

RETURNED
JAN 16 2003

E 1823563 B 3208 P 1362
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2003 JAN 16 4:43 PM FEE .00 DEP MEC
REC'D FOR BOUNTIFUL CITY

RESOLUTION NO. 2003-01

A RESOLUTION TO CREATE THE BOUNTIFUL CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2002-1 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 RELATED MATTERS.

WHEREAS, the City Council of Bountiful City, Davis County, Utah (the "City"), has determined 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, which has been published and mailed as required by law and is attached hereto as "Exhibit A;" and

WHEREAS, the City Council has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or making of any of the improvements therein or on any other matter pertinent to the District.

NOW THEREFORE BE IT RESOLVED by the City Council of Bountiful City, Davis County, Utah:

Section 1. The improvements proposed and described in the Notice of Intention to create the District are hereby authorized and the Bountiful City, Utah Special Improvement District 2002-1 is hereby created.

Section 2. The properties to be included in the District described in the original Notice of Intention are approved by the City Council. The legal description and tax identification number of said properties are more fully set forth on Exhibit "B" attached hereto.

Section 3. As required by law, the City Recorder is hereby authorized and directed to file a copy of the Notice of Intention and 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 Davis County Recorder's office within five days from the date hereof. E 1823563 B 3208 P 13631

Section 4. In addition to the requirements of Section 3 hereof, immediately upon its adoption, this Resolution shall be placed in the records of the City where it will be continuously available for public inspection on a reasonable basis at the office of the City during regular business hours of the City, from and after the date hereof through and including the last date of issuance of the bonds or such other time as is determined by the City.

Councilmember Moss seconded the motion to adopt the foregoing Resolution. The Resolution was thereupon put to a vote and adopted on the following recorded vote:

Those voting AYE:

J. Gordon Thomas
Barbara Holt
R. Fred Moss
Thomas Tolman

Those voting NAY:

None

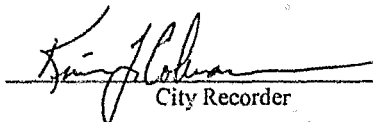
Thereupon the motion was approved by the Mayor and made a matter of record by the City Recorder.

ADOPTED AND APPROVED January 14, 2003.



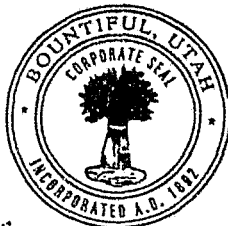
Mayor

ATTEST:




City Recorder

(SEAL)



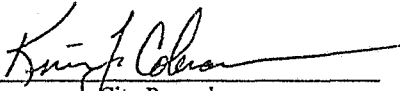
(Here follows other business not pertinent to the above.)

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



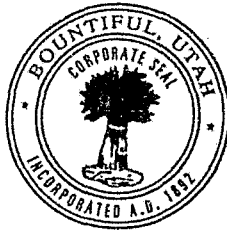
Mayor

ATTEST:



City Recorder

(SEAL)



STATE OF UTAH)
COUNTY OF DAVIS)

: ss.

E 1823563 B 3208 P 1365 . .

I, Kim J. Coleman, the duly appointed, qualified City Recorder of Bountiful City, Utah, do hereby certify as follows:

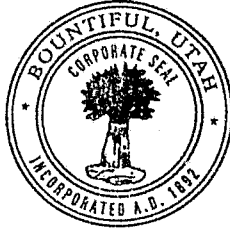
That the foregoing pages constitute a full, true and correct copy of the record of proceedings of the City Council of Bountiful City, Utah, held on January 14, 2003, insofar as said proceedings relate to the hearing of protests against the establishment of the Bountiful City, Utah Special Improvement District No. 2002-1 and a resolution establishing said special improvement district as the same appears of record in my office. I personally attended said meeting, and the proceedings were in fact as specified in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City January 14, 2003.



