



**RESOLUTION NO. R16-04 (1-5-16)**

**ADDENDUM TO RESOLUTION OF THE CITY OF SARATOGA  
SPRINGS PERTAINING TO THE CITY STREET LIGHTING  
SPECIAL IMPROVEMENT DISTRICT TO INCLUDE  
ADDITIONAL SUBDIVISION LOTS.**

**Legacy Farms Plats 2A-E**

**WHEREAS**, on May 10, 2001, the City Council adopted Resolution No. 01-0510-01 creating a street lighting special improvement district (the "Lighting SID") consisting of all lots and parcels included within the Subdivisions set out in said Resolution for the maintenance of street lighting within the Lighting SID.

**WHEREAS**, *Utah Code Ann.* § 17A-3-307 provides that additional properties may be added to the special improvement district and assessed upon the conditions set out therein.

**WHEREAS**, the City Council has given final plat approval to Legacy Farms Plats 2A-E, which plats are more fully described in Exhibit 1 (the "Subdivision") conditioned upon all lots in the Subdivision being included in the Lighting SID.

**WHEREAS**, the City Council finds that the inclusion of all of the lots covered by the Subdivision in the Lighting SID will benefit the Subdivision by maintaining street lighting improvements, after installation of such by the developer of the Subdivision, which is necessary for public safety, and will not adversely affect the owners of the lots already included within the Lighting SID.

**WHEREAS**, the owners of the property covered by the Subdivision have given written consent: (i) to have all lots and parcels covered by that Subdivision included within the Lighting SID, (ii) to the improvements to that property (maintenance of the street lighting), (iii) to payment of the assessments for the maintenance of street lighting within the Lighting SID, and (iv) waiving any right to protest the Lighting SID and/or assessments currently being assessed for all lots in the Lighting SID (which consent is or shall be attached as Exhibit 2 to this Resolution).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF SARATOGA SPRINGS THAT:**

1. All lots and parcels in the Subdivision be added to and included in the Lighting SID based upon the above findings and the written consent attached as Exhibit 2 to this Resolution.
2. City staff is directed to file a copy of this Resolution, as an Addendum to Resolution No. 01-0510-01 creating the Lighting SID, as required by *Utah Code Ann.* § 17A-3-307.

- 3. Assessments will be hereafter levied against owners of all lots within the Subdivision on the same basis as assessments are being levied against other lots included in the Lighting SID.
- 4. The provisions of this Resolution shall take effect upon the passage and publication of this Resolution as required by law.

Passed this 5<sup>th</sup> day of January, 2016 on motion by

Councilor Baertsch, seconded by Councilor McOmber.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

