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JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Jun 30 2:58 PM FEE 31.00 BY VM
RECORDED FOR SARATOGA SPRINGS CITY

RESOLUTION NO. R16-35 (6-7-16)

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

JACOBS RANCH PHASE 2 PLAT I

WHEREAS, on July 27, 2004, the City Council adopted Ordinance No. 04-12 creating a street lighting special improvement district (the "Lighting SID") consisting of all lots and parcels included within the Subdivisions set out in said Ordinance 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 Jacobs Ranch Phase 2 Plat I (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 1 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 1 to this Resolution.
2. City staff is directed to file a copy of this Resolution, as an Addendum to Ordinance No. 04-12 creating the Lighting SID, as required by *Utah Code Ann.* § 17A-3-307.


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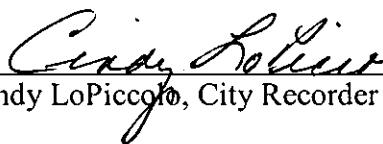
3. Assessments will be hereafter levied against owners of all lots within the Subdivision on the same basis as assessments are being levied against other lots included in the Lighting SID.
4. The provisions of this Resolution shall take effect upon the passage and publication of this Resolution as required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

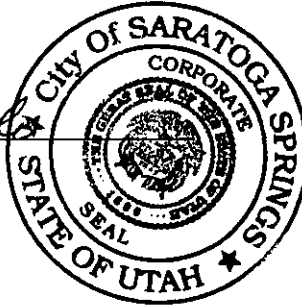
Passed this 7th day of JUNE, 2016 on motion by

Councilor McDMBER, seconded by Councilor BAERTSCH.

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Signed: 
Mayor Jim Miller

Attest: 
Cindy LoPiccolo, City Recorder



**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 Jacobs Ranch Plat "I" Phase 2 (the "Subdivision") 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. The legal description and the tax identification number(s) of the property covered by the Subdivision are set out in Exhibit A attached to this Consent.
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 1 day of June, 2016.

DEVELOPER:

Print Name: Margaret Stoddard
Authorized
Signature: Margaret Stoddard
Its: owner

EXHIBIT A
LEGAL DESCRIPTION

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The land referred to herein is situated in the County of Utah, State of Utah, and is described as follows:

Commencing at a point located South 00°12'20" West along the Section line 834.82 feet and West 2858.38 feet from the East quarter corner of Section 2, Township 6 South, Range 1 West, Salt Lake Base and Meridian; thence along the Westerly boundary line of Plat "H", Jacobs Ranch Subdivision as follows: South 23°43'24" East 100.00 feet, South 46°49'33" East 61.24 feet, South 16°22'09" East 124.48 feet, South 22°22'51" East 117.06 feet, South 28°01'15" East 125.39 feet, South 35°57'42" East 45.12 feet, thence South 56°13'29" West 101.74 feet; thence South 56°34'45" West 56.00 feet; thence South 56°14'23" West 95.00 feet; thence South 34°50'31" West 63.61 feet; thence North 58°33'02" West 133.50 feet; thence North 57°14'29" West 56.00 feet; thence along the arc of a 793.00 foot radius curve to the right 84.69 feet (chord bears North 35°49'05" East 84.65 feet); thence North 51°07'20" West 100.00 feet; thence North 40°40'21" East 55.94 feet; thence North 47°31'58" West 109.46 feet; thence North 39°45'50" West 56.49 feet; thence along the arc of a 928.00 foot radius curve to the right 75.97 feet (chord bears North 45°13'42" East 75.95 feet); thence North 38°23'39" West 138.52 feet; thence North 51°36'21" East 82.47 feet; thence North 67°36'37" East 252.95 feet more or less to the point of beginning. Area: 207,279 SF 4.76 acres Total number of Lots = 13 Basis of Bearing is South 00°12'20" West along the Section line from the East quarter corner of Section 2, Township 6 South, Range 1 West to the Southeast corner of said Section 2.