City Recorder

(SEAL)



NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 26th day of November, 2002, the City Council of Bountiful City, Utah (the "City Council"), adopted a resolution declaring its intention to create a special improvement district to be known as the Bountiful City, Utah Special Improvement District No. 2002-1 (the "District"). It is the intention of the Council to make improvements within or adjacent to the District and to levy special assessments as provided in Title 17A, Chapter 3, Part 3, Utah Code Annotated 1953, as amended, on the real estate lying within the District for the benefit of which such assessments are to be assessed in the making of such improvements.

DESCRIPTION OF DISTRICT

The proposed District shall have the following boundaries:

Beginning at a point on the centerline of Utah State Highway 106 in Bountiful City, Utah, which point is N 89°53'57"E 267.30 ft. along the Section line and N 26°51'21"E 861.06 ft. along the centerline of said Highway 106 from the Southwest Corner of Section 30, T.2N., R.1E., S.L.B.& M. and running thence S 63°08'39"E 571.99 ft. to the centerline of Main Street; thence N 31°14'47"E 951.45 ft. along the centerline of Main Street to the centerline of 200 West Street; thence N 0°09'21"E 274.98 ft. along the centerline of 200 West Street; thence N 89°46'19"W 179.00 ft.; thence N 0°09'21"E 90.18 ft.; thence N 89°44'49"W 293.85 ft.; thence N 63°08'39"W 58.00 ft. to the centerline of Utah State Highway 106; thence S 26°51'21"W 1,063.07 ft. along the centerline of said Highway 106 to the point of beginning. Containing approximately 15.7843 acres.

INTENDED IMPROVEMENTS

The improvements (the "Improvements") to be constructed and their location within or adjacent to the District are as follows:

1. Phase 1: The acquisition of land and the installation and construction of the following improvements:

(a) Storm Drain Pipes: Including manholes, inlet boxes and catch basins along the easterly boundary of State Road 106 between 1800 South and 1500 South Streets and across the Renaissance property.

(b) Curb, Gutter, Sidewalk, Drive Entrances, Street Paving and Street Lighting: Along the west side of Main Street, 1800 South to 1500 South; along the south side of 1500 South, Main Street to State Road 106; and along the east side of State Road 106, southeasterly on the Renaissance property.

(c) Culinary Water Pipes: Including valves, service lines, fire hydrants and accessories for service from 1500 South Street and Utah State Road 106, southeasterly on the Renaissance property.

(d) Excavation, Grading and Site Preparation: For the construction of utility improvements as described above from 1500 South Street and Utah State Road 106, southeasterly on the Renaissance property.

(e) City Fees: For the construction of power utility lines, street improvements costs, power line relocations and all other related fees for the utility development of the Renaissance Towne Center site property.

(f) Engineering Design, Surveying: and layout of all of the above utilities and improvements.

(g) Parking Structure: the acquisition of land and the construction thereon of a portion of a public parking structure located on Main Street at approximately 1488 South.

2. Phase 2: Construction of the following improvements north of 1500 South Street between Utah State Road 106 and Main Street on City property and the Renaissance property:

(a) Sanitary Sewer: Including manholes and service laterals.

(b) Storm Drain Pipes: Manholes, inlet boxes, catch basins and detention basin.

(c) Curb, Gutter, Sidewalks, Drive Entrances, Street Paving and Street Lighting: Along 1500 South Street between Utah State Road 106 and Main Street.

(d) City Fees: For the construction of power utility lines, street improvements costs, power line relocations, and all other related fees for the utility development of the Renaissance Sports Complex site property.

(e) Engineering, Design, Surveying and layout of the above utilities and improvements.

METHOD OF ASSESSMENT

ESTIMATED COST OF IMPROVEMENTS

The total cost of Improvements in the District including overhead costs and the funding of a reserve fund, is estimated to be approximately \$2,170,000 of which the City will pay \$0, leaving a remainder of \$2,170,000 which shall be paid by a special assessment to be levied against the property which may be affected or specifically benefited by such Improvements. 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. In lieu of utilizing a guaranty fund, the City Council intends to create a special reserve fund to secure payment of the special assessment bonds (the "Bonds") anticipated to be issued to finance the proposed Improvements. The reserve fund will be initially funded with proceeds of the Bonds in an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued, plus amounts sufficient to pay capitalized interest on the Bonds for a two-year period. The City Council anticipates applying any moneys remaining in the reserve fund to the final payment on the Bonds 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 Council. In addition, estimated costs of assessment include estimated overhead costs which the City projects to incur in the creation and administration of the District. The estimated cost of the proposed Improvements will be assessed against the properties within the District on a combination front footage/area basis as determined by the City Council.

