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E# 2830782 PG 1 OF S LEANN H KILTS, WEBER COUNTY RECORDER 07-DEC-16 453 PM FEE \$.00 DEP JKC REC FOR: WEBER COUNTY

ORDINANCE NO. 2016-16

FOURTH AMENDMENT TO ASSESSMENT ORDINANCE NO. 2013-21 FOR THE PURPOSE OF REVISING THE ZONE I ASSESSMENT LIST INCLUDED IN ASSESSMENT ORDINANCE NO. 2013-21 AS PREVIOUSLY AMENDED AND AS REVISED HEREIN; REAFFIRMING ASSESSMENT ORDINANCE NO. 2013-21; ESTABLISHING THE EFFECTIVE DATE OF THIS AMENDMENT TO ASSESSMENT ORDINANCE; AND RELATED MATTERS.

WHEREAS, on August 13, 2013, the Commission adopted Assessment Ordinance No. 2013-21, as amended on September 3, 2013, June 24, 2014 and April 28, 2015 (collectively, the "Original Assessment Ordinance") wherein the Commission levied an assessment on properties within the Assessment Area benefited by the acquisition and construction of certain improvements within the Assessment Area; and

WHEREAS, since the adoption of the Original Assessment Ordinance the County has approved and subsequently revised the subdividing of a portion of Zone I of the Assessment Area ("Zone 1") into separate parcels and the County allocated the original ERU assessment of Zone I to the subdivided parcels on a proportionate basis based on the ERU's allocated to such subdivided parcels; and

WHEREAS, since the time of such subdivision, the developer and owner of the majority of the property in the Assessment Area has requested that the County alter such subdivision of property in Zone 1 and such changes have been made by adoption of a plat for the area; and

WHEREAS, the County now desires to revise the Assessment List to correspond to the area plat; and

WHEREAS, the County has determined that the allocation of the assessments is fair and equitable and on a proportionate basis based on ERU allocated to said parcels by adopting this Fourth Amendment to Assessment Ordinance ("Amendment to Assessment Ordinance") approving such allocation and as required by the Indenture under which Bonds for the improvements made in the Assessment Area were issued (the "Indenture") the County has verified that the remaining balance of the Assessments will be sufficient for payment of the principal and interest on the Bonds (as defined in the Indenture); and

WHEREAS, while consent of the owners of property within Zone 1 is not required for this amendment, the County has nonetheless obtained the consent of the original developers and majority owners of the property in Zone 1 in connection with this Fourth Amendment to Assessment Ordinance in the form attached hereto as Exhibit B;

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF WEBER COUNTY, UTAH:

Section 1. Approval of Amended Assessment List. The County hereby amends the Zone I Assessment List as shown on Exhibit C attached to the April 28, 2015

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amendment of the Original Assessment Ordinance to reallocate the assessment balance of the property within Zone I to the revised subdivided parcels on a proportionate basis based on ERU allocated to said parcels. The amended assessment list (the "Amended Zone I Assessment List"), is attached hereto as Exhibit C and incorporated herein by reference. The County hereby finds and determines that (i) the allocation is proportionate to the benefits to be received by all of the properties within Zone 1 and the overall assessment area, (ii) the allocation is fair and equitable, and (iii) the aggregate total of all of the annual assessment installments for all of the parcels within Zone I, when combined with the annual assessment installments for the property in Zone 1 that has yet to be subdivided, will equal the total annual assessment for the previously assessed property in such Zone I (except as such properties have been released by prepayment of the related assessments). As required by Section 9.1(d) of the Indenture of Trust entered into by the County with respect to the Bonds issued by the County for the Assessment Area the County hereby finds and determines that the balance of the Assessments to be collected within the Assessment Area will be sufficient to pay the principal and interest on such Bonds. As a portion of Zone 1 has yet to be fully subdivided, the County retains the right to further subdivide the area in Zone 1 and to allocate the ERU's remaining for allocation within Zone 1 as provided in the Original Assessment Ordinance.

