

PLEASE RETURN TO:
ELIZABETH DAWSON
DEPUTY CITY RECORDER
440 E 8680 S
SANDY UT 84070-1741

807088/FFI

Noted

4990624
19 NOVEMBER 90 11:28 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SANDY CITY
REC BY: KARMA BLANCHARD, DEPUTY

Sandy City, Utah

May 15, 1990

4990624

A regular meeting of the City Council of Sandy City, Salt Lake County, Utah, was held on Tuesday, May 15, 1990, at 7:30 p.m. at its regular meeting place in Sandy, Utah at which meeting there were present and answering roll call the following members who constituted a quorum:

Bryant Anderson	Chair
Dick Adair	Councilmember
Scott Cowdell	Councilmember
Ronald Gee	Councilmember
Bruce Steadman	Councilmember
Dennis Tenney	Councilmember
John Winder	Councilmember

Also present:

Larry Smith	Mayor
Naleen Wright	Council Secretary

Absent:

Thereupon in accordance with the motion duly made, seconded and carried at the meeting of the City Council on May 8, 1990, to defer creation of Sandy City, Utah Special Improvement District No. 90-1 (the "District") until after further study and consideration of the protests presented at said meeting, Councilmember Dennis Tenney introduced the following resolution in writing, which was fully discussed and moved its adoption:

RESOLUTION #90-59 C

A RESOLUTION TO CREATE SPECIAL IMPROVEMENT DISTRICT NO. 90-1 OF SANDY CITY, SALT LAKE COUNTY, UTAH, DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT AND AUTHORIZING THE CITY OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT; AND TO AUTHORIZE PUBLICATION OF AN INVITATION FOR CONSTRUCTION BIDS.

BE IT RESOLVED by the City Council of Sandy City, Salt Lake County, Utah:

Section 1. The City Council of Sandy City, Salt Lake County, Utah (the "City"), hereby determines that it will be in the best interest of the City to construct certain improvements within the City. The specific description of the nature of the improvements is more particularly set out in the Notice of Intention to create the District (the "Notice of Intention") which has been published and mailed as required by law.

BK 6268FC2638

Section 2. The City Council has heretofore considered the one written protest which was filed and it has conducted a public hearing giving every person who wished to be heard an opportunity to protest against the creation of the District or making of any of the improvements therein or on any other matter pertinent to the District. In view of the protest filed prior to the protest meeting held on May 8, 1990, action on the creation of said District was deferred by the City Council until this meeting pending receipt of a report of the engineer for the District.

Section 3. Consistent with engineering recommendations, the improvements proposed and described in the Notice of Intention are hereby authorized and the District is hereby created with boundaries as set forth in the Notice of Intention.

Section 4. The properties to be included in the District are as described in the Notice of Intention which was approved by the Board on March 27, 1990. The legal description of said properties is set forth on Exhibit B attached hereto.

Section 5. As required by law, the City Recorder is hereby authorized and directed to file a copy of the Notice of Intention and this resolution creating the District as finally approved, together with a list of properties proposed to be assessed described by tax identification number and legal description, in the Salt Lake County Recorder's office within five days from the date hereof.

Section 6. The City's administrative staff is hereby authorized to prepare a notice which calls for bids for the construction of improvements contemplated to be made within the District, and the City Recorder is hereby authorized to publish a Notice to Contractors for bids at least one time in the Green Sheet, a newspaper of general circulation in the City, at least fifteen (15) days before the date specified in the notice for receipt of bids.

Section 7. Recognizing that all or more of the property within the District has not yet been subdivided, it is the intention of the City Council to consider with the owners of property within the District, a method of reallocating to individual lots, the assessment lien originally assessed against parcels of property prior to subdivision of such parcels. The lien reallocation method, if agreed upon by the City and property owners, will be included in the assessment ordinance imposing assessment liens to secure the deferred payment of assessments.

Councilmember Ron Gee seconded the motion to adopt the foregoing resolution. The resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

Those voting AYE: Dennis Tenney, Ron Gee, Dick Adair,
Bruce Steadman, Bryant Anderson, John Winder, Scott Cowdell

Those voting NAY: None

Thereupon the motion was approved by the Chair and made a matter of
record by the City Recorder.

ADOPTED AND APPROVED this 15th day of May, 1990.