LEVY OF ASSESSMENTS

It is the intention of the City to levy assessments as provided by the laws of Utah and upon approval by the City Council of Bountiful City, Utah, on all parcels and lots of real property to be benefited by the proposed Improvements within the District as described herein. 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 a combination front footage/area method as set forth herein.

The assessments may be paid by property owners in not more than 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 Title 17A, Chapter 3, Part 3, Utah Code Annotated 1953, as amended.

A map of the proposed District, copies of plans 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 lots represented by said protest. Protests shall be filed with the City Recorder of Bountiful City, Utah, on or before 5:00 p.m. on the 13th day of January, 2003. Thereafter at 7:00 p.m. on the 14th day of January, 2003, the City Council of Bountiful City, Utah, 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 shall mean the aggregate of the following: Protests representing one-half of the total front footage and/or acreage to be assessed.

APPROVED BY THE CITY COUNCIL OF BOUNTIFUL CITY, UTAH

1 E 1823563 B 3208 P 1370

/s/ Kim J. Coleman
City Recorder

Published in the Davis County Clipper

Publication Dates: December 10, December 17, December 24 and December 31, 2002.

03-038-0022

LILD

LAND INDEX SYSTEM

LEGAL DESCRIPTION

 SERIAL# 03-038-0022 ACRES 1.7 ACRES PAGE 1. INFO DATE 01/16/2003
 TAX NAME 2004: TOWN CENTER L.L.C.
 PROP. ADDRESS: 280 WEST 1500 SOUTH BOUNTIFUL E 1823563 B 3208 P 1371

LEGAL DESCRIPTION:

BEG ON N LN OF A ST (1500 S) SD PT GIVEN AS W 316 FT ALG SD STR FR THE SE COR OF LOT 5, BLK K, NMC PLAT, BTFL TS SUR; & RUN TH N 0°04'00" E 367.64 FT; TH S 89°49'30" W 123.94 FT TO THE E'LY R/W LN OF STATE HYW 106; TH S 26°48'30" W ALG SD R/W LN 398.22 FT; TH S 00°14'00" E 13.08 FT TO THE N LN OF SD STR (1500 S); TH N 89°46'00" E ALG SD STR 303.06 FT TO THE POB. CONT. 1.70 ACRES

LEGAL COMPLETE

1

RECORD BOOK

1/16/03

LILD	LAND INDEX SYSTEM	LEGAL DESCRIPTION
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 SERIAL# 03-038-0023 ACRES 1.428 ACRES PAGE 1. INFO DATE 01/16/2003
 TAX NAME 2004: RENAISSANCE TOWNE PROPERTIES, LLC
 PROP. ADDRESS: 224 WEST 1500 SOUTH BOUNTIFUL

LEGAL DESCRIPTION:

BEG ON THE N LN OF A STR AT A PT N 89°59' W 146 FT ALG SD STR FR THE SE COR OF L
 OT 5, BLK K, NMC, BTFL TS, SURV; & RUN TH N 89°59' W 170 FT ALG SD STR TO
 TR; TH N 0°27' E 367.64 FT TO AN OLD FENCE LN; TH S 89°28'40" E 170 FT ALG SD OL
 D FENCE LN TO A PT 146 FT W OF THE W LN OF A STR; TH S 0°27' W 366.14 FT TO THE
 POB. CONT. 1.428 ACRES.

LEGAL COMPLETE

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03-038-0025

LILD	LAND INDEX SYSTEM	LEGAL DESCRIPTION
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SERIAL# 03-038-0025	ACRES .31 ACRES	PAGE 1.	INFO DATE 01/16/2003
TAX NAME 2004: POWELL, ELWOOD P			
PROP. ADDRESS: 1462 SOUTH 200 WEST BOUNTIFUL			

LEGAL DESCRIPTION: E 1823563 B 3208 P 1373 1
 BEG ON W SIDE 4 ROD STR 189 FT N FR SE COR LOT 5, BLK K, BTFL TS, SURVEY, TH N 9
 1 FT; W 149.6 FT; TH S 91 FT; TH E 148.4 FT; TO BEG. CONT. 0.31 ACRES.

