

PLEASE RETURN TO:
Melanie Briggs
City Recorder
8000 S. Redwood Rd.
West Jordan, UT 84088

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 13-27

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08/12/2013 03:28 PM \$0.00
Book - 10168 Pg - 1714-1720
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
WEST JORDAN CITY
8000 S REDWOOD RD
WEST JORDAN UT 84088
BY: SAM, DEPUTY - WI 7 P.

***An Ordinance Designating and Establishing The Highlands Assessment Area
Encompassing the Highlands Master Development Area.***

Whereas, Title 11, Chapter 42 of the Utah Code authorizes the City to establish an assessment area, under certain requirements, for the purpose of maintaining public improvements;

Whereas, the City has determined and agreed to utilize an assessment area to maintain public improvements to be constructed in the Highlands master development area;

Whereas, a survey and examination of boundary has been completed and the boundaries of the proposed assessment area are known;

Whereas, the proposed boundary of the proposed The Highlands Assessment Area and the proposed terms of operation of the assessment area were duly and timely published in a Notice of Intent to Designate Assessment Area at least 60 days prior to the date hereof, all as required by the Utah Code, Title 11, Chapter 42;

Whereas, no protest has been received from anyone owning property within the proposed assessment area;

Whereas, the published methodology for determining the monthly assessment charge to residents of the proposed assessment, as amended and disclosed herein, is found to be fair and reasonable; and

Whereas, the designation and establishment of The Highlands Assessment Area is in the best interests of the City and its residents,

NOW THEREFORE, BE IT ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. The City does hereby designate and establish an assessment area under Title 11, Chapter 42 of the Utah Code encompassing the master development area known as The Highlands, to be known as The Highlands Assessment Area. A map showing the boundaries of The Highlands Assessment Area is attached to this ordinance and is by this reference incorporated herein.

Section 2. Open space public improvements within The Highlands Assessment Area, once constructed and through the end of any applicable warranty period, when and if dedicated to, and accepted by, the City, will be maintained thereafter by the City through The Highlands Assessment Area.

Section 3. Each year, in connection with the City budget process, the City will determine the projected costs of maintaining the open space public improvements within The Highlands Assessment Area, which costs may be based on City personnel and materials being used or based on the bid cost for personnel and materials from a third party contractor. These total projected costs of maintenance of open space public improvements within The Highlands Assessment Area, when non-maintenance expenses of the assessment area (mailing expenses, publication expenses, professional fees expense, etc) are added thereto, will constitute the assessment area's budget for the succeeding 12 calendar months.

Section 4. The City will be responsible for paying twenty percent (20%) of the total annual budget of the assessment area each year out of its general funds. Because maintenance of public improvements is seasonal in nature, the City may advance funds out of its general funds for the benefit of the assessment area during the maintenance season, which advanced funds can be collected and reimbursed from the assessments thereafter collected within the assessment area during both the maintenance season and the non-maintenance season.

Section 5. The Highlands Assessment Area shall be divided into equivalent residential units ("ERUs) for the purpose of assessing budget-based fees within the assessment area. An ERU is:

- A single family residence, or
- A single residential condominium unit, or
- Each living unit in a duplex, tri-plex or four-plex, or
- Each commercial business, or, if the business occupies more than one quarter-acre of land, each quarter-acre of land occupied by a single commercial business, or
- Each living unit in an apartment building, or
- Each quarter-acre of undeveloped land. Land area measuring less than a quarter acre shall be rounded to the nearest whole quarter acre.

The owner of each single family home, regardless of size, will be assessed one ERU portion of a total developed residential assessment levy. The owner of each residential condominium unit will be assessed one ERU portion of a developed residential assessment levy. The owner of a rental duplex, tri-plex, four-plex or a larger apartment building will be assessed one ERU portion of a developed residential assessment levy for each residential unit in the building.

Land underlying any commercial building will be assessed one ERU portion of a commercial property assessment levy for each separate business entity on such land, provided that if a single business entity occupies more than one quarter-acre of land, such property will be assessed as many ERU's that equals the land area occupied by that business. Finally the owner of undeveloped land will be assessed one ERU portion of an undeveloped assessment levy for every quarter-acre of such land within the Assessment Area. (Undeveloped land means land on which no development has yet taken place.) Land area less than a quarter-acre will be rounded to the nearest whole quarter-acre. For example, undeveloped or commercial land measuring 49/100 of a quarter-acre or less would be ignored if connected to one or more otherwise qualified ERUs. On the other hand, undeveloped or commercial land measuring 50/100 of a quarter-acre or more will be rounded up to another whole ERU.

Government-owned land and facilities (for example, the Mountain View Corridor owned and operated by the State of Utah), land and facilities owned by school districts and churches, and public utility-owned land and facilities will be exempt from assessment and levy.

Section 6. Developed residential property, including single family homes, residential condominiums, and apartments, are the primary beneficiaries of the Improvements. Therefore developed residential property, in the aggregate, will bear **92% of the total costs** of maintenance of the Improvements each year (net of the portion of these costs to paid by the City). This is the "developed residential assessment levy". For this purpose, developed residential property includes property as to which all infrastructure is installed and subdivided lots are identified and ready to be built upon.