Bryant F. Anderson
Chair

ATTEST:

John H. H.
City Recorder

(S E A L)



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After the conduct of other business not pertinent to the above, on motion duly made, seconded and carried, the meeting was adjourned.

Bryant F. Anderson
Chair

ATTEST:
[Signature]
City Recorder

(S E A L)



STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

I, *Arthur D. Hunter* the duly appointed, qualified and acting City Recorder of Sandy City, Salt Lake County, Utah, do hereby certify as follows:

That the foregoing pages constitute a full, true and correct copy of the entire record of the proceedings of the City Council of Sandy City, Salt Lake County, Utah, at its regular meeting held on May 15, 1990, insofar as said proceedings relate to the creation of Special Improvement District No. 90-1 as the same appears of record in my office.

The proceedings were in fact held as specified in said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Municipality this *8th* day of *Nov*, 1990.



Arthur D. Hunter
City Recorder




STATE OF UTAH)
COUNTY OF SALT LAKE)

ss.

CERTIFICATE OF FILING

I, Arthur D. Hunter, the duly qualified and acting City Recorder of Sandy City, Salt Lake County, Utah, do hereby certify that on the 8th day of Nov, 1990, pursuant to Utah Code Annotated 1953, Section 10-16-7, as amended, a copy of the Notice of Intention and resolution creating Sandy City, Utah Special Improvement District No. 90-1, as finally approved, together with a list of properties proposed to be assessed described by tax identification number and legal description, was filed in the Salt Lake County Recorder's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this 8th day of Nov, 1990.


City Recorder

(SEAL)



CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Arthur D Hunter, the undersigned City Recorder of Sandy City, Salt Lake County, Utah (the "City"), do hereby certify, according to the records of the City 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 May 15, 1990, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Exhibit "A", to be posted at the City's principal offices on May 15, 1990, 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 Exhibit "A", to be delivered to the Green Sheet on April May 2, 1990, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 5th day of Nov 1990.


City Recorder

(S E A L)



807086/PWA

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05/11/90

BK6268PG2644

EXHIBIT B

DESCRIPTION OF PROPERTIES WITHIN DISTRICT

Sidwell Parcel VTAU 27-13-476-001-0000 (Freeman, Belva C., Eric A., Carl F. and Keith W.)

Sidwell Parcel VTAU 27-13-476-005-0000 (Freeman, Belva C., Eric A., Carl F. and Keith W.)

Sidwell Parcel VTAU 28-18-351-002-0000 (Freeman, Belva C., Eric A., Carl F. and Keith W.)

Sidwell Parcel VTAU 27-13-427-011-0000 (Smith, Charles E. and Ethel)

Sidwell Parcel VTAU 27-13-427-019-0000 (Green, Mark L., et al)

Sidwell Parcel VTAU 27-13-427-018-0000 (K>D> Draft and Novelty, Inc. Distributors)

Sidwell Parcel VTAU 27-13-427-015-0000 (Green, Mark L., et al.)

Sidwell Parcel VTAU 27-13-402-006-09000 (Vestwood)

Sidwell Parcel VTAU 27-13-402-004-0000 (Vestwood)

Sidwell Parcel VTAU 27-13-452-001-0000 (Haglund, John E. and Oral O.)

Sidwell Parcel VTAU 27-13-476-007-000 (Cook, Don V.)

Sidwell Parcel VTAU 27-13-476-008-0000 (Cook, Don V. and Sandy City Corp.)

EXHIBIT B

DESCRIPTION OF PROPERTY WITHIN DISTRICT

Beginning N 89°55'40"W 198 feet from the Southeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence S 89°55'40"W 1122 feet, thence N 10°20'W 1342 feet, thence N 2°31'44"W 412.6 feet, thence Northerly along an 899.93 foot radius curve to the right 374.55 feet, thence N 17°19'39"E 94.45 feet, thence Northerly along a 1009.93 foot radius curve to the left 200.68 feet, thence N 00° 05'18"W 251.2 feet, thence East along the South line of 10600 South Street 176 feet, thence South 116.114 feet More or less along the westerly line of a 60 foot road, thence Southerly along a curve to the right 155.208 feet, thence S 39°W 7.945 feet, thence Southerly along a curve to the left 180.397 feet, thence S 86°53'11"E 60 feet, thence Northerly along a curve to the right 142.317 feet, thence N 39°E 7.945 feet, thence Northerly along a curve to the left 196.049 feet more or less, to a property corner thence East 165.00 feet, thence South 179.94 feet, thence East 518.76 feet, thence South 77.88 feet, thence East 99.72 feet, thence South 147.18 feet, thence West 39.00 feet, thence South 99.00 feet, thence East 491.5 feet to the West line of State Street, thence South 660 feet, thence West 488.2 feet, thence South 165 feet, thence East 488.2 feet, thence South 478 feet, thence S 27°30'56"W 261.2 feet, thence S 29°14'20"W 289.15 feet, thence S 18°04'20"W 184.73 feet to the point of beginning. Together with abutting public rights of way.