LEGAL COMPLETE

1

Blk K, NMC Plat

LILD LAND INDEX SYSTEM LEGAL DESCRIPTION

SERIAL# 03-038-0024 ACRES .635 ACRES PAGE 1. INFO DATE 01/16/2003
TAX NAME 2004: RENAISSANCE TOWNE PROPERTIES LLC
PROP. ADDRESS: E 1823563 B 3208 P 1374

LEGAL DESCRIPTION:

BEG AT THE SE COR OF LOT 5, BLK K, NMC PLAT, BTFL TOWNSITE SURV, SD PT BEING ON THE W LN OF 200 WEST STR; (A 66.0 FT R/W) & ALSO BEING ON THE N LN OF 1500 S STR (A 66.0 FT R/W) & RUN TH S 89^32'50" W 146.0 FT ALG TH N LN OF SD 1500 S STR; T H N 189.0 FT; TH N 89^32'50" E 146.0 FT TO SD W LN OF 200 WEST STR; TH S 189.0 F T ALG SD W LN TO THE POB. CONT. 0.635 ACRES.

LEGAL COMPLETE

1

PT. OF SECTION 25-30 TP 2N R 1W-1E

PREP

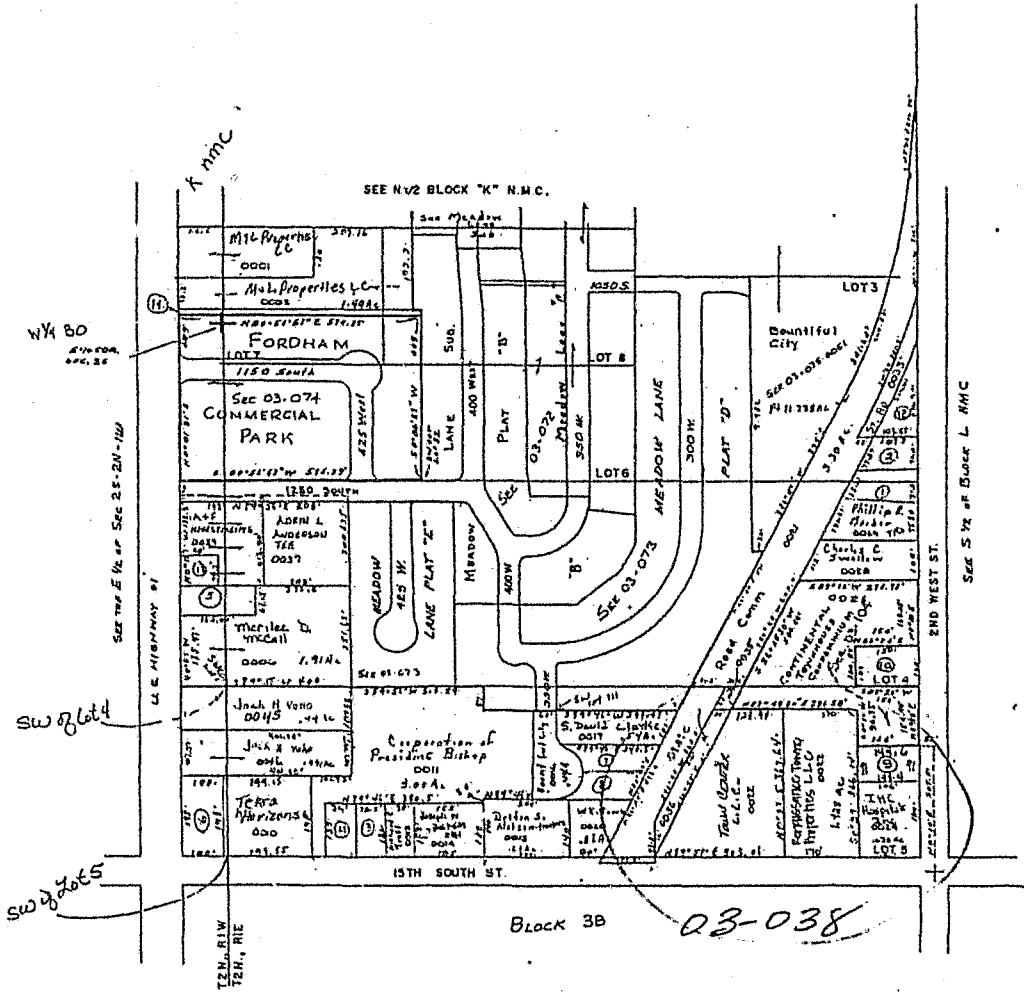
SALT LAKE MERIDIAN

SCALE 200 FEET=ONE INCH

1/2 BLOCK "K" NORTH MILL CREEK PLAT
BOUNTIFUL T.S. SURVEY

1. Melissa Ann Merri
2. Sylvia E. Allen
3. J. H. Co. Co. Co.
4. T. S. Co. Co. Co.
5. David G. Smith
6. Wilson Properties
7. M. P. Co. Co. Co.
8. M. P. Co. Co. Co.
9. Elwood P. Paine
10. Whitney Terry
11. M. P. Co. Co. Co.
12. Benjamin Coe
13. F. A. Anderson

LAST " 00



E 1823553 B 3208 P 1376

LILD

LAND INDEX SYSTEM

LEGAL DESCRIPTION

SERIAL# 03-041-0030 ACRES 15.81 ACRES PAGE 1. INFO DATE 01/16/2003