Developed commercial properties benefit less than developed residential properties from the Improvements, but they do benefit directly and indirectly. Therefore developed commercial property will bear, in the aggregate, **5% of the total costs** of maintenance of the Improvements each year (net of the portion of these costs to paid by the City). This is the "developed commercial assessment levy" mentioned above. For this purpose, developed commercial property includes property as to which all infrastructure is installed and subdivided pads are identified and ready to be built upon.

Undeveloped property benefits less than developed residential or commercial properties from the Improvements, but these properties do benefit importantly because the Improvements in the Assessment Area provide a valuable inducement and selling point for the owners of these properties. Therefore undeveloped property will bear, in the aggregate, **3% of the total costs** of maintenance of the Improvements each year (net of the portion of these costs to paid by the City). This is the "undeveloped property assessment levy" mentioned above. Once undeveloped property is developed, it will become either developed commercial property or developed residential property, and will be assessed accordingly.

Section 7. The City Clerk shall file a certified copy of this Ordinance with the Salt Lake County Recorder.

Section 8. The creation of a Board of Equalization called for by Utah Code Title 11, Chapter 42, Section 403 is deferred pending the decision to begin the levy of assessments within The Highlands Assessment Area.

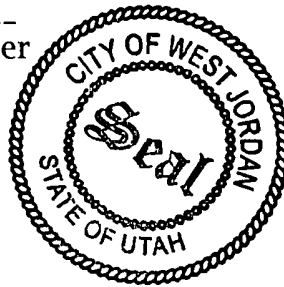
Adopted by the City Council of West Jordan, Utah this 31st day of July, 2013.

CITY OF WEST JORDAN

ATTEST:

By: Melissa Johnson
Mayor Melissa K. Johnson

Melanie Briggs
Melanie Briggs, City Clerk / Recorder



Voting by the City Council

	"AYE"	"NAY"
Judy Hansen	✓	-----
Clive M. Killpack	✓	-----
Chris McConnehey	✓	-----
Chad Nichols	✓	-----
Ben Southworth	✓	-----
Justin D. Stoker	✓	-----
Mayor Melissa K. Johnson	✓	-----

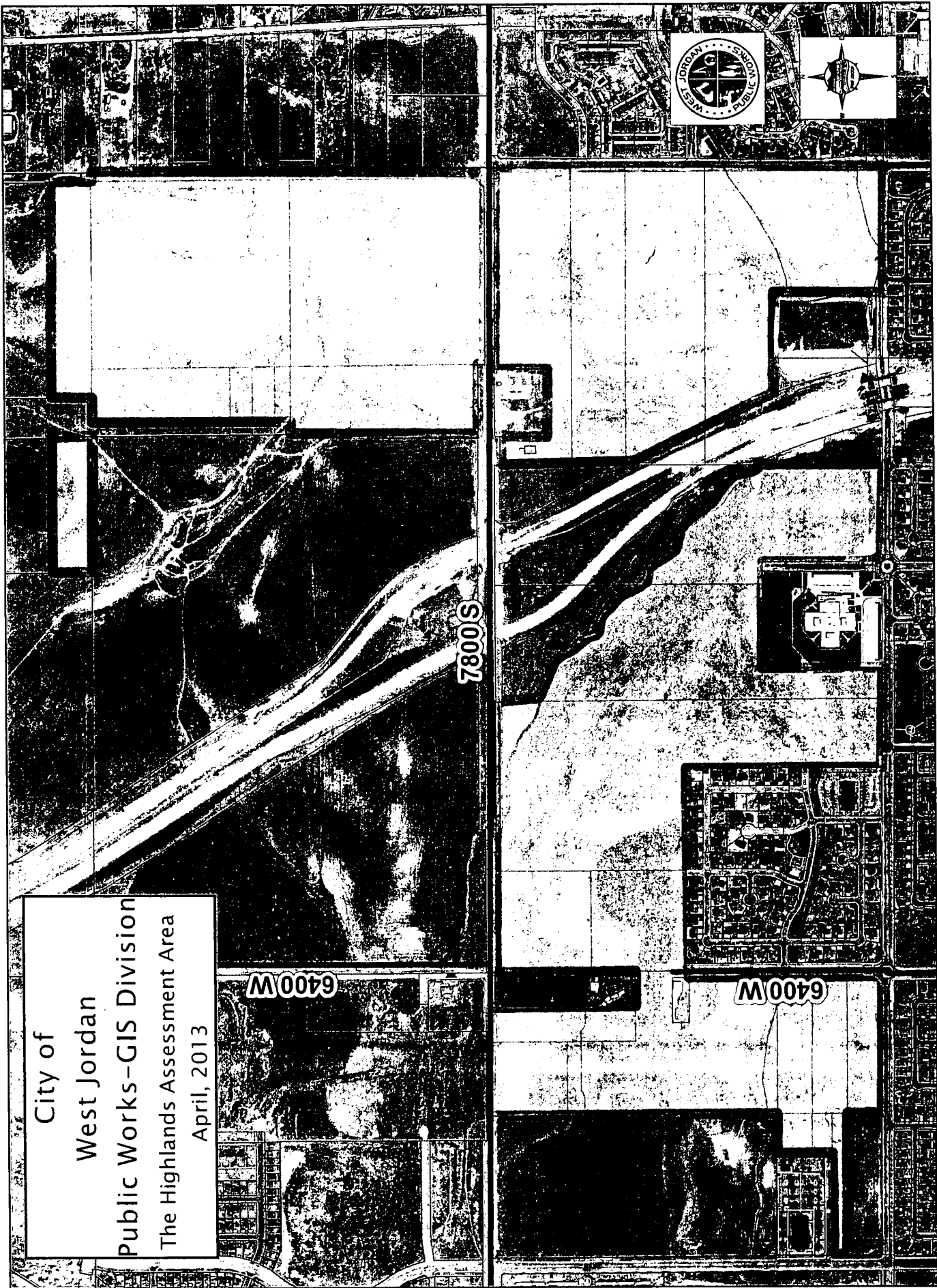
CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