- Section 2. <u>Levy of Assessments</u>. The County does hereby continue the levy of assessment against the parcels within Zone I identified in the Amended Zone I Assessment List. Said assessments levied upon each parcel of property therein described shall be in the amount set forth in the Amended Zone I Assessment List.
- Section 3. <u>All Necessary Action Approved</u>. The officials of the County are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Amendment to Assessment Ordinance.
- Section 4. <u>Reaffirmation of Original Assessment Ordinance</u>. Except as amended herein, the Original Assessment Ordinance is hereby reaffirmed and ratified. This amendment is permitted by the Indenture of Trust relating to the Bonds issued for the Assessment Area and by Section 11-42-410 of the Utah Code.
- Section 5. <u>Publication of Ordinances</u>. Immediately after its adoption, this Amendment to Assessment Ordinance shall be signed by the Chair and Clerk/Auditor and shall be recorded in the ordinance book kept for that purpose. This Amendment to Assessment Ordinance shall be published once in the <u>Standard Examiner</u>, a newspaper published and having general circulation in the County and on the Utah Public Notice Website, and shall take effect immediately upon its passage and approval and publication as required by law.
- Section 6. <u>Notice to Property Owners</u>. The County is hereby authorized and directed to give notice of assessment by mail to the property owners in the Assessment Area. Said notice shall, among other things, state the amount of the revised assessment and the terms of payment. A copy of the form of notice of assessment is available for examination upon request at the office of County.

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PASSED AND APPROVED by the Board of County Commissioners, November 1, 2016.

Chair

ATTEST:

## PROOF OF PUBLICATION

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that said Fourth Amendment to Assessment Ordinance levying the assessments which were contained in the Fourth Amendment to Assessment Ordinance adopted by the Commission on November 1, 2016, was published one time in the <u>Standard Examiner</u>.

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Zone 1 23-139-0017 Phase 1 Village Nests	WEBER COUNTY, UTAH 17 ALL OF UNIT 17, VILLAGE NESTS AT POWDER MOUNTAIN CONDOMI	INUIM,	0.5	11,048.23
23-139-0018 Phase 1 Village Nests	88 ALL OF UNIT 18, VILLAGE NESTS AT POWDER MOUNTAIN CONDOM! WEBER COUNTY LITAR	INUIM,	0.5 0.5	11,048.23 11,048.23
Zone 1 23-139-9019 Phase 1 Village Nests	19 ALL OF UNIT 19, VILLAGE NESTS AT POWDER MOUNTAIN CONDOM! WEBER COUNTY, UTAH	INUIM.	0.5	11,048.23
Total	20 ALL OF UNIT 20, VILLAGE NESTS AT POWDER MOUNTAIN CONDOMI WEBER COUNTY, UTAH		0.5 89.5	\$1.977.633.17
Two lofs lotaling 2.5 ERUs have paid the assertion. November 8, 2014	saments in full (Phase IA lot ISR (IERU), Phase IA lot 6R (I ERU) & Pha	se 1 Ridge Ne	sis Lol 3 (.)	5 ERUs)). 805380

