

(801) 566-1561

Shirley A. Bloxham
Sandy City Recorder
440 East 8680 South
Sandy, Utah 84070-1799

R 90-31C
SID #90-1
Re: Auto Mall

Sandy City, Utah
March 27, 1990

4958685
4938315
Shirley A. Bloxham
Recorder

A regular meeting of the City Council of Sandy City, Salt Lake County, Utah was held on Tuesday, the 27th day of March, 1990, at the hour of 7:30 p.m., at the regular meeting place of said City Council at which meeting there were present and answering roll call the following members who constituted a quorum:

Bryant Anderson	Chairman
Dick Adair	Councilmember
Scott Cowdell	Councilmember
Ronald Gee	Councilmember
Bruce Steadman	Councilmember
Dennis Tenney	Councilmember
John Winder	Councilmember

Also present:

Larry Smith	Mayor
Naleen Wright	Council Secretary

Absent:

None

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the Council Chairman, Bryant Anderson, introduced the following resolution in writing, which was read in its entirety, and moved by Councilmember, Dennis Tenney, for its adoption:

~~4938315~~
~~09 JULY 90 11:26 AM~~
~~KATIE L. DIXON~~
~~RECORDER, SALT LAKE COUNTY, UTAH~~
~~SANDY CITY~~
~~REC BY: D. ANGERFIELD, DEPUTY~~
NO FEE

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PROPERTY OF SANDY CITY RECORDERS OFFICE

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RESOLUTION NO. 90-21C

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF SANDY CITY, SALT LAKE COUNTY, STATE OF UTAH, TO INSTALL WATER, SANITARY SEWER, STORM DRAINAGE AND OTHER UTILITIES; TO ACQUIRE RIGHTS-OF-WAY AND CONSTRUCT NEW ROADS; TO INSTALL LANDSCAPING WITHIN RIGHTS-OF-WAY AND INTERSTATE 15; TOGETHER WITH ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; TO CREATE SANDY CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 90-1 TO DEFRAY THE COST OF EXPENSES OF SAID IMPROVEMENT DISTRICT BY SPECIAL ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID DISTRICT; AND RELATED MATTERS.

BE IT RESOLVED by the City Council of Sandy City, Salt Lake County, Utah:

Section 1. The City Council of Sandy City, Salt Lake County, Utah (the "City") hereby determines that it will be in the best interest of the City to install water, sanitary sewer, storm drainage and other utilities; to acquire rights-of-way and construct new roads; to install landscaping within rights-of-way and Interstate 15; and to complete the whole in a proper and workmanlike manner in the areas designated on plans on file in the Office of the City Engineer. All work will be in accordance to plans, profiles and specifications to be prepared consistent with Sandy City standards and as approved by the City Engineer. In order to finance the costs of such improvements, the City proposes to create and establish a special improvement district. A description of the proposed special improvement district is more particularly described in the Notice of Intention to construct the proposed improvements hereinafter set forth.

Section 2. The proposed district shall be known as "Sandy City, Utah Special Improvement District No. 90-1 (the "District").

Section 3. The cost and expenses of the proposed improvements shall be paid by a special assessment to be levied against the property fronting or abutting upon or adjacent to the improvements or which may be affected or specially benefited by any of such improvements, such assessment to be paid in not more than twenty (20) annual installments with interest on the unpaid balance until due and paid. An allowance shall be made for corner lots, if applicable, so that such lots are not assessed at full rate on both streets.