ORD 13-27
I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the 10 day of August, 2013, pursuant to Utah Code Annotated, 10-3-711.

Melanie S. Briggs
MELANIE S. BRIGGS, MMC
City Clerk/Recorder



City of
West Jordan
Public Works-GIS Division
The Highlands Assessment Area
April, 2013



All Locations Approximate
Not For Use As Legal Property Description
or Engineering Design Purposes
Some Items Subject to Change Without Notice

Copyright West Jordan City GIS-CAS
The City (GIS DATA)
SAA SAA_April2013.mxd
was produced on April 29, 2013

parcel_id	own_name	prop_locat	parcel_acr
20352000330000	BROOKLANDS, INC	5672 W 8200 S	15.240000000000
20342000140000	V & L DEVELOPMENT, INC	8173 S 6540 W	4.770000000000
20342760030000	V & L DEVELOPMENT, INC	8147 S 6700 W	2.200000000000
20352000360000	CREEKSIDE SUBDIVISION, LLC	5701 W 7800 S	3.970000000000
20342000130000	V & L DEVELOPMENT, INC	8139 S 6540 W	4.760000000000
20342760020000	V & L DEVELOPMENT, INC	6688 W CHURCH VIEW DR	0.840000000000
20342000420000	JSB CORPORATION	8105 S 6540 W	4.520000000000
20342760010000	V & L DEVELOPMENT, INC	6688 W CHURCH VIEW DR	1.490000000000
20351000240000	BROADMEADOW SUBDIVISION,	6111 W 7800 S	5.650000000000
20342000410000	CANYON RANCHES, LC	8071 S 6540 W	1.070000000000
20352000330000	BROOKLANDS, INC	5672 W 8200 S	15.240000000000
20352000320000	CANYON RANCHES, LC; ET AT	5672 W 8200 S	16.340000000000
20342000370000	PESTER, OSCAR W &	8003 S 6540 W	0.740000000000
20352000350000	POND HOUSE, LLC	5701 W 7800 S	15.240000000000
20352000270000	BUNTS & SINGLES, LLC	5701 W 7800 S	21.920000000000
20351000210000	CANYON RANCHES, LC &	6351 W 7800 S	10.000000000000
20342000400000	BOYER LONEVIEW, LC	8037 S 6540 W	23.560000000000
20352000060000	BUNTS & SINGLES LLC	5701 W 7800 S	16.820000000000
20342000380000	V & L DEVELOPMENT, INC	7911 S 6540 W	1.110000000000
20351000230000	KFP CORPORATION	5701 W 7800 S	21.770000000000
20352000250000	BUNTS & SINGLES, LLC	5701 W 7800 S	20.880000000000
20351000220000	CANYON RANCHES, LC &	6111 W 7800 S	42.500000000000
20351000200000	GARBETT LAND INVESTMENTS,	6351 W 7800 S	10.000000000000
20342000390000	V & L DEVELOPMENT, INC	6451 W 7800 S	3.040000000000
20342000220000	JSB CORPORATION	7847 S 6540 W	5.530000000000
20264000230000	CENTENNIAL LAND, LLC ET AL	5710 W 7800 S	36.810000000000
20264000210000	POND HOUSE, LLC	5850 W 7800 S	12.650000000000
20264000200000	POND HOUSE LLC	7300 S 5600 W	0.860000000000
20264000180000	POND HOUSE LLC	7300 S 5600 W	1.260000000000
20264000160000	POND HOUSE LLC	7300 S 5600 W	1.250000000000
20264000260000	CENTENNIAL LAND, LLC; ET AL	7300 S 5600 W	11.420000000000
20264000250000	POND HOUSE, LLC	7300 S 5600 W	1.230000000000
20264000240000	IVORY LAND CORP	7300 S 5600 W	41.550000000000
20262000080000	CAPB PROPERTIES LLC &	5893 W 7000 S	5.190000000000