E# 2830782 PG 6 0F 9

## EXHIBIT C

AMENDED ZONE I ASSESSMENT LIST

22,996,46	<b>5</b> 5	ALL OF LOTI BAJ SUMMATI EDIEM PHASE (C), WEIBER COLAMIY, MIAM	1978年で	23 134 0047 -	Zone 1
22,096.45	i i	ALL OF LOT TO, SLAMMT EDGEN PHASE IC, WELLEY COUNTY, UTXH	8		Zone 1
22,026,45	<b>5</b> 6	ALL OF LOT 17, SUBMIT EXEMPTISES IC, MEXERT COUNTY, USAN	ឥ		Zione 1
22,095,46	5	ALL OF LOTTING, SUMMET EXCELLENCE IC WESTER COLLETY, LITABLE		23-139-1042 -	Zone
22/196.45	<b>5</b> i	ALL OF LOTTING SUMMIT EDEN PHASE IC, WESTER COLINITY, UTAM	ಕ		Zone
2000.46	5 5	ALL OF LOT THE, SCHEME ELECTIFICACE, MEDICOCOCOUNT, UTAH			Zone i
22,096,46	6	ALL OF LOTT THE MILEAST FINAL DEVISE TO WESTERN COLUMN; VITAL		23-130-0130-	2006
22,000,45	<b>6</b> i	ALL OF LOT THE SLAMMT EXEN PHASE TO, WESTER COUNTY, LITAN			Zene i
22 000.00	E E	ALL OF LOT GRY SUMANT EDEN PHAGE KI, WEBERY COUNTY, UTAKE		1	Zone 1
27 (Mar. 45	<b>5</b>	ALL OF LOT 63, SUBBINET EXCENTION OF MORE TO MERCENCOLOGY, UTAM	200 C	231340035	Zone 1
22,036,46	5	KL OF LOT BI, SUBBIT EIGH PHASE IC, WEBER COUNTY, UTH	ត់ ក	•	2012
119.6.6	5 i	ALL OF LOTE BY STRAINT EXTENDED BANKSE TO, MEDBER COUNTY, UTTAN	ឥ		Zone
27000	į	ALL OF LOTTION, SUBMITTED PROCESS, WEREIGN COUNTY, UTAN	<b>ਲ</b> ∶	23-130-0231	Zone 1
22,056,46	5	ALL OF COTES SUBMITED IN THE PARKET OF METERS OF RETY LITTLE		23 130 0000	Ž,
ZZ196,46	ť.	ALL OF LOT 616, SLIMMT ELECH PRINCE TO, WESTER COUNTY, USAH	\$ 7	23-130-0028 -	Zone 1
22,000.40	i i	ALL OF LOT SIA, SUBSETT CHEN STATES IC, WESSER COUNTY, UTAH			Zone t
22,446.46	5	ALL OF LOT FOR STEERING BY BUT BY THINKS IN THE STEERING COUNTY, LITTLE ALL OF LOT LOT BY AN AUGUST THE STEERING COUNTY, LITTLE ALL OF LOT LOT BY AN AUGUST THE STEERING COUNTY, LITTLE ALL OF LOT LOT BY AN AUGUST THE STEERING COUNTY, LITTLE ALL OF LOT LOT BY AN AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE AUGUST THE STEERING COUNTY, LITTLE AND AUGUST THE AUGUST		23 134.024	Zone 1