Section 4. Written protests against the proposed improvements or against the creation of the District must be presented and filed in the Office of the City Recorder on or before the 7th day of May, 1990, at the hour of 5:00 p.m. Thereafter at 7:30 p.m. on Tuesday, the 8th day of May, 1990 at the City Council Chambers in Sandy City, Utah, any such protests shall be heard and considered by the City Council. The City Recorder is hereby directed to give notice of intention to make the proposed

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improvements and of the time within which protests against the proposed improvements or the creation of the District may be filed and the date when such protests will be heard and considered by publishing a notice of intention to create the District in the Green Sheet, a newspaper of general circulation in the City, said notice to be published four times, once during each week for four consecutive weeks, the last publication to be not less than five (5) nor more than twenty (20) days prior to the time fixed in the notice as the last day for the filing of protests. In addition, the City Recorder shall mail a copy of such notice by United States Mail, postage prepaid, to each owner of land to be assessed within the proposed District at the last known address of such owner, using for such purpose the names and addresses of said owners appearing on the last completed real property assessment rolls of Salt Lake County, and, in addition, a copy of such notice shall be mailed postage prepaid, addressed to "Owner" at the street number of each piece of improved property to be affected by the assessment, said notices to be so mailed not later than ten (10) days after the first publication of the Notice of Intention. If a street number has not been so assigned, then the post office box, rural route number or any other mailing address of the improved property shall be used for the mailing of the Notice. Said Notice shall be in substantially the following form:

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NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 27th day of March, 1990, the City Council of Sandy City, Salt Lake County, Utah (the "City"), adopted a resolution declaring its intention to create a special improvement district to be known as Sandy City, Utah Special Improvement District No. 90-1 (the "District"). It is the intention of the City Council to make improvements within the District and to levy special assessments as provided in Chapter 16, Title 10, Utah Code Annotated (1953), as amended, on the real estate lying within the District for the benefit of which such assessments are to be expended in the making of such improvements.

DESCRIPTION OF DISTRICT

The boundaries of the proposed District shall include all of the property as described on Exhibit B, together with any public rights-of-way abutting thereto.

INTENDED IMPROVEMENTS

For purposes of constructing the improvements and assessing properties so improved, the work will be divided into categories. The improvements to be constructed in each category of work are as follows:

A. Acquisition of Rights-of-Way:

Acquisition of the necessary land for 160 West Street, the extension of Crescent Way to the south and 10875 South Street. 160 West Street shall be a 60 foot wide right-of-way extending approximately 1,000 feet from 106th South Street connecting to Crescent Way. Crescent Way shall be an 80 foot right-of-way extending approximately 2,350 feet southward from its existing terminus to 110th South Street. 10875 South Street shall be a 66 foot wide right-of-way approximately 1,100 feet long between State Street and Crescent Way, except that the easterly 200 feet shall be 80 feet wide.

B. Water Distribution System:

Extension of water lines from 106th South Street within 160 West Street to Crescent Way; within the new sections of Crescent Way from the intersection with 160 West Street approximately 400 feet to the north and 1,450 feet to the south; and within 10875 South Street from Crescent Way connecting to State Street. Work shall also include fire hydrants along all streets at intervals of approximately one (1) per three hundred (300) feet of street length. In addition, water service stubs terminating in meter boxes shall be extended to each separate lot which will be served by the water lines. All work shall include the necessary valves, fittings and other accessories determined necessary by the City Engineer.

C. Storm Drainage System:

Installation of pipe, manholes, inlets and other appurtenant structures as may be required to provide accessibility to the storm drainage system from each separate lot within the District and storm drainage from the streets. Work shall include the necessary fittings and other accessories as determined by the City Engineer.

D. Sanitary Sewer:

[Sewer improvements may be reduced in scope or eliminated altogether depending upon the outcome of negotiations with the Salt Lake County Sewerage Improvement District No. 1 (the "Sewerage Improvement District").]

Construction of sanitary sewer system, together with the necessary pipe, manholes and service stubs to serve each separate lot within the District. All work shall be provided in accordance with the requirements of the Sewerage Improvement District and any separate agreements among Sandy City, the Sandy City Redevelopment Agency and the Sewerage Improvement District.