BR6268732646

Published April 5, 12, 19, + 26, 1990

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 27th day of March, 1990, the City Council of Sandy City, Salt Lake County, Utah (the "City"), adopted a resolution declaring its intention to create a special improvement district to be known as Sandy City, Utah Special Improvement District No. 90-1 (the "District"). It is the intention of the City Council to make improvements within the District and to levy special assessments as provided in Chapter 16, Title 10, Utah Code Annotated (1953), as amended, on the real estate lying within the District for the benefit of which such assessments are to be expended in the making of such improvements.

DESCRIPTION OF DISTRICT

The boundaries of the proposed District shall include all of the property as described on Exhibit B, together with any public rights-of-way abutting thereto.

INTENDED IMPROVEMENTS

For purposes of constructing the improvements and assessing properties so improved, the work will be divided into categories. The improvements to be constructed in each category of work are as follows:

A. Acquisition of Rights-of-Way:

Acquisition of the necessary land for 160 West Street, the extension of Crescent Way to the south and 10875 South Street. 160 West Street shall be a 60 foot wide right-of-way extending approximately 1,000 feet from 106th South Street connecting to Crescent Way. Crescent Way shall be an 80 foot right-of-way extending approximately 2,350 feet southward from its existing terminus to 110th South Street. 10875 South Street shall be a 66 foot wide right-of-way approximately 1,100 feet long between State Street and Crescent Way, except that the easterly 200 feet shall be 80 feet wide.

B. Water Distribution System:

Extension of water lines from 106th South Street within 160 West Street to Crescent Way; within the new sections of Crescent Way from the intersection with 160 West Street approximately 400 feet to the north and 1,450 feet to the south; and within 10875 South Street from Crescent Way connecting to State Street. Work shall also include fire hydrants along all streets at intervals of approximately one (1) per three hundred (300) feet of street length. In addition, water service stubs terminating in meter boxes shall be extended to each separate lot which will be served by the water lines. All work shall include the necessary valves, fittings and other accessories determined necessary by the City Engineer.

C. Storm Drainage System:

Installation of pipe, manholes, inlets and other appurtenant structures as may be required to provide accessibility to the storm drainage system from each separate lot within the District and storm drainage from the streets. Work shall include the necessary fittings and other accessories as determined by the City Engineer.

D. Sanitary Sewer:

[Sewer improvements may be reduced in scope or eliminated altogether depending upon the outcome of negotiations with the Salt Lake County Sewerage Improvement District No. 1 (the "Sewerage Improvement District").]

Construction of sanitary sewer system, together with the necessary pipe, manholes and service stubs to serve each separate lot within the District. All work shall be provided in accordance with the requirements of the Sewerage Improvement District and any separate agreements among Sandy City, the Sandy City Redevelopment Agency and the Sewerage Improvement District.

E. Street Improvements:

The construction of new roads and associated asphalt paving, decorative concrete paving, curb, gutter, sidewalk and drives along the new roads. New roads shall include approximately 1,000 lineal feet for 160 West Street; the extension of Crescent Way from its existing terminus approximately 2,350 lineal feet to the south; and approximately 1,000 lineal feet for 160 West Street; the extension of Crescent Way from its existing terminus approximately 2,350 lineal feet to the south; and approximately 1,100 lineal feet for 10875 South Street. Improvements shall be constructed in accordance with an approved area master plan and as determined necessary by the City Engineer.

F. Interstate 15 Landscaping:

Installation of fencing, grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements southward approximately 2,630 feet within the east side of the Interstate 15 right-of-way and in the area between Interstate 15 and the 106th South offramp. All work to be installed in accordance with agreement between Utah Department of Transportation, Sandy City and adjacent property owners.