22,006.46	1	ALL OF LOT SI, SUMMIT EDEN PHASE SI, WEBER COUNTY, ATAM	5 5		Zine 1
22,000.45	to a	ALL OF LOT SA, CLAMOT EDGN PHASE IC, WEBER COLANTY, UTAH			Zone i
22.006.46	5	ALL OF LOT SIX SUBBIAT EXCENTIVES ALL MEDIER COLUMN, USAN			Zone 1
22,095,46	5	AL OF LOT SI, SUMMET EDEN PASSE IC, WEIGHT COUNTY, UTAN		23-130-0079	7000 1
22,000,00	<b>5</b> i	ME OF LOT SE SUMMET ELEM PRACE IC, MERCH COLMY, UTAH		, 8100-8C1 EZ	Zone 1
22,930,45	5 2	ALL OF LOT SI, SUMMER SOME PHASE TO MEDICAL CONNECT. WITH	ត	22 130-0017	Zume 1
22,006,46	; <b>;</b>	ALL OF LOT SIRE SUMMET FLICH FRANCE (C. WEIBER COLATTY, LOTAH		23-130-000-	
22,106,46	16	ALL OF LOT JOR, SUMMANT EXEMPTINES: IC, PRESCRI COUNTY, UTWH	5 8	23-130-0014 -	Zone 1
27,388,72	5 :	ALL OF LOT 48R, SLUGART EDEN PHASE IC, MEDER COUNTY, UTAK	ಕ	23-130-0013 /	Zone 1
72,096,45	5 6	ALL OF LOT AT SUMMER EIGHT MASS KO, WESSER COUNTY, UTWE	Property of the second	23138-0072 /	Zone 1
22.DBS.45	: <b>5</b>	ALL OF LOT BY SUBBRITEDED DEGY IV. MEDICA COUNTY ( TAN	Page 5	\$13485 V	200
22,000,00	16	ALL OF LOT 66% SUBMETT EDIEN PRINCE FOC. WINDER COUNTY, UTAM			2002
22,095,46	គឺ៖	ALL OF LOT 430, SUBJETT EXEMPHASE IC, WESTER COUNTY, UTAK		23.138.000e/	Zone 1
22,096,08	<b>5</b> 6	ALL OF LOT ADT, SUBMANT EXION PRINCE NO MEDICA COUNTY, UTMA	13 T	23-134-0007	Zone i
22,096,46	6	ALL OF LOTT AND CLEAR THE THE DESIGN OF MEDICAL COUNTY, UTAN		23-138-0005 ·	Zime 1
22,086,46	61	ALL OF LOT 391, CLAUSE EXCHIPANCE IC, WESTER COUNTY, VIVIE	Page 7	A MANAGES	Zine
300	ŝ	ALE OF LOT USE, CLARAIT EXEM PHASE FC, WESSER COUNTY, UTAH.	Phase in	23-138-0008 0003/	Zone 1
22,55%,45	Б	INCHE, DRACKETED INFORMATION ABORE INSTITUCTS (S) NACOMITED FROM SEFCIAL MARRIANTY DEFININGED OCTORER 12 2014 ALL CHILLUM SIX SAMMER EIZEN PHASE (K), MEDERI COXATTY, UTAKE	Proces IC 378	23-130-0000/	Zune 1
22,0%,45	Б	ALL OF LOT IN, SUMMET EXEMPTIONS TO, WESTER COUNTY, UTAH.	Time of	23-138-0201 >	Zone i