Signed: [Signature] \_\_\_\_\_  
Mayor Date

Attest: Kayla Moss 1-5-16  
Recorder Date



Exhibit 1 – Property Description

SHEET NO. 1 OF 1

LEGACY FARMS  
VILLAGE PLAN 2  
SARATOGA SPRINGS, UTAH  
VILLAGE PLAN 2 LIGHT POLES EXHIBIT

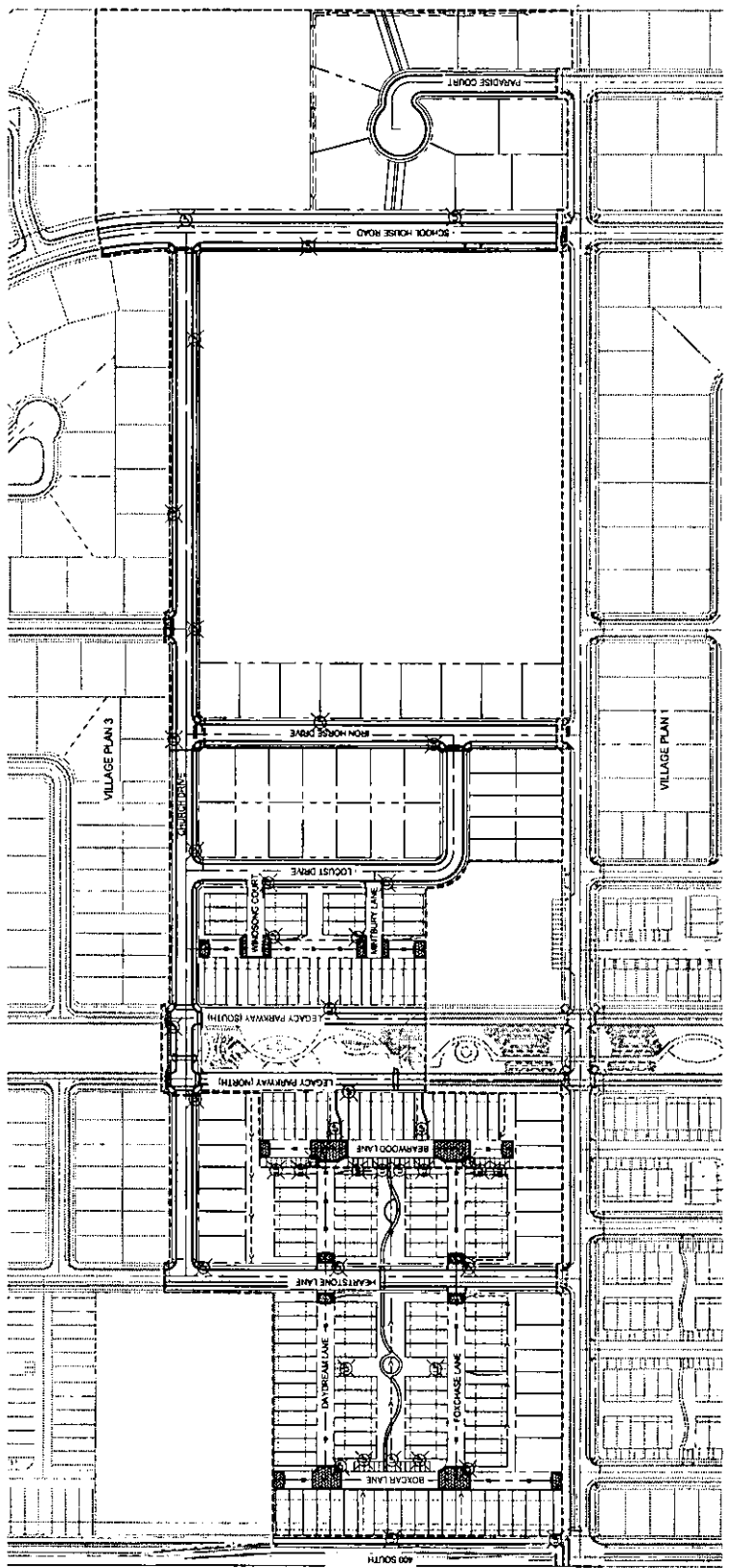
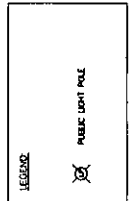
**D.R. HORTON**  
*America's Builder*

**P S O M A S**  
PROJECT NUMBER: 2016-10-000  
4179 Riverbend Road, Suite 200  
Salt Lake City, UT 84123  
(801) 270-5777 (801) 270-5782 fax  
www.psom.com

PREPARED BY: JHM  
CHECKED BY: JHM  
APPROVED BY: JHM  
DATE: MAY 2015

FOR INFORMATION ONLY  
THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION

NO.	REVISION DESCRIPTION	DATE



CONSENT OF OWNER OF PROPERTY  
TO BE INCLUDED IN STREET LIGHTING SPECIAL IMPROVEMENT DISTRICT

WHEREAS the City of Saratoga Springs (the "City"), by and through its City Council, has created a Street Lighting Special Improvement District (the "Lighting SID") to pay for maintenance of street lighting within the subdivisions covered by the Lighting SID.

WHEREAS the undersigned ("Developer") is the developer of Legacy Farms Plats 2A-E (the "Subdivision"), which property is more specifically described in Exhibit A, located within the City for which the City Council has given or is expected to give final plat approval.

WHEREAS, *Utah Code Ann.* § 17A-3-307 provides that before the completion of the improvements covered by a special improvement district, additional properties may be added to the special improvement district and assessed upon the conditions set out therein. Since the improvements covered by the Lighting SID are the maintenance of street lighting in the Lighting SID, said improvements are not completed so additional properties may be added to the Lighting SID pursuant to said § 17A-3-307.

WHEREAS, the City is requiring that the Subdivision be included within the Lighting SID in order to provide for the maintenance of street lighting within the Subdivision as a condition of final approval of the Subdivision.

WHEREAS, Developer, as the owner of the property covered by the Subdivision, is required by *Utah Code Ann.* § 17A-3-307 to give written consent to having the property covered by that Subdivision included within the Lighting SID and to consent to the proposed improvements to the property covered by the Subdivision and to waive any right to protest the Lighting SID.

NOW THEREFORE, Developer hereby consents to including the lots and parcels within the Subdivision in the Lighting SID. On behalf of itself and all lot purchasers and/or successors in interests, Developer consents and agrees as follows:

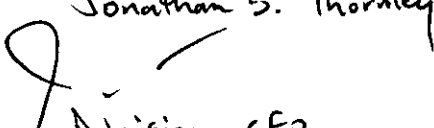
1. Consents to have all property covered by the Subdivision and all lots and parcels created by the Subdivision included within the Lighting SID.
2. Consents to the improvements with respect to the property covered by the Subdivision -- that is the maintenance of street lighting within the Subdivision. The street lighting within the Subdivision will be installed by Developer as part of the "Subdivision Improvements."
3. Agrees to the assessments by the Lighting SID for the maintenance of street lighting within the Lighting SID.