G. Landscaping Along Other Streets:

Installation of grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements along 160 West Street, 10875 South Street and Crescent Way. All landscaping will be within

public rights-of-way except at special landscape feature areas which will be approximately 50 feet wide and 40 feet deep, located at alternating property lines and at the intersections of 106th South Street and Crescent Way and at 10875 South Street and State Street. Work may include decorative walls, street furniture, landscaping of any medians and maintenance reserves in accordance with an approved area master plan.

ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in the District as estimated by the City Engineer is \$2,582,209. In lieu of utilizing the City's existing guaranty fund, the City intends to create a special reserve fund to secure payment of the special assessment bonds the City anticipates issuing to finance the proposed improvements. The reserve fund will be funded from proceeds of the special assessment bonds in an amount equal to approximately 10% of the total cost of the proposed improvements, or \$258,221. The amount required to fund the reserve fund will be added to the total amount assessed against the properties benefiting from the improvements. The total cost of improvements, plus the amount necessary to fund the reserve fund, shall therefore be paid by a special assessment to be levied against the properties benefiting from the improvements as specified herein. The property owners' portion of the total estimated cost of the improvements may be financed during the construction period by the use of interim warrants, in which case the interest on said warrants will be assessed to the property owners. The City anticipates applying any moneys remaining in the Reserve Fund to the final payment on the special assessment bonds anticipated to be issued, which, in turn, would offset the final assessment payments to be made by the owners of property benefited by such improvements, all of which will be further described in the assessment ordinance to be adopted by the City. The properties to be assessed for the improvements in this District are described in Exhibit B attached hereto.

Costs of the improvements shall be assessed against the benefiting properties as follows:

<u>Improvements</u>	<u>Method of Assessment</u>	<u>Estimated Cost</u> **
Acquisition of Rights-of-Way	Area***	\$8,240 per acre
Water Distribution System	Area*	\$2,300 per acre
Storm Drainage System	Area*	\$4,310 per acre
Sanitary Sewer Improvements	Area*	\$2,215 per acre
Street Improvements	Front Footage	\$96 per front foot
I-15 Landscaping	25% of the total cost will be assessed on an area* basis, and the remaining 75% will be assessed on a front footage basis against those properties fronting I-15	\$785 per acre \$66 per front foot
Other Landscaping	Front footage	\$36.30 per front foot

LEVY OF ASSESSMENTS

It is the intention of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed improvements within the District. The purpose of the assessment and levy is to pay those costs of the improvements which the City will not assume and pay. The method of assessment shall be by area and front footage as set forth hereinabove.

**The Estimated Cost includes an allowance for overhead costs, including fiscal agent, legal and other overhead costs incidental to the creation of the District. It does not, however, include the cost of funding the reserve fund as described hereinabove. The funding of the reserve fund would increase estimated costs approximately 10%.

***Each property owner will be assessed proportionate to the net area remaining after street acquisitions wherein the numerator shall be the net area of each parcel and the denominator shall be the net area of the entire District.

The assessments may be paid by property owners in twenty (20) annual installments with interest on the unpaid balance at a rate or rates fixed by the City, or the whole or any part of the assessment may be paid without interest within fifteen (15) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the District. Other payment provisions and enforcement remedies shall be in accordance with Chapter 16, Title 10, Utah Code Annotated, 1953, as amended.

A map of the proposed District, copies of plans, profiles and specifications of the proposed improvements and other related information are on file in the office of the City Engineer who will make such information available to all interested persons.

TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the District described in this Notice of Intention shall have the right to file in writing a protest against the creation of the District or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned of record by the person or persons making the protest and shall indicate the total acreage and front footage represented by said protest. Protests shall be filed with the City Recorder of Sandy City, Utah, on or before 5:00 p.m. on the 7th day of May, 1990. Thereafter at 7:30 p.m. on the 8th day of May, 1990, the City Council will meet in public meeting at the offices of the City Council to consider all protests so filed and hear all objections relating to the proposed District.

After such consideration and determination, the City Council shall adopt a resolution either abandoning the District or creating the District either as described in this Notice of Intention or with deletions and changes made as authorized by law; but the City Council shall abandon the District and not create the same if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention for the filing of protests after eliminating from such filed protests: (i) protests relating to property or relating to a type of improvement which has been deleted from the District and (ii) protests which have been withdrawn in writing prior to the conclusion of the hearing. The necessary number of protests with respect to improvements assessed on an area basis shall mean:

Protests representing one-half of the total acreage of the property to be assessed.