22,096,48	5 6	ALL THAT PORTION OF LOT 31, SUMMIT EXEM PHASE IS, WEDERCOUNTY, LITAM LYING WITHIN WEBSET COUNTY.	#	23.129.0039	Zone 1
22,096,46		ALL OF LOT IN SUMMER COLUMNINGS TO INCOME COLUMNY LITTLE COLUMNY LITTLE COLUMN		22-129-000	Zone i
22,096,46	16	ALL OF LOT & SAMET EDEN PARSE B. WEETER COUNTY, UTAK		25.129.0005/	Žune i
22,096,46	<b>5</b> \$	ALL OF LOT 27, SUMMET EXCENTIONANCE IS, WESTERN COLUMNY, UTWA		23.129-0004/	Zone 1
22,025.46	: 5	ALL OF EAT AS SUBJECT EXTENDED THE MATERIAL COLONIA, UTAN		27-129-01-1	Z0000 1
22,096,46	5	ALL OF LOT 24, SUBBRIT EDEN PHASE 18, WESSER COUNTY, UTAH		23-129-1201	200E 1
22,086.46	s i	ALL OF LOT ZOT, SUBMIT ESCHIPHASE IA, WESSER COURTY, UFAN	Place in Co-177 Could the	20-120-CE1-CE	250e 1
22,000.46	š 5	ALL OF LOT 22P, SAMMIT EXEMPTIMES BY MICHELY COUNTY, UTAM	5	12-12-02-14 12-12-02-14	Zine 1
22,056,45	5	ALL OF LOT 24, SUMMET EXCHAPAGE 14, MEDICE COUNTY, UTAH	Photos to 23	22-121-121-16	2005
22,000.46	<b>i</b>	ALL OF LOT IB, SUMMET EXTEN PRIVACE IA, WESTER COUNTY, UTAH.	14.23-144-001,002		Die.
22,000,44	<b>5</b> 6	ALL OF LOT IS, SUMMET EXEM PANCE IN MESSES COUNTY, UTAH	Prisone vi.	25-128-DE13/	Zine i
22,156.46	5 15	ALL OF LOT 27, SUBBRIT EDENISHESE IA REPERE COLUMNY, STAM		23-123-0012	Zine 1
22,096,46	5	ALL OF LOT MAY SUMMET EXEMPTIMESE IN MEDIER COUNTY, URAN	5	ASMORTES	1 Such
72 DBC 1/4	ធ៍	ALL OF LOT SIR, SCHART EXEMPHASE IA, MEDER COUNTY, VIAM,	_	23-124-0003 /	Zone
22,000.45	ä	THE THEORY OF THE COMMENT RESIDENCE THEORY IS CITED CHARGE ON THE PERSON MALE AND SENSE OF THE PERSON MALE AND SENSE OF THE PERSON MALE OF THE SENSE WAS THE SENSE OF THE PERSON OF THE PERSON MALE OF THE SENSE WAS THE SENSE OF THE PERSON OF	5	23 128-0005 6 23-128-0128/	Zone 1
425	E			143-00V	
22,000,00	<b>5</b>	ALL OF LUTE TO, SUMMET CUSTO PHYSIC OF MICROSCO COUNTY, UTAN		\$ 10 mm	Zone 1
22.096.4	<b>†</b>	ALL OF LOT ST, SMART EVEN PHACE IA, NEEDER COUNTY, UTAH			Zone 1
US ANNE THE	SP'93	Light Restriction	Sign	Sales.	Z/Pe