 TAX NAME 2004: TOWN CENTER L.L.C. A UTAH LIMITED LIABILITY COMPANY
 PROP. ADDRESS:

LEGAL DESCRIPTION:

BEG ON THE E'LY LN OF A HWY (HWY #106) 46.0 FT PERPENDICULARLY DIST E'LY FR THE CENTERLINE THEREOF AT A PT WH IS GIVEN AS WEST 1826.73 FT ALG THE SEC LN & S 31° 15'30" W 26.08 FT ALG A STR & W 488.46 FT & N 27°01' E 95.83 FT ALG THE E'LY LN OF SD HWY FR THE N 1/4 COR OF SEC 31-T2N-R1E, SLM; IN THE CITY OF BOUNTIFUL, & R UN TH SE'LY 25.48 FT ALG THE ARC A 15.00 FOOT RAD CURVE TO THE LEFT (RADIUS BEAR S S 63°03'23" E) TO THE PT OF TANGENCY WITH A 460.0 FOOT RADIUS CURVE TO THE LEF T, TH E'LY ALG THE ARC OF SD CURVE FOR A DIST OF 168.26 FT (RADIUS BEARS N 19°37 '02" E), TH N 88°39'34" E 281.94 FT ALG SD STR TO A PT ON A 30.00 FOOT RADIUS CU RVE TO THE LEFT, TH N'LY ALG THE ARC OF SD CURVE 30.09 FT (RADIUS BEARS N 01°20' 26" W) ALG SD STR TO THE W'LY LN OF MAIN STR, TH N 31°11'30" E 634.19 FT ALG THE W'LY LN OF 5 ROD RD, TH N 88°18'40" E 9.93 FT ALG AN ANGLE COR IN SD RD TO THE W'LY LN OF A 4 ROD STR, TH N 31°11'30" E 792.89 FT ALG THE W'LY LN OF SD STR TO THE S LN OF 1500 S STR, TH S 89°46' W 624.15 FT ALG THE S LN OF SD STR TO THE E'LY LN OF SD HWY, TH S 26°55' W 1336.94 FT ALG THE E'LY LN OF SD HWY TO POB.
 CONT. 15.81 ACRES