The necessary number of protests with respect to improvements assessed on a front footage basis shall mean:

Protests representing one-half of the total front footage of the property to be assessed.

BY ORDER OF THE CITY COUNCIL OF SANDY CITY, UTAH

/s/ Shirley Bloxham
City Recorder

Posted April 2, 1990

Published in the Green Sheet, on April 5, 12, 19 and 26, 1990.

BK6268PG2652

EXHIBIT B

DESCRIPTION OF PROPERTY WITHIN DISTRICT

Beginning N 89°55'40"W 198 feet from the Southeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence S 89°55'40"W 1122 feet, thence N 10°20'W 1342 feet, thence N 2°31'44"W 412.6 feet, thence Northerly along an 899.93 foot radius curve to the right 374.55 feet, thence N 17°19'39"E 94.45 feet, thence Northerly along a 1009.93 foot radius curve to the left 200.68 feet, thence N 00° 05'18"W 251.2 feet, thence East along the South line of 10600 South Street 176 feet, thence South 116.114 feet More or less along the westerly line of a 60 foot road, thence Southerly along a curve to the right 155.208 feet, thence S 39°W 7.945 feet, thence Southerly along a curve to the left 180.397 feet, thence S 86°53'11"E 60 feet, thence Northerly along a curve to the right 142.317 feet, thence N 39°E 7.945 feet, thence Northerly along a curve to the left 196.049 feet more or less, to a property corner thence East 165.00 feet, thence South 179.94 feet, thence East 518.76 feet, thence South 77.88 feet, thence East 99.72 feet, thence South 147.18 feet, thence West 39.00 feet, thence South 99.00 feet, thence East 491.5 feet to the West line of State Street, thence South 660 feet, thence West 488.2 feet, thence South 165 feet, thence East 488.2 feet, thence South 478 feet, thence S 27°30'56"W 261.2 feet, thence S 29°14'20"W 289.15 feet, thence S 18°04'20"W 184.73 feet to the point of beginning. Together with abutting public rights of way.

BK 6268762653

Proof of Publication

COUNTY OF SALT LAKE }
STATE OF UTAH }

ss.

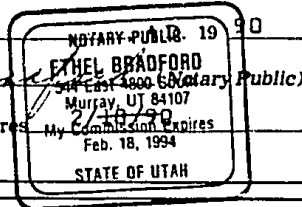
I, Robert L. Prince, first being duly sworn, depose and say that I am publisher of The Green Sheet, a weekly newspaper of general circulation published every Thursday, at Salt Lake City, Utah, that the notice attached hereto and which is a part of proof No. _____ of _____ Sandy City - Notice of Intention

was published in said newspaper for four consecutive times
The first publication having been made on the 5th day of April, 1990,
and the last publication on the 26th day of April, 1990, that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in a newspaper proper and not in a supplement.

Robert L. Prince

Subscribed and sworn to before me this 26th day of April

Ethel Bradford
My Commission expires 2/18/94



Pg 3654

BK 6268 PG 2654

**SANDY CITY
NOTICE OF INTENTION**

PUBLIC NOTICE IS HEREBY GIVEN that on the 27th day of March, 1960, the City Council of Sandy City, Salt Lake County, Utah (the "City"), adopted a resolution declaring its intention to create a special improvement district to be known as Sandy City, Utah Special Improvement District No. 80-1 (the "District"). It is the intention of the City Council to make improvements within the District and to levy special assessments as provided in Chapter 14, Title 16, Utah Code Annotated (1953), as amended, on the real estate lying within the District for the benefit of which such assessments are to be expended in the making of such improvements.

DESCRIPTION OF DISTRICT

The boundaries of the proposed District shall include all of the property as described on Exhibit B, together with any public rights-of-way abutting thereto.

INTENDED IMPROVEMENTS

For purposes of constructing the improvements and assessing properties so improved, the work will be divided into categories. The improvements to be constructed in each category of work are as follows:

A. Acquisition of Right-of-Way:

Acquisition of the necessary land for 180 West Street, the extension of Crescent Way to the south and 1077 1/2 South Street. 180 West Street shall be a 60 foot wide right-of-way extending approximately 1,000 feet from 106th South Street connecting to Crescent Way. Crescent Way shall be an 80 foot right-of-way extending approximately 2,300 feet southward from its existing terminus to 118th South Street. 1077 1/2 South Street shall be a 60 foot wide right-of-way approximately 1,100 feet long between State Street and Crescent Way, except that the easterly 200 feet shall be 80 feet wide.