E. Street Improvements:

The construction of new roads and associated asphalt paving, decorative concrete paving, curb, gutter, sidewalk and drives along the new roads. New roads shall include approximately 1,000 lineal feet for 160 West Street; the extension of Crescent Way from its existing terminus approximately 2,350 lineal feet to the south; and approximately 1,000 lineal feet for 160 West Street; the extension of Crescent Way from its existing terminus approximately 2,350 lineal feet to the south; and approximately 1,100 lineal feet for 10875 South Street. Improvements shall be constructed in accordance with an approved area master plan and as determined necessary by the City Engineer.

F. Interstate 15 Landscaping:

Installation of fencing, grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements southward approximately 2,630 feet within the east side of the Interstate 15 right-of-way and in the area between Interstate 15 and the 106th South offramp. All work to be installed in accordance with agreement between Utah Department of Transportation, Sandy City and adjacent property owners.

G. Landscaping Along Other Streets:

Installation of grass, shrubberies, trees, sprinkler systems and other associated landscaping improvements along 160 West Street, 10875 South Street and Crescent Way. All landscaping will be within

public rights-of-way except at special landscape feature areas which will be approximately 50 feet wide and 40 feet deep, located at alternating property lines and at the intersections of 106th South Street and Crescent Way and at 10875 South Street and State Street. Work may include decorative walls, street furniture, landscaping of any medians and maintenance reserves in accordance with an approved area master plan.

ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in the District as estimated by the City Engineer is \$2,582,209. In lieu of utilizing the City's existing guaranty fund, the City intends to create a special reserve fund to secure payment of the special assessment bonds the City anticipates issuing to finance the proposed improvements. The reserve fund will be funded from proceeds of the special assessment bonds in an amount equal to approximately 10% of the total cost of the proposed improvements, or \$258,221. The amount required to fund the reserve fund will be added to the total amount assessed against the properties benefiting from the improvements. The total cost of improvements, plus the amount necessary to fund the reserve fund, shall therefore be paid by a special assessment to be levied against the properties benefiting from the improvements as specified herein. 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. The City anticipates applying any moneys remaining in the Reserve Fund to the final payment on the special assessment bonds anticipated to be issued, 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. The properties to be assessed for the improvements in this District are described in Exhibit B attached hereto.

Costs of the improvements shall be assessed against the benefiting properties as follows:

<u>Improvements</u>	<u>Method of Assessment</u>	<u>Estimated Cost</u> **
Acquisition of Rights-of-Way	Area***	\$8,240 per acre
Water Distribution System	Area*	\$2,300 per acre
Storm Drainage System	Area*	\$4,310 per acre
Sanitary Sewer Improvements	Area*	\$2,215 per acre
Street Improvements	Front Footage	\$96 per front foot
I-15 Landscaping	25% of the total cost will be assessed on an area* basis, and the remaining 75% will be assessed on a front footage basis against those properties fronting I-15	\$785 per acre \$66 per front foot
Other Landscaping	Front footage	\$36.30 per front foot

LEVY OF ASSESSMENTS

It is the intention of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed improvements within the District. 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 by area and front footage as set forth hereinabove.

**The Estimated Cost includes an allowance for overhead costs, including fiscal agent, legal and other overhead costs incidental to the creation of the District. It does not, however, include the cost of funding the reserve fund as described hereinabove. The funding of the reserve fund would increase estimated costs approximately 10%.

***Each property owner will be assessed proportionate to the net area remaining after street acquisitions wherein the numerator shall be the net area of each parcel and the denominator shall be the net area of the entire District.

The assessments may be paid by property owners in 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 Chapter 16, Title 10, Utah Code Annotated, 1953, as amended.

A map of the proposed District, copies of plans, profiles and specifications 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 acreage and front footage represented by said protest. Protests shall be filed with the City Recorder of Sandy City, Utah, on or before 5:00 p.m. on the 7th day of May, 1990. Thereafter at 7:30 p.m. on the 8th day of May, 1990, the City Council 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 with respect to improvements assessed on an area basis shall mean:

Protests representing one-half of the total acreage of the property to be assessed.

