

RESOLUTION NO. R 11-2001

Eagle Mountain, Utah

April 17, 2001

The Town Council of the Town of Eagle Mountain, Utah County, Utah (the "Council"), met in regular session at the regular meeting place of the Council in Eagle Mountain, Utah on April 17, 2001, at the hour of 7:00 p.m., with the following members of the Council being present:

David A. Albrecht	Mayor Pro Tem
Greg D. Kehl	Councilmember
Brigham S. Morgan	Councilmember

Also present:

John D. Newman	Town Administrator
Janet B. Valentine	Town Recorder
Gerald H. Kinghorn	Town Attorney

Absent:

Paul R. Bond, Jr.	Mayor
Bert E. Ankrom	Councilmember

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, there was presented to the Council a Certificate of Compliance With Open Meeting Law with respect to this April 17, 2001 meeting, a copy of which is attached hereto as Exhibit "A".

The following Resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Greg D. Kehl, and seconded by Brigham S. Morgan, was adopted by the following vote:

YEA:

David A. Albrecht	Mayor Pro Tem
Greg D. Kehl	Councilmember
Brigham S. Morgan	Councilmember

NAY:

NONE

The Resolution was then signed by the Mayor and recorded by the Town Recorder in the official records of the Town of Eagle Mountain, Utah County, Utah. The Resolution is as follows:

RESOLUTION NO. R 11-2001

A RESOLUTION OF THE TOWN OF EAGLE MOUNTAIN, UTAH (THE "ISSUER") AUTHORIZING THE EXECUTION AND DELIVERY BY THE ISSUER OF A GAS AND ELECTRIC GENERAL INDENTURE OF TRUST AND A FIRST SUPPLEMENTAL GAS AND ELECTRIC INDENTURE OF TRUST (COLLECTIVELY, THE "INDENTURE") EACH DATED AS OF MAY 1, 2001, BY AND BETWEEN THE ISSUER AND U.S. BANK NATIONAL ASSOCIATION; AUTHORIZING THE ISSUANCE AND CONFIRMING THE SALE PURSUANT TO THE INDENTURE OF THE ISSUER'S GAS AND ELECTRIC REVENUE BONDS, SERIES 2001; AUTHORIZING THE EXECUTION AND DELIVERY BY THE ISSUER OF A BOND PURCHASE AGREEMENT, AN OFFICIAL STATEMENT, A REMARKETING AGREEMENT, A LETTER OF CREDIT AND REIMBURSEMENT AGREEMENT, AN INTEREST RATE CAP AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the Town of Eagle Mountain, Utah (the "Issuer") has previously (A) issued its (i) Gas and Electric Revenue Bond Anticipation Notes, Series 1997 in the aggregate principal amount of \$1,350,000 (the "Series 1997 Notes"), (ii) Gas and Electric Revenue Bond Anticipation Notes, Series 1998 in the aggregate principal amount of \$2,830,000 (the "Series 1998 Notes", collectively with the Series 1997 Notes, the "Notes") and (iii) Subordinated Electric Revenue Bond Anticipation Notes, Series 2000 (the "Subordinated Notes") and (B) entered into an Equipment Lease Purchase Agreement, as amended (the "Equipment Lease") in the principal amount of \$1,619,430, all in order to finance the acquisition, construction and equipping of a gas and electric system to be owned and operated by the Issuer (the "System"); and

WHEREAS, the Issuer now desires to (i) issue a series of bonds to finance further additions, extensions and improvements to the System, (ii) refund and retire the Notes and the Subordinated Notes, and (iii) pay and cancel the Equipment Lease; and

WHEREAS, to (i) finance the costs of acquiring and constructing additions, extensions and improvements to the System, (ii) refund and retire the Notes and the

Subordinated Notes, (iii) pay and cancel the Equipment Lease, (iv) fund a deposit to a subaccount in the Debt Service Reserve Fund, (v) provide capitalized interest with respect to the hereinafter referenced Series 2001 Bonds, and (vi) finance the costs of issuance of the Series 2001 Bonds herein authorized, the Issuer has determined to issue its Gas and Electric Revenue Bonds, Series 2001 in the aggregate principal amount of \$20,825,000 (the "Series 2001 Bonds"); and