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£ 250 ;	E	AL OF INT 20 VII AGE RESTANT BUNGER AND REFER TOWNS AND A CONTROL OF THE CONTROL	Proper of Water March	7 100 ACT CO	7 and 1
11,949,23	£		Phone 1 Wilage Moute	23-28-034-	Z872-1
CC (100) 11	: 5	18 ALL OF UNIT SI, VILLAGE RESITS AT POWDER MOUNTAIN CONDOMINANT WERE CONTROL (TAN	Proce 1 Village Needs	23-139-0098.	1 400
11,969,23	: 6		Prize 1 Wilde Mask	23-139-0077	1 3007
	£ 5	ALL OF UNIT 16, VILLAGE NESTS AT POWDER WOLMTAN COMDOMINAM, WEBER COUNTY, LITTLE	PASSE I WILLIAM I WASK	CO-CO-CO-CO	1
71 043 23	8		Proof 1 Vilage Nests	14134015 N	CORP
11,048.73	2 5	H. ALL OF UNIT H, VILLAGE NESTS AT POWDER MOLINTAIN CONDOMINIAL WEBSET COXINTY LITTLE	Prose 1 Vitage Nests	77-13-034	/ Sale
11,045,23	2 5	13 ALL OF UNIT IS, VILLAGE NESTS AT POWDER MOUNTAAN COMPONIUM, NESSER COUNTY, UTAH	Printer   Village Needs	Constant /	
27.865.11	3 6		Phase 1 VSlage Nexts	12 13 6E 2/	
11,048.23	. 5	11 ALL OF UNIT 11, VILLAGE NESTS AT POWDER MOUNTAIN CONDOMINUM, WESTER COLORY, 17741	Phase 1 Vitage Nests	25-139-02:1 -	2002
22,040,23	: 5	TO ALL OF UNIT ID, VILLAGE MESTS AT POMER MOUNTAIN CONDOMINAM, WESTER CYLARY, UTTAN	Phase I VILLE NESS	23-139-0010 /	1,6007
11,248,23	1 5	9 ALL CIFURITIA VILLAGE NESTS AT POWNERS MOLINTAIN CONCOUNT BY AFFIRM CYPARY LITTLE	Prizze 1 Wildy Made	22-129-0009 /	Zire 1
11,048,23	: 6	8 ALL OF UNIT & VALACE NEXTS AT POWNER MOUNTAIN CONDUCTION AND ADMINISTRATION OF STREET CONTRACT OF STREET	Pitate 1 Wilage News	7.000	Zone 1
ECBNOLI	E .	7 ALL OF UNIT 7, VILLAGE NESTS AT POWNER MOUNTAIN CONSTANTING NATURE ON MY LITAN	PRINT I WINDS NOOM	73-139-00W /	ZOTRE
11,048.23	E	6 ALL OF UNIT 6, VALUES HISTS AT PONDER MOLETAN CONDUMINAL WISSESS COLLETT, UTAN	Frank : Wilde Name	73-139-0086 /	Zone I
11,045.23	£	S ACL OF UNITS VILLAGE REPORTS AT EXPRESS HIS DEFINITION CONTOURS AND ACCURATE CALVEST COLUMN TO THE PROPERTY OF THE PROPERTY	Place 1 Velage Heats	1980年	Zbne 1
11,048,23	5	4 ALL OF UNIT A VILLAGE RESTS AT POWDER HOW RITHIN CONCOURS HE RESTREET CONTROL FOR A STATE OF THE STATE OF T	Phase 1 Village Needs	23-139-0204-7	Zone 1
11,548.23	: 2	3 ALL OF UNIT 3. VILLAGE NEEDTS AT POWERS MOUNTAINS CONSTITUENT AND ACCOUNT OF A PARTY CITY.	Proce 1 Verzys Neces	23-139-0085	Zinne t
11,843,23	0.5	2 ALL OF UNIT 2 VILLAGE NEETTS AT DEWAYER WITH MATARIC CONTINUES HER WASHINGTON THE VITAGE TO THE VI	Prose - Wilde Nach	23-139-1002	7,000
11,140,23	150	ALL OF UNIT I, WILLAGE MESTS AT POINTER MESTANDAM COMPONING BY MESTADO CON ACTIVITY	Phase 1 Village Neets	/1991 ft. to	Zorne 1
11 Date 23	6	5 ALL OF LOT & SUMMIT FORWARD RESTS OF BUILDING THE TOTAL THE TOTA		23 140,4006	Zone 1
11,945,23	: 12	S ALL OF LOTE SCHOOL PROPERTY STATE STATE OF STATE AND STATE STATE OF STATE ST	PROTECT I FRANÇA TRANSA	SECTION	70NO 1
11,048,23	5	ALL OF LOTA SUBBIT EDEN PROCE NESTS PRINT WHITE COLUMN TO THE	Phase 1 Phase Nach	/ F05-02-17	Zone 1
11,048,23	8	2 AL OF LOT 2. SUMMIT STEN ROOSE MESTS DRIED, WESTER COMMITTE IT AN	Proces I Profige Negation	27.100000	Zere 1
22.098.46	6		Place 1 Rate Nate	7. HERD-1971-FC	Zone t
22,808,46	10	1188 AL OF 108 SHARIN FOR OUR STANDARD STANDARD STORE STANDARD STA	Piki X	13 15 AND /	2078
22.8% AS	5	_	PRISE IA	2500年~	Zime (
22,896.46	5		Phase 10	STORY COM	Zure 1
22,005,46	i <b>5</b>	BOR ALL OF LOT BOR, SUMMIT EDEN PANSE IC WESTER COLLARY LITTLE	Proper of	23.530.0053 /	Zone 1
22,006,46	Ē		Property of	Z1.130,0062 /	7900
22,886,46	=	SAME ALL OF LOTI SAME SUMMIT EXPENDED FOR UNITED COMMITY LITTLE	Phone 15	23 (38-005) /	7896
22,000,46	5		が持ち	23-136-0030 /	2000
22,056,46	5		Proce 10	73-130-0542 /	1 3007
	:	81 ALL OF LOT 61, SLAMMET EDGN PHYSISE 15, NEBERT COUNTY UTAH	Post of	7 (2000) X	7000