The necessary number of protests with respect to improvements assessed on a front footage basis shall mean:

Protests representing one-half of the total front footage of the property to be assessed.

BY ORDER OF THE CITY COUNCIL OF SANDY CITY, UTAH

/s/ Shirley Bloxham
City Recorder

Published in the Green Sheet, on April 5, 12, 19 and 26, 1990.

BD3544 (PF)

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Councilmember, Ron Gee, seconded the motion to adopt the foregoing resolution. The motion and resolution were unanimously adopted on the following recorded vote:


Those voting AYE:



Dennis Tenney
Ronald Gee
Bruce Steadman
Bryant Anderson
Dick Adair
John Winder
Scott Cowdell

Those voting NAY:

None

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.


Bryant Anderson, Chairman
Sandy City Council

ATTEST:

Shirley A. Bloxham, City Recorder


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BK6248Pg0153

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, Shirley Bloxham, the duly chosen, qualified and acting City Recorder of Sandy City, Salt Lake County, Utah, do hereby certify as follows:

1. That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the City Council taken at a regular meeting thereof held in said Municipality on March 27, 1990, at the hour of 7:30 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the City Council to create Special Improvement District No. 90-1 and make certain improvements therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

2. That due, legal and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said Municipality.

3. That the above resolution was deposited in my office on March 27, 1990, has been recorded by me, and is a part of the permanent records of Sandy City, Salt Lake County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said Municipality this 2 day of March, 1990.

Shirley Bloxham
City Recorder



STATE OF UTAH

)

COUNTY OF SALT LAKE

)

ss.

AFFIDAVIT OF MAILING
NOTICE OF INTENTION

I, Shirley Bloxham, the duly chosen, qualified and acting City Recorder of Sandy City, Salt Lake County, Utah, do hereby certify that the attached Notice of Intention was approved and adopted in the proceedings of the City Council had on Tuesday, the 27th day of March, 1990.

I further certify that on the 12 day of April, 1990 (a date not later than ten (10) days after the first publication of the Notice of Intention) I mailed a true copy of the Notice of Intention to create Sandy City, Utah Special Improvement District No. 90-1 by United States Mail, postage prepaid to each owner of land to be assessed within the proposed Special Improvement District at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Salt Lake County, and in addition I mailed on the same date a copy of said Notice of Intention addressed to "Owner" addressed to the street number, post office box, rural route number or other mailing address of each piece of improved property to be affected by the assessment.

I further certify that a certified copy of said Notice of Intention together with profiles of the improvements and a map of the proposed District, was on file in my office for inspection by any interested parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Sandy City, Salt Lake County, Utah this 2 day of April, 1990.



Shirley A. Bloxham
City Recorder

Proof of Publication

COUNTY OF SALT LAKE }
STATE OF UTAH }

ss.

I, Robert L. Prince, first being duly sworn, depose and say that I am publisher of The Green Sheet, a weekly newspaper of general circulation published every Thursday, at Salt Lake City, Utah, that the notice attached hereto and which is a part of proof No. _____ of Sandy City - Notice of Intention

_____ was published in said newspaper for four consecutive times

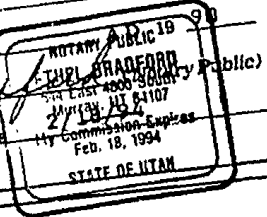
The first publication having been made on the 5th day of April, 19 90, and the last publication on the 26th day of April, 19 90, that said notice

was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in a newspaper proper and not in a supplement.

Robert L. Prince

Subscribed and sworn to before me this 26th day of April

Ethel Bradford
My Commission expires



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PROPERTY OF SANDY CITY RECORDERS OFFICE

PS/50

**SANDY CITY
NOTICE OF INTENTION**

PUBLIC NOTICE IS HEREBY GIVEN that on the 27th day of March, 1980, the City Council of Sandy City, Salt Lake County, Utah (the "City"), adopted a resolution declaring its intention to create a special improvement district to be known as Sandy City, Utah Special Improvement District No. 1 (the "District"). It is the intention of the City Council to make improvements within the District and to levy special assessments as provided in Chapter 18, Title 10, Utah Code Annotated (1983), as amended, on the real estate lying within the District for the benefit of which such assessments are to be expended in the making of such improvements.