LEGAL COMPLETE

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PT. OF SECTIONS 25-30 TP 2N

RIW-TE

PREFIX 03-C

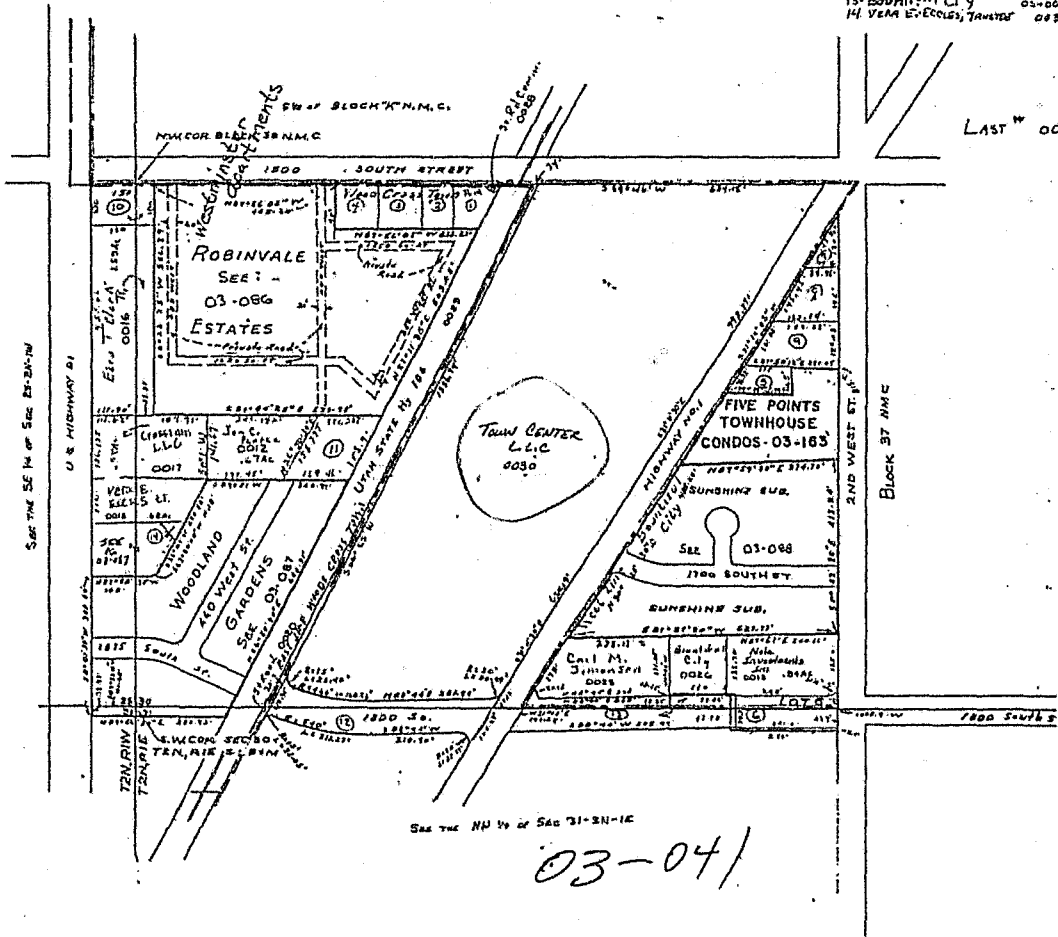
SALT LAKE MERIDIAN

SCALE 200 FEET=ONE INCH

E 1823563 B 3208 P 1377

BLOCK 38 NORTH MILL CREEK PLAT BOUNTIFUL Ts. SURVEY

- 1. Marie G. Scott, Trustee 000
- 2. L.A.N.C. Edwards 0001
- 3. Whipple Investments 305 L.L.O. 0001
- 4. Whipple Investments 305 L.L.O. 0004
- 5. David Tenabour 0004
- 6. Bountiful City See 01-06
- 7. A-Z Investments L.L.C. 0007
- 8. George P. King 0005
- 9. Lynn W. Sidwell 0005
- 10. Southern Corp 0005
- 11. R. B. Holdings Inc. 0011
- 12. Bountiful City 03-001
- 13. Bountiful City 03-001
- 14. VERA E. COLLES, TRUSTEE 0001



LAST 00:

SEE THE NW 1/4 OF SEC 31-2N-1E

03-041