WHEREAS, the Series 2001 Bonds will be authorized, issued and secured under that certain Gas and Electric General Indenture of Trust (the "General Indenture"), as amended and supplemented by a First Supplemental Gas and Electric Indenture of Trust, each dated as of May 1, 2001 (collectively, the "Indenture") to be entered into by and between the Issuer and U.S. Bank National Association, as trustee (the "Trustee"), such Indenture being substantially in the form presented to this meeting and herein authorized and approved; and

WHEREAS, on March 20, 2001 the Town of the Issuer (the "Council") adopted a resolution (the "Parameters Resolution") expressing its intention to issue the Series 2001 Bonds and authorizing the publication of a Notice of Bonds to be Issued; and

WHEREAS, the Council desires to provide credit enhancement for the Bonds in the form of a letter of credit to be issued by the Bank (as defined below); and

WHEREAS, there has been presented to the Council at this meeting a form of (i) the General Indenture; (ii) the First Supplemental Indenture; (iii) a Bond Purchase Agreement (the "Bond Purchase Agreement") between the Issuer and A.G. Edwards & Sons, Inc. and Seattle Northwest Securities Corporation (collectively, the "Underwriters"), (iv) a final Official Statement relating to the Series 2001 Bonds (the "Official Statement"), (v) a Remarketing Agreement (the "Remarketing Agreement") between the Issuer and A.G. Edwards & Sons, Inc., as remarketing agent, (vi) a Letter of Credit and Reimbursement Agreement (the "Reimbursement Agreement") between the Issuer and BNP Paribas, acting through its San Francisco Branch (the "Bank") and (vii) an Interest Rate Cap Agreement (the "Cap Agreement") between the Issuer and BNP Paribas, acting through its San Francisco Branch and related documents; and

WHEREAS, the Issuer desires to sell the Series 2001 Bonds to the Underwriters in accordance with the terms of the Bond Purchase Agreement; and

WHEREAS, the Series 2001 Bonds and the Issuer's obligations under the Reimbursement Agreement shall be payable solely from the Net Revenues and other moneys pledged therefor in the Indenture and shall not constitute or give rise to a general obligation or liability of the Issuer or constitute a charge against its general credit.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNSEL OF THE TOWN OF EAGLE MOUNTAIN, UTAH COUNTY, UTAH, AS FOLLOWS:

Section 1. The terms defined or described in the recitals hereto shall have the same meanings when used in the body of this Resolution.

Section 2. All actions not inconsistent with the provisions of this Resolution heretofore taken by the Council and by the officers of the Issuer directed toward the issuance and sale of the Series 2001 Bonds are hereby ratified, approved and confirmed.

Section 3. The Indenture, in substantially the form presented to this meeting, is in all respects authorized, approved and confirmed. The Mayor and Town Recorder are hereby authorized and directed to execute and deliver the Indenture in the form and with substantially the same content as was presented to the Council at this meeting, with such revisions, changes, additions and deletions as may be authorized by Section __ hereof.

Section 4. For the purpose of providing funds to (i) finance the costs of acquiring and constructing additions, extensions and improvements to the System, (ii) refund and retire the Notes and the Subordinated Notes, (iii) pay and cancel the Equipment Lease, (iv) fund a deposit to a subaccount in the Debt Service Fund, (v) provide capitalized interest with respect to the hereinafter referenced Series 2001 Bonds, and (vi) finance the costs of issuance of the Series 2001 Bonds herein authorized, the Issuer has determined to issue its Gas and Electric Revenue Bonds, Series 2001. The Series 2001 Bonds shall be issued in the aggregate principal amount of \$20,825,000 and will bear rates of interest that are subject to adjustment from time to time as provided in the Indenture; provided, however, that in no event shall the Series 2001 Bonds bear interest at a rate that exceeds twelve percent (12%) per annum (except as may be otherwise provided in the Reimbursement Agreement). The Series 2001 Bonds shall initially bear interest at a Weekly Rate. The Series 2001 Bonds shall mature on December 1, 2025.