B. Water Distribution System:

Extension of water lines from 106th South Street within 180 West Street to Crescent Way; within the new sections of Crescent Way from the intersection with 180 West Street approximately 400 feet to the north and 1,420 feet to the south; and within 1077 1/2 South Street from Crescent Way connecting to State Street. Work shall also include fire hydrants along all streets at intervals of approximately one (1) per three hundred (300) feet of street length. In addition, water service stubs terminating in meter boxes shall be extended to each separate lot which will be served by the water lines. All work shall include the necessary valves, fittings and other accessories determined necessary by the City Engineer.

C. Storm Drainage System:

Installation of pipe, manholes, inlets and other appurtenant structures as may be required to provide accessibility to the storm drainage system from each separate lot within the District and storm drainage from the streets. Work shall include the necessary fittings and other accessories as determined by the City Engineer.

D. Sanitary Sewer:

(Sewer improvements may be reduced in scope or eliminated altogether depending upon the outcome of negotiations with the Salt Lake County Sewerage Improvement District No. 1 (the "Sewerage Improvement District").)

Construction of sanitary sewer system, together with the necessary pipe, manholes and service stubs to serve each separate lot within the District. All work shall be provided in accordance with the requirements of the Sewerage Improvement District and any separate agreements among Sandy City, the Sandy City Redevelopment Agency and the Sewerage Improvement District.

E. Street Improvements:

The construction of new roads and associated asphalt paving, decorative concrete paving, curb, gutter, sidewalk and drives along the new roads. New roads shall include approximately 1,000 lineal feet for 180 West Street; the extension of Crescent Way from its existing terminus approximately 2,300 lineal feet to the south; and approximately 1,000 lineal feet for 1077 1/2 South Street; the extension of Crescent Way from its existing terminus approximately 2,300 lineal feet to the south; and approximately 1,100 lineal feet for 1077 1/2 South Street. Improvements shall be constructed in accordance with an approved area master plan and as determined necessary by the City Engineer.

F. Interstate 15 Landscaping:

Installation of fencing, grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements southward approximately 2,400 feet within the east side of the Interstate 15 right-of-way and in the area between Interstate 15 and the 106th South off ramp. All work to be installed in accordance with agreement between Utah Department of Transportation, Sandy City and adjacent property owners.

G. Landscaping Along Other Streets:

Installation of grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements along 180 West Street, 1077 1/2 South Street and Crescent Way. All landscaping will be within public rights-of-way except at special landscape features areas which will be approximately 50 feet wide and 40 feet deep, located at alternating property lines and at the intersections of 106th South Street and Crescent Way and at 1077 1/2 South Street and State Street. Work may include decorative walls, street furniture, landscaping of any medians and maintenance reserves in accordance with an approved area master plan.

ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in the District as estimated by the City Engineer is \$2,562,206. In lieu of utilizing the City's existing guaranty fund, the City intends to create a special reserve fund to secure payment of the special assessment bonds the City anticipates issuing to finance the proposed improvements. The reserve fund will be funded from proceeds of the special assessment bonds in an amount equal to approximately 10% of the total cost of the proposed improvements, or \$256,221. The amount required to fund the reserve fund will be added to the total amount assessed against the properties benefiting from the improvements. The total cost of improvements, plus the amount necessary to fund the reserve fund, shall therefore be paid by a special assessment to be levied against the properties benefiting from the improvements as specified herein. The property owners' portion of the total estimated cost of the improvements may be financed during the construction period by the use of interim warrants, in which case the interest on said warrants will be assessed to the property owners. The City anticipates applying any moneys remaining in the Reserve Fund to the final payment on the special assessment bonds anticipated to be issued, which, in turn, would offset the final assessment payment to be made by the owners of property benefited by such improvements, all of which will be further described in the assessment ordinance to be adopted by the City. The properties to be assessed for the improvements in this District are described in Exhibit B attached hereto.