4. Waives any right to protest against the Lighting SID and/or the assessments currently being assessed for all lots in the Lighting SID.

Dated this 6 day of January, 2016.

DEVELOPER:

Name:  
Authorized  
Signature:  
Its:

Jonathan S. Thornley  
  
Division CFO

## Exhibit A – Property Description

### Legacy Farms Plat 2A

A parcel of land lying and situate in the Southeast Quarter of Section 26, and the Northeast Quarter of Section 35, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is South 00°33'28" West 1,464.65 feet along the Section Line, and West 1,145.34 feet from the East Quarter Corner of said Section 26, and running thence South 00°00'08" West 191.25 feet; thence South 45°01'27" East 7.07 feet; thence North 89°56'57" East 5.00 feet; thence South 00°00'08" West 54.00 feet; thence South 89°56'57" West 5.00 feet; thence South 44°58'33" West 7.07 feet; thence South 00°00'08" West 642.45 feet; thence South 45°08'53" East 7.05 feet; to a point on a non-tangent curve; thence easterly 117.88 feet along the arc of a 667.00 foot curve to the left (chord bears North 84°25'25" East 117.73 feet) through a central angle of 10°07'35"; thence South 10°38'22" East 74.00 feet; thence South 00°00'01" East 371.68 feet; thence South 89°58'05" West 873.60 feet to the Southeast Corner of Legacy Farms Plat 1-A, as recorded as Entry No. 14805 in the Office of the Utah County Recorder; thence along said Plat 1-A the following nine (9) courses: (1) North 00°02'01" West 104.99 feet; (2) North 89°57'59" East 28.85 feet to the Easterly Right-of-Way Line of Highpoint Drive (120 East); (3) North 00°02'01" West 54.00 feet (4) South 89°57'59" West 15.00 feet (5) North 45°00'56" West 7.07 feet (6) North 00°00'08" East 190.00 feet (7) North 44°59'04" East 7.07 feet (8) North 89°57'59" East 14.05 feet (9) North 00°02'01" West 74.00 feet; thence North 89°57'59" East 651.00 feet; thence North 44°59'04" East 7.07 feet; thence North 00°00'08" East 833.73 feet; thence North 44°59'52" West 7.07 feet; thence North 89°59'52" West 5.00 feet; thence North 00°00'08" East 54.00 feet; thence South 89°59'52" East 5.00 feet; thence North 45°00'08" East 7.07 feet; thence South 89°59'52" East 54.00 feet to the Point of Beginning.

Contains 422,916 square feet / 9.709 acres / 12 Lots

### Legacy Farms Plat 2B

A parcel of land lying and situate in the Southeast Quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is South 00°33'28" West 1,469.65 feet along the Section Line, and West 1,209.29 feet from the East Quarter Corner of said Section 26, and running thence South 00°00'08" West 54.00 feet; thence South 89°59'52" East 5.00 feet; thence South 44°59'52" East 7.07 feet; thence South 00°00'08" West 833.73 feet; thence South 44°59'04" West 7.07 feet; thence South 89°57'59" West 651.00 feet to the Easterly Right-of-Way Line of Highpoint Drive (120 East), said point also being along the Easterly boundary line of Legacy Farms Plat 1-A as recorded as Entry No. 14805 in the Office of the Utah County Recorder; thence along said Easterly Line the following six (6) courses (1) South 89°57'59" West 5.00 feet (2) North 45°00'56" West 7.07 feet (3) North 00°00'08" East 834.15 feet (4) North 45°00'08" East 7.07 feet (5) South 89°59'52" East 5.00 feet (6) North 00°00'08" East 54.00 feet; thence South 89°59'52" East 155.00 feet; thence North 45°00'08" East 7.07 feet; thence East 54.00 feet; thence South 44°59'52" East 7.07 feet; thence South 89°59'52" East 427.00 feet to the Point of Beginning.