Section 5. The Remarketing Agreement, in substantially the form presented to this meeting, is in all respects authorized, approved and confirmed. The Mayor and the Town Recorder of the Issuer is hereby authorized to execute and deliver the Remarketing Agreement in substantially the same form and with substantially the same content as presented to this meeting for and on behalf of the Issuer with such alterations, changes or additions as may be authorized by Section 14 hereof.

Section 6. The Reimbursement Agreement, in substantially the form presented to this meeting, is in all respects authorized, approved and confirmed. The Mayor and the Town Recorder of the Issuer is hereby authorized to execute and deliver the Reimbursement Agreement (and the other documents contemplated thereby) in substantially the same form and with substantially the same content as presented to this meeting for and on behalf of the Issuer with such alterations, changes or additions as may be authorized by Section 14 hereof.

Section 7. The Cap Agreement, in substantially the form presented to this meeting, is in all respects authorized, approved and confirmed. The Mayor and the Town Recorder of

the Issuer is hereby authorized to execute and deliver the Cap Agreement (and the other documents contemplated thereby) in substantially the same form and with substantially the same content as presented to this meeting for and on behalf of the Issuer with such alterations, changes or additions as may be authorized by Section 14 hereof.

Section 8. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for authentication and delivery of the Series 2001 Bonds in accordance with the provisions of the Indenture.

Section 9. The Series 2001 Bonds shall be sold to the Underwriters in accordance with the Bond Purchase Agreement at an aggregate price of \$_____ (which consists of a principal amount of \$20,825,000, less an Underwriters' discount of \$_____), plus accrued interest, if any, to the date of issuance. The form, terms and provisions of the Bond Purchase Agreement are hereby approved and the Mayor and Town Recorder are hereby authorized to execute and deliver to the Underwriters said Bond Purchase Agreement for and on behalf of the Issuer with such alterations, changes or additions as may be authorized by Section 14 hereof.

Section 10. The Mayor of the Issuer is hereby authorized and directed to execute and deliver the Official Statement prepared in connection with the Series 2001 Bonds (the use and distribution of which are hereby authorized and approved) in substantially the form and with substantially the same content as presented to the Council at this meeting for and on behalf of the Issuer with such alterations, changes or additions as may be authorized by Section 14 hereof.

Section 11. The Mayor and Town Recorder are hereby authorized to enter into an investment agreement or agreements ("Investment Agreement"), in form and substance satisfactory to the Mayor, of the Issuer; provided that such Investment Agreement shall comply with the definition of Permitted Investments contained in the Indenture. Any and all proceeds of, and investment income attributable to, the Series 2001 Bonds may be loaned to or deposited from time to time pursuant to the Investment Agreement for the periods, and at the interest rates, specified therein.

Section 12. The form, terms and provisions of the Series 2001 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchanges, redemption and number shall be as set forth in the Indenture in the form to be executed by the Issuer. The Mayor is hereby authorized and directed to execute the Series 2001 Bonds, to place thereon the seal of the Issuer, and to deliver the Series 2001 Bonds to the Trustee for authentication. The Town Recorder of the Issuer is hereby authorized and directed to attest to the signature of the Mayor and the seal of the Issuer affixed to the Series 2001 Bonds. The signature of the Mayor and the Town Recorder may be by facsimile or manual execution.

Section 13. The appropriate officers of the Issuer are hereby authorized and directed to take all action necessary or reasonable required to carry out, give effect to and consummate the transactions as contemplated by this Resolution, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Series 2001 Bonds.

Section 14. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions in the Indenture, the Series 2001 Bonds, the Bond Purchase Agreement, the Official Statement, the Remarketing Agreement, the Reimbursement Agreement, the Cap Agreement or any other document herein authorized and approved which may be necessary to correct errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council, or the provisions of the laws of the State of Utah or the United States or to carry out, give effect to and consummate the transactions as contemplated by this Resolution.