BR 6260162655

Costs of the improvements shall be assessed against the benefiting properties as follows:

Improvements	Method of Assessment	Estimated Cost**
Acquisition of Rights-of-Way	Area***	\$4,240 per acre
Water Distribution System	Area*	\$2,300 per acre
Storm Drainage System	Area*	\$4,210 per acre
Sanitary Sewer Improvements	Area*	\$2,215 per acre
Street Improvements	Front Footage	\$68 per front foot
I-15 Landscaping	25% of the total cost will be assessed on an area* basis, and the remaining 75% will be assessed on a front footage basis against those properties fronting I-15	\$735 per acre \$48 per front foot
Other Landscaping	Front Footage	\$36.30 per front foot

LEVY OF ASSESSMENTS

It is the intention of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed improvements within the District. The purpose of the assessment and levy is to pay those costs of the improvements which the City will not assume and pay. The method of assessment shall be by area and front footage as set forth hereinabove.

**The Estimated Cost includes an allowance for overhead costs, including fiscal agent, legal and other overhead costs incidental to the creation of the District. It does not, however, include the cost of funding the reserve fund as described hereinabove. The funding of the reserve fund would increase estimated costs approximately 10%.

***Each property owner will be assessed proportionate to the net area remaining after street acquisitions wherein the numerator shall be the net area of each parcel and the denominator shall be the net area of the entire District.

The assessments may be paid by property owners in twenty (20) annual installments with interest on the unpaid balance at a rate or rates fixed by the City, or the whole or any part of the assessment may be paid without interest within fifteen (15) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the District. Other payment provisions and enforcement remedies shall be in accordance with Chapter 14, Title 10, Utah Code Annotated, 1963, as amended.

A map of the proposed District, copies of plans, profiles and specifications of the proposed improvements and other related information are on file in the office of the City Engineer who will make such information available to all interested persons.

TIME FOR FILING PROTESTS

Any person who in the course of record of property to be assessed in the District described in this Notice of Intention shall have the right to file a protest against the creation of the District or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned or record by the person or persons making the protest and shall indicate the total acreage and front footage represented by said protest. Protests shall be filed with the City Recorder of Sandy City, Utah, on or before 8:00 p.m. on the 7th day of May, 1980. Thereafter at 7:30 p.m. on the 21st day of May, 1980, the City Council will meet in public meeting at the offices of the City Council to consider all protests so filed and hear all objections relating to the proposed District.

After such consideration and determination, the City Council shall adopt a resolution either abandoning the District or creating the District either as described in this Notice of Intention or with deletions and changes made as authorized by law; but the City Council shall abandon the District and not create the same if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention for the filing of protests after eliminating from such filed protests: (1) protests relating to property or relating to a type of improvement which has been deleted from the District and (2) protests which have been withdrawn in writing prior to the conclusion of the hearing. The necessary number of protests with respect to improvements assessed on an area basis shall mean:

Protests representing one-half of the total acreage of the property to be assessed.

The necessary number of protests with respect to improvements assessed on a front footage basis shall mean:

Protests representing one-half of the total front footage of the property to be assessed.

BY ORDER OF THE CITY COUNCIL OF SANDY CITY, UTAH

Shirley Blinham
City Recorder

**Exhibit B
DESCRIPTION OF PROPERTIES WITHIN DISTRICT**

- Sidwell Parcel VTAU 27-13-476-001-0000 (Freeman, Beiva C., Eric A., Karl F. and Keith W.)
- Sidwell Parcel VTAU 27-13-476-005-0000 (Freeman, Beiva C., Eric A., Karl F. and Keith W.)
- Sidwell Parcel VTAU 28-18-321-002-0000 (Freeman, Beiva C., Eric A., Karl F. and Keith W.)
- Sidwell Parcel VTAU 27-13-427-011-0000 (Smith, Charles E. and Ethel)
- Sidwell Parcel VTAU 27-13-427-019-0000 (Green, Mark L., et al)
- Sidwell Parcel VTAU 27-13-427-018-0000 (K.D. Kraft and Novelty, Inc. Distributors)
- Sidwell Parcel VTAU 27-13-427-015-0000 (Green, Mark L., et al.)
- Sidwell Parcel VTAU 27-13-402-006-0000 (Vestwood)
- Sidwell Parcel VTAU 27-13-402-004-0000 (Vestwood)
- Sidwell Parcel VTAU 27-13-452-001-0000 (Haglund, John E. and Oral O.)
- Sidwell Parcel VTAU 27-13-476-007-000 (Cook, Don V.)
- Sidwell Parcel VTAU 27-13-476-008-0000 (Cook, Don V. and Sandy City Corp.)

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