable portion had never been part of this Agreement. The term “days” as used herein, shall mean actual days occurring, including Saturdays, Sundays and holidays. If any item must be accomplished or delivered hereunder on a day that is not a business day, it shall be deemed to have been timely accomplished or delivered hereunder on a day that is not a business day, if accomplished or delivered on the next business day.

12.6 **Integration of Other Agreements.** This Agreement supersedes all previous contracts, correspondence and documentation relating to the sale of the Surplus Density. Any oral representations or modifications concerning this Agreement shall be of no force or effect.

12.7 **No Drafting Party.** The Parties acknowledge that each of them and their counsel have had an opportunity to review this Agreement and that this Agreement will not be construed against either Party merely because its counsel has prepared it.

12.8 **Further Assurances.** The District and Newpark each agree to execute any and all other documents and to take further actions reasonably necessary to consummate the transactions contemplated hereby.
12.9 **Authorization.** Each individual executing this Agreement represents and warrants that such individual has been duly authorized to execute and deliver this Agreement in the capacity and for the entity set forth where such individual signs.

12.10 **Counterparts.** This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the Parties have duly executed this Agreement, effective as of the date first set forth above, as follows:

**Signature pages to follow**
SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT

By: The Summit County Council, acting as its governing body

By: ____________________________  
    Roger Armstrong  
    Chair

Dated: 2/12/2019

By: ____________________________  
    Brian Hanton  
    Its: Director

Dated: 2/13/2019
NEWPARK RETAIL, LLC
By: __________________________
    Gary Crandall
    Its: Manager

Dated: 2/12/19
Commons Mixed Use Project
Density Distribution Chart

Density Ownership Chart

1st Floor Commercial Use
12,415 sqft

2nd & 3rd Floor 100% Used For An Average of 80% AMI. 12,569 sqft/ Floor

- 10,289 sqft Held by Newpark Retail
- 27,370 sqft Held By Basin Rec

- 10,289 sqft of Newpark Retail Density
- 2,126 sqft of Basin Rec Density

- 12,569 sqft of Basin Rec Density 2nd Floor
- 12,569 sqft of Basin Rec Density 3rd Floor

Total Project Density 37,553 sqft — Remaining Density 106 sqft
EXHIBIT B
FORM OF DEED

AFTER RECORDED, PLEASE RETURN TO:

Gary Crandall
1776 Park Avenue #145
Park City, Utah 84060

SPECIAL WARRANTY DEED

FOR GOOD AND VALUABLE CONSIDERATION, the Snyderville Basin Special Recreation District, a special service district, having a mailing address at 5715 Trailside Drive, Park City, Utah 84098 (the "Grantor") hereby CONVEYS AND WARRANTS, against those claiming by, through and under the Grantor and not otherwise, to Newpark Retail, LLC, a Utah limited liability company, (the "Grantee") having a mailing address at 1776 Park Avenue #145, Park City, Utah 84060, the Grantor’s right, title and interest in and to that certain surplus development density located in Summit County, State of Utah, as follows:

27,370 square feet of development density pertaining to the Development Agreement for the Redstone Parkside Specially Planned Area, Kimball Junction, Summit County, Utah, dated October 18, 2001 (the "Surplus Density").

SUBJECT TO all restrictions, reservations, conservation easements and other conditions of record as may be disclosed by a record examination of title.

TO HAVE AND TO HOLD the Surplus Density, together with all tenements, hereditaments, and appurtenances thereunto belonging, unto the Grantee, and its successors and assigns, forever. The Grantor does hereby covenant to and with the Grantee that the Grantee is owner in fee simple of the Surplus Density and that the Grantor will warrant and defend the same from all lawful claims whatsoever arising by, through and under the Grantor and not otherwise.

The undersigned further hereby acknowledges and affirms to the below named Notary Public that the undersigned appeared before such Notary Public and either executed this Deed before such Notary Public or acknowledged to such Notary Public that the undersigned executed this Deed for the purposes stated in it.

DATED as of the _____ day of ____________________, 2019.

Snyderville Basin Special Recreation District

By: Summit County Council, its governing body

By: __________________________________________________________________________

Print Name: Roger Armstrong
Title: Chair
Justin Keyes, Attorney for Newpark, and Matthew Crandall with Newpark Retail, discussed their concerns with the Council.

Council Member Clyde made a motion to approve the Real Estate Purchase Agreement between Snyderville Basin Special Recreation District and Newpark Retail, LLC adding conditions in number 4 to effectively limit the overall approval and subject to final review and approval of the Council Chair. Council Member Wright seconded the motion which passed 4-1 with Council Member Robinson voting Nay.

**Dismiss as the Governing Board of the Snyderville Basin Special Recreation District**

Council Member Clyde made a motion to dismiss as the Governing Board of the Snyderville Basin Special Recreation District. Council Member Wright seconded the motion, all voted in favor, 5-0.

**Consideration of Approval**

**Appointment of member to serve on the Park City Fire Service District Administrative Control Board.**

Council Member Carson made a motion to re-appoint Michael Howard to serve on the Park City Fire Service District Administrative Control Board with the new term expiring December 31, 2022. Council Member Wright seconded the motion, all voted in favor, 5-0.

**Council Comments**

- Council Member Carson stated she had listened in on the USACC caucus meeting for legislative purposes last week and that she appreciated Jana attending today
- She will be attending a public lands meeting tomorrow afternoon
- Council Member Clyde has been monitoring the North Summit Recreation District, and their current activities. They are working on a ballot initiative and a public campaign promoting it. They are working hard to respond to our direction
- He gave an update on the Marion Trail from Oakley to Kamas. Funds have been raised to work on wetlands mitigation for the shoulders of the road and they will continue to work on trail design
- Council Member Robinson will be attending a meeting tomorrow in regards to the franchise agreement with Rocky Mountain Power
- He would have liked more background information on the Newpark Agreement
Manager Comments

- County Manager Fisher and Chair Armstrong attended and spoke at the leadership meeting earlier
- There is a great article in the Park Record regarding the park and ride at Ecker Hill during Sundance
- The mast for the charger for the electric buses at the transit center was damaged last night
- There are two properties that ESAC and Summit Land have been working on that are now under conservation easement on the eastside. Stephens Ranch of 44 acres in Henefer and an 82-acre parcel in Wanship along the Weber River. Cost of the Easement is $1.5 million for the two
- Snow day for trash service today. Saturday will be a make-up day

- County Attorney Margaret Olson wanted to acknowledge the passing of Eric Redd from the Sheriff’s office. As the Sergeant over investigations he had worked closely with our office and was a great asset. He was very well respected; he will be greatly missed.

Council Minutes dated January 14, 2019, January 16, 2019, and January 23, 2019

Council Member Wright made a motion to approve the minutes of January 14, 2019 with one correction. Council Member Clyde seconded the motion which passed 4-0. Council Member Carson abstained.

Council Member Wright made a motion to approve the minutes for January 16, 2019 and January 23, 2019 with corrections noted. Council Member Carson seconded the motion and all voted in favor, 5-0.

Public Input

There was no public input.

The Council meeting adjourned at 6:42 p.m.

Roger Armstrong, Chair

Kellie Robinson, Chief Deputy Clerk