Section 15. Upon their issuance, the Series 2001 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2001 Bonds and the Indenture. No provision of this Resolution, the Series 2001 Bonds, the Indenture, the Official Statement, the Remarketing Agreement, the Reimbursement Agreement, the Cap Agreement or any other instrument shall be construed as creating a general obligation of the Issuer or as creating a general obligation of the State of Utah, or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer.

Section 16. After the Series 2001 Bonds are delivered by the Trustee to the Underwriters and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2001 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 17. In accordance with the provisions of the Utah Municipal Bond Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Utah Municipal Bond Act"), the Council has caused a "Notice of Bonds to be Issued" to be published one (1) time in New Utah!, a newspaper of general circulation within the borders of the Issuer, and has caused a copy of the Parameters Resolution to be kept on file in the principal offices of the Issuer for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of said publication. Said Notice is hereby reaffirmed and approved.

Section 18. It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provisions of this Resolution shall be held to be invalid or

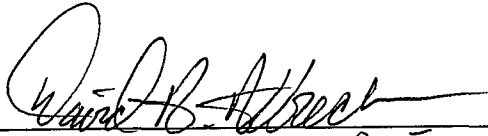
unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause provision shall not affect any of the remaining provisions of this Resolution.

Section 19. It is hereby declared by the Council of the Issuer that it is the intention of the Issuer by the adoption of this Resolution to comply in all respects with (i) the Utah Municipal Bond Act and the Utah Refunding Bond Act, Title 11 Chapter 27 Utah Code Annotated 1953, as amended..

Section 20. All resolutions or parts thereof in conflict with the provisions of this Resolution, including the exhibits attached hereto, are to the extent of such conflict hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation, or part thereof theretofore repealed.

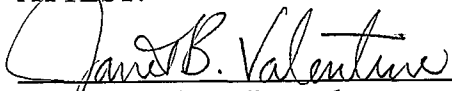
Section 21. This Resolution shall take effect immediately upon its approval and adoption.

PASSED, APPROVED AND ADOPTED this 17th day of April 2001.



Mayor Pro Tem

ATTEST:



Town Recorder



(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Council adjourned.



Mayor Pro Tem

ATTEST:



Town Recorder



STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Janet B. Valentine, the duly qualified and acting Town Recorder of the Town of Eagle Mountain, Utah County, Utah (the "Issuer") do hereby certify according to the records of the Council in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the special meeting of the Council held on April 17, 2001, including a Resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in the principal officers of the Issuer on April 17, 2001.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the Issuer, this 17th day of April 2001.

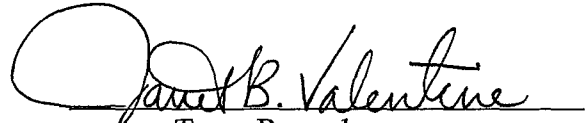

Town Recorder



EXHIBIT "A"

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

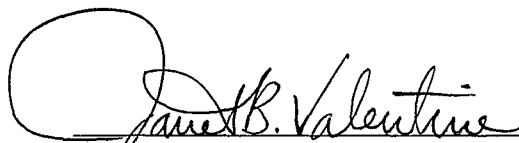
I, Janet B. Valentine, the undersigned Town Recorder of the Town of Eagle Mountain, Utah County, Utah (the "Issuer") do hereby certify according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, (1953), as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 17, 2001 public meeting held by the Council as follows:

(a) by causing a Notice, in the form attached hereto as Schedule "A", to be posted at the Issuer's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) by causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered at least twenty-four (24) hours prior to the convening of the meeting to the persons, newspapers (at least one of which is a newspaper of general circulation within the issuer), and media representatives shown on Schedule "A" attached hereto, as well as to those requesting such notices.

In addition, notice was provided to a local media correspondent, or to newspapers of general circulation within the geographic jurisdiction of the Issuer (at least once during the calendar year 2001), of the annual meeting schedule, for 2001, with the date, time and place of such meetings. There was also posted (at least once during the calendar year 2001) and has remained posted at the principal office of the Issuer, public notice of the annual meeting schedule for 2001, with the date, time and place of such meetings, in the form attached hereto as Schedule "B".