Contains 597,195 square feet / 13.710 acres / 10 Lots

### Legacy Farms Plat 2C

A parcel of land lying and situate in the Southeast Quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is South 00°33'28" West 841.08 feet along the Section Line, and West 1,136.38 feet from the East Quarter Corner of said Section 26, and running thence South 00°00'08" West 36.00 feet; thence South 89°56'07" West 7.00 feet; thence South 26°33'14" West 11.18 feet; thence South 00°00'08" West 67.60 feet; thence South 21°22'15" East 10.92 feet; thence North 89°56'57" East 8.02 feet; thence South 00°00'08" West 36.00 feet; thence South 89°56'57" West 10.00 feet; thence South 44°58'33" West 7.07 feet; thence South 00°00'08" West 458.75 feet; thence North 89°59'52" West 54.00 feet; thence South 45°00'08" West 7.07 feet; thence North 89°59'52" West 432.00 feet; thence North 44°59'52" West 7.07 feet; thence West 54.00 feet; thence South 45°00'08" West 7.07 feet; thence North 89°59'52" West 155.00 feet to the Easterly Right-of-Way Line of Highpoint Drive (120 East), said point also being along the Easterly boundary

line of Legacy Farms Plat 1-A as recorded as Entry No. 14805 in the Office of the Utah County Recorder; thence along said Easterly Line the following three (3) courses (1) North 89°59'52" West 5.00 feet (2) North 44°59'52" West 7.07 feet (3) North 00°00'08" East 203.16 feet; thence South 89°59'52" East 173.15 feet; to a point on a non-tangent curve; thence northeasterly 83.18 feet along the arc of a 66.00 foot curve to the right (chord bears North 53°53'44" East 77.79 feet) through a central angle of 72°12'47"; thence South 89°59'52" East 14.55 feet; thence North 00°00'08" East 86.32 feet; thence North 02°09'32" East 10.01 feet; thence North 00°03'03" West 154.00 feet; thence North 00°02'50" West 87.66 feet; thence North 00°03'53" West 36.00 feet to the Northerly Right-of-Way Line of Legacy Parkway (525 South); thence along said Northerly Line the following course (1) South 89°56'07" West 245.67 feet to the Easterly Right-of-Way Line of Highpoint Drive (120 East); thence along said Easterly Line the following two (2) courses (1) North 45°01'52" West 7.07 feet (2) North 00°00'08" East 130.19 feet; thence South 89°59'52" East 86.00 feet; thence North 00°00'08" East 0.91 feet; thence North 89°56'07" East 469.63 feet; thence South 00°03'53" East 136.00 feet; thence North 89°56'07" East 105.21 feet; thence North 44°58'08" East 7.08 feet; thence North 89°56'07" East 54.00 feet; thence South 45°01'52" East 7.07 feet; thence North 89°56'07" East 10.00 feet to the Point of Beginning.

Contains 426,389 square feet / 9.79 acres / 75 Lots

### Legacy Farms Plat 2D

A parcel of land lying and situate in the Southeast Quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows: Beginning at a point which is South 00°33'28" West 476.88 feet, along the Section Line, and West 1,144.98 feet from the East Quarter Corner of said Section 26, and running thence South 00°03'53" East 54.00 feet; thence South 89°56'07" West 5.00 feet; thence South 44°58'08" West 7.08 feet; thence South 00°00'08" West 300.19 feet; thence South 89°56'07" West 54.00 feet; thence South 44°58'08" West 7.08 feet; thence South 89°56'07" West 105.21 feet; thence North 00°03'53" West 136.00 feet; thence South 89°56'07" West 469.63 feet; thence South 00°00'08" West 0.91 feet; thence North 89°59'52" West 86.00 feet to the Easterly Right-of-Way Line of Highpoint Drive (120 East), said point also being along the Easterly boundary line of Legacy Farms Plat 1-A as recorded as Entry No. 14805 in the Office of the Utah County Recorder; thence along said Easterly Line the following one (1) courses (1) North 00°00'08" East 143.49 feet; thence North 00°00'08" East 21.51 feet; thence North 44°58'08" East 7.08 feet; thence North 89°56'07" East 5.00 feet; thence North 00°00'08" East 54.00 feet; thence North 89°56'07" West 5.00 feet; thence North 45°01'52" West 7.07 feet; thence North 00°00'08" East 352.37 feet; thence South 89°59'52" East 529.69 feet; thence South 00°00'17" East 356.75 feet; thence North 89°56'07" East 200.21 feet to the Point of Beginning.

Containing 375,551 square feet / 8.622 acres / 84 Lots

### Legacy Farms Plat 2E

A parcel of land lying and situate in the Southeast Quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows: Beginning at a point which is South 00°33'28" West 35.46 feet along the Section Line, and West 1,349.52 feet from the East Quarter Corner of said Section 26, and running thence South 00°00'17" East 84.88 feet; thence North 89°59'52" West 529.69 feet to the proposed Easterly Right-of-Way Line of Highpoint Drive (120 East); thence along said Easterly Line the following two (2) courses (1) North 00°00'08" East 79.26 feet (2) North 44°58'08" East 7.08 feet to the Southerly Right-of-Way Line of 400 South Street; thence along said Southerly Line the following course (1) North 89°56'07" East 524.68 feet to the Point of Beginning.

Containing 44,785 square feet / 1.028 acres / 18 Lots