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 17th day of April, 2001.


Town Recorder



Schedule "A"

Notice and Agenda of the April 17, 2001

Meeting and Mailing List

AGENDA
TOWN COUNCIL MEETING
Tuesday, April 17, 2001

Work Session at 4:00 p.m. - Policy Session at 7:00 p.m.

Eagle Mountain Community Center, 1668 East Heritage Drive, Eagle Mtn, Utah 84043

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WORK SESSION - No Action or Minutes Taken – 4:00 to 6:30 p.m.

1. Goals/Mayor Paul R. Bond, Jr.
2. Warrant Register/Stephan Gabrielson
3. Final Payment Requests/Korey Walker
 - a. Final Payment for Fugal's-Cedar Pass Gas Line Extension
4. Public Hearing on Plat Amendment for Ruby Valley, Plat B, The Ranches, LC/Shawn Warnke
5. Resolution of Intent to Create Special Improvement District 2001-1; to Finance Certain Infrastructure Improvements and Related Matters
6. Consideration and approval of Remarketing Agreement with A.G. Edwards and Company/Jerry Kinghorn
7. Consideration and approval of Letter of Credit Reimbursement Agreement between the Town of Eagle Mountain and BNP Paribas/Jerry/Kinghorn
8. Consideration and approval of Resolution Adopting the Gas and Electric General Indenture of Trust and Supplemental Indenture of Trust/Jerry Kinghorn
9. Consideration and approval of Bond Purchase Agreement between the Town of Eagle Mountain and A.G. Edwards, Inc.
10. Major Development Approvals/Shawn Warnke
 - a. Rush Valley, Plat A Development Agreement including CCR's with Sundance Homes, Inc.
11. Council Liaison Reports:
 - a. Administration/Personnel/Finances/Telecommunications/Newsletter – **Mayor Paul R. Bond, Jr.**
 - b. Parks & Recreation/Library/Youth Services/Economic Development Board- **David Albrecht**
 - c. Public Works Dept. (Water, Wastewater, Natural Gas, Electric) - **Greg Kehl**
 - d. Planning & Zoning/Planning Commission/Building Permits – **Brigham Morgan**
 - e. Public Safety/Community Arts/Airport Advisory Board – **Bert Ankrom**
12. Other Business

I N T E R M I S S I O N

POLICY SESSION – 7:00 TO 10:30 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Approval of Minutes (April 3, 2001)
4. General Discussion/Questions/Announcements
5. Appointments
6. Public Notices
7. Public Comment
8. Public Hearing: Plat Amendment for Ruby Valley, Plat B, The Ranches, LC
 - a. Open Public Hearing (7:15 p.m.)
 - b. Receive Public Comment
 - c. Close Public Hearing
9. Consideration and Approval of an Ordinance Amending Ruby Valley, Plat B Subdivision
10. Consideration of a Resolution of Intent to Create Special Improvement District 2001-1; to Finance Certain Infrastructure Improvements and Related Matters
11. Consideration and approval of Remarketing Agreement with A.G. Edwards and Company

12. Consideration and approval of Letter of Credit Reimbursement Agreement between the Town of Eagle Mountain and BNP Paribas
13. Consideration And Approval of a Resolution Of The Town Of Eagle Mountain, Utah (The "Issuer") Authorizing The Execution And Delivery By The Issuer Of A Gas And Electric General Indenture Of Trust And A First Supplemental Gas And Electric Indenture Of Trust (Collectively, The "Indenture") Each Dated As Of May 1, 2001, By And Between The Issuer And U.S. Bank National Association; Authorizing The Issuance And Confirming The Sale Pursuant To The Indenture Of The Issuer's Gas And Electric Revenue Bonds, Series 2001; Authorizing The Execution And Delivery By The Issuer Of A Bond Purchase Agreement, An Official Statement, A Remarketing Agreement, A Letter Of Credit And Reimbursement Agreement, And Interest Rate Cap Agreement, And Other Documents Required In Connection With The Issuance Of Said Bonds; Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related Matters.
14. Consideration and approval of Bond Purchase Agreement between the Town of Eagle Mountain and A.G. Edwards, Inc.
15. Major Development Approvals
 - a. Consideration and Approval of Rush Valley, Plat A Development Agreement including CCR's with Sundance Homes, Inc.
16. Motion to approve Consent Agenda items as follows:
 - a. Warrant Register
 - b. Final Payment Requests
17. Other Business
18. Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues, potential litigation and/or public safety/security
19. Motion to adjourn closed executive session and return to open session
20. Any Actions from the Closed Executive Session
21. Adjournment

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, PERSONS NEEDING AUXILIARY COMMUNICATIVE AIDS AND SERVICES FOR THESE MEETINGS SHOULD CONTACT JANET VALENTINE (801) 766-5988, GIVING AT LEAST 48 HOURS ADVANCE NOTICE.

THE PUBLIC IS INVITED TO ATTEND ALL TOWN COUNCIL MEETINGS

CERTIFICATE OF POSTING

THE UNDERSIGNED, DULY APPOINTED TOWN CLERK, DOES HEREBY CERTIFY THAT THE ABOVE NOTICE AND AGENDA WAS POSTED IN THREE PUBLIC PLACES WITHIN EAGLE MOUNTAIN TOWN LIMITS ON THIS 13th DAY OF April, 2001. THESE PUBLIC PLACES BEING 1) INSIDE BULLETIN BOARD AT THE TOWN OFFICES, 1680 E. HERITAGE DR., EAGLE MOUNTAIN, UTAH; 2) OUTSIDE BULLITEN BOARD AT THE TOWN OFFICES, EAGLE MOUNTAIN, UTAH 3) BULLITEN BOARD AT THE MORCO EXPRESS BROCCERY STORE, TOWN CENTER


RECORDER/DEPUTY RECORDER

Schedule "B"

Annual Meeting Notice

AFFIDAVIT OF PUBLICATION

STATE OF UTAH

ss.

County of Utah

Eagle Mountain tells annual schedule

The Town Council of Eagle Mountain at the Dec. 5, 2000, meeting voted to approve the meeting schedule for the year 2001.

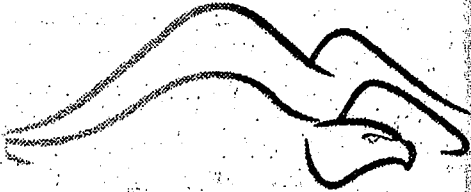
Eagle Mountain Town Council Meetings will be held every first and third Tuesday of each month with the addition of a meeting being held on the fifth Tuesday in January.

Meeting time and place are as follows:

Work session - 4:30 to 6:30

Policy session - 7 p.m.

Both sessions will be held at the Eagle



Eagle Mountain, Utah

Mountain Community Center, 1668 E. Heritage Drive, Eagle Mountain, Utah.

The 2001 Town Council Meetings are as follows:

January 2, 16 and 30; February 6 and 20; March 6 and 20; April 3 and 17; May 1 and 15;

June 5 and 19; July 3 and 17; August 7 and 21; September 4 and 18; October 2 and 16; November 6 and 20; December 4 and 18. Janet Valentine Town Recorder

Published in New Utah! Dec 27, 2000.

I, Brett R. Bezzant, being first duly sworn, depose and say that I am the publisher of *New Utah!*, a group of newspapers of general circulation published once a week in Utah County, Utah; that the notice attached hereto and which is a:

EAGLE MOUNTAIN TELLS ANNUAL SCHEDULE

was published in said newspaper for one consecutive issue(s), the first publication having been made on the 27th day of December, 2000, and the last on the 27th day of December, 2000, that said notice was published in the regular and entire issue of every number of the newspapers during the period and times of publication and the same was published in the newspapers proper and not in a supplement.

Brett R. Bezzant

Subscribed and sworn before me this 27th day of December, 2000.

Barbara Christiansen
Notary Public

My commission expires 4/15/02.