DESCRIPTION OF DISTRICT

The boundaries of the proposed District shall include all of the property as described on Exhibit B, together with any public rights-of-way abutting thereto.

INTENDED IMPROVEMENTS

For purposes of constructing the improvements and assessing properties so improved, the work will be divided into categories. The improvements to be constructed in each category of work are as follows:

A. Acquisition of Rights-of-Way:

Acquisition of the necessary land for 180 West Street, the extension of Crescent Way to the south and 10675 South Street. 180 West Street shall be a 60 foot wide right-of-way extending approximately 1,000 feet from 104th South Street connecting to Crescent Way. Crescent Way shall be an 80 foot right-of-way extending approximately 2,350 feet southward from its existing terminus to 10675 South Street. 10675 South Street shall be a 66 foot wide right-of-way approximately 1,100 feet long between State Street and Crescent Way, except that the easterly 200 feet shall be 80 feet wide.

B. Water Distribution System:

Extension of water lines from 10675 South Street within 180 West Street to Crescent Way; within the new sections of Crescent Way from the intersection with 180 West Street approximately 400 feet to the north and 1,450 feet to the south; and within 10675 South Street from Crescent Way connecting to State Street. Work shall also include fire hydrants along all streets at intervals of approximately one (1) per three hundred (300) feet of street length. In addition, water service stubs terminating in meter boxes shall be extended to each separate lot which will be served by the water lines. All work shall include the necessary valves, fittings and other accessories determined necessary by the City Engineer.

C. Storm Drainage System:

Installation of pipe, manholes, inlets and other appurtenant structures as may be required to provide accessibility to the storm drainage system from each separate lot within the District and storm drainage from the streets. Work shall include the necessary fittings and other accessories as determined by the City Engineer.

D. Sanitary Sewer:

(Sewer improvements may be reduced in scope or eliminated altogether depending upon the outcome of negotiations with the Salt Lake County Sewerage Improvement District No. 1 (the "Sewerage Improvement District").)

Construction of sanitary sewer system, together with the necessary pipe, manholes and service stubs to serve each separate lot within the District. All work shall be provided in accordance with the requirements of the Sewerage Improvement District and any separate agreements among Sandy City, the Sandy City Redevelopment Agency and the Sewerage Improvement District.

E. Street Improvements:

The construction of new roads and associated asphalt paving, decorative concrete paving, curb, gutter, sidewalk and drives along the new roads. New roads shall include approximately 1,000 lineal feet for 180 West Street; the extension of Crescent Way from its existing terminus approximately 2,350 lineal feet to the south; and approximately 1,000 lineal feet for 10675 South Street; the extension of Crescent Way, from its existing terminus approximately 2,350 lineal feet to the north; and approximately 1,100 lineal feet for 10675 South Street. Improvements shall be constructed in accordance with an approved area master plan and as determined necessary by the City Engineer.

F. Interstate 15 Landscaping:

Installation of fencing, grass, shrubbery, trees, sprinkler systems and other associated landscaping improvements southward approximately 2,400 feet within the east side of the Interstate 15 right-of-way and in the area between Interstate 15 and the 106th South off ramp. All work to be installed in accordance with agreement between Utah Department of Transportation, Sandy City and adjacent property owners.

G. Landscaping Along Other Streets:

Installation of grass, shrubbery, trees, sprinkler systems and other associated landscaping improvements along 180 West Street, 10675 South Street and Crescent Way. All landscaping will be within public rights-of-way except at special landscape feature areas which will be approximately 50 feet wide and 40 feet deep, located at alternating property lines and at the intersections of 106th South Street and Crescent Way and at 10675 South Street and State Street. Work may include decorative walls, street furniture, landscaping of any medium and maintenance reserves in accordance with an approved area master plan.

ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in the District as estimated by the City Engineer is \$2,342,300. In lieu of utilizing the City's existing guaranty fund, the City intends to create a special reserve fund to secure payment of the special assessment bonds the City anticipates issuing to finance the proposed improvements. The reserve fund will be funded from proceeds of the special assessment bonds in an amount equal to approximately 10% of the total cost of the proposed improvements, or \$234,230. The amount required to fund the reserve fund will be added to the total amount assessed against the properties benefiting from the improvements. The total cost of improvements, plus the amount necessary to fund the reserve fund, shall therefore be paid by a special assessment to be levied against the properties benefiting from the improvements as specified herein. 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. The City anticipates applying any monies remaining in the Reserve Fund to the final payment on the special assessment bonds anticipated to be issued, which, in turn, would offset the final assessment payment 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. The properties to be assessed for the improvements in this District are described on Exhibit B attached hereto.

Costs of the improvements shall be assessed against the benefiting properties as follows:

Improvements	Method of Assessment	Estimated Cost**
Acquisition of Rights-of-Way	Area***	\$1,200 per acre
Water Distribution System	Area*	\$1,300 per acre
Storm Drainage System	Area*	\$4,310 per acre
Sanitary Sewer Improvements	Area*	\$2,213 per acre
Street Improvements	Front Footage	\$80 per front foot
I-15 Landscaping	25% of the total cost will be assessed on an area* basis, and the remaining 75% will be assessed on a front footage basis against those properties fronting I-15	\$75 per acre \$46 per front foot
Other Landscaping	Front Footage	\$30 per front foot

LEVY OF ASSESSMENTS

It is the intention of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed improvements within the District. 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 by area and front footage as set forth hereinabove.

IK 6234162912

EXHIBIT B

**SANDY CITY
NOTICE OF INTENTION**

...to the assessment of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed improvements within the District. 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 by area and front footage as set forth hereinabove.

"The Estimated Cost includes an allowance for overhead costs, including fiscal agent, legal and other overhead costs incidental to the creation of the District. It does not, however, include the cost of funding the reserve fund as described hereinabove. The funding of the reserve fund would increase estimated costs approximately 10%.

***Each property owner will be assessed proportionate to the net area remaining after street acquisition wherein the numerator shall be the net area of each parcel and the denominator shall be the net area of the entire District.

The assessments may be paid by property owners in 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 assessment remedies shall be in accordance with Chapter 16, Title 18, Utah Code Annotated, 1953, as amended.

A map of the proposed District, copies of plans, profiles and specifications 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. Protest, shall describe or otherwise identify the property owned of record by the person or persons making the protest and shall indicate the total acreage and front footage represented by said protest. Protests shall be filed with the City Recorder of Sandy City, Utah, on or before 1:00 p.m. on the 7th day of May, 1990. Thereafter at 7:30 p.m. on the 8th day of May, 1990, the City Council 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 with respect to improvements assessed on an area basis shall mean:

Protests representing one-half of the total acreage of the property to be assessed.

The necessary number of protests with respect to improvements assessed on a front footage basis shall mean:

Protests representing one-half of the total front footage of the property to be assessed.

BY ORDER OF THE CITY COUNCIL OF SANDY CITY, UTAH

Shirley Bloxham
City Recorder

Exhibit B

DESCRIPTION OF PROPERTIES WITHIN DISTRICT

Sidwell Parcel VTAU 27-13-478-001-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)
Sidwell Parcel VTAU 27-13-478-005-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)
Sidwell Parcel VTAU 28-18-351-002-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)
Sidwell Parcel VTAU 27-13-427-011-0000 (Smith, Charles E. and Ethel)
Sidwell Parcel VTAU 27-13-427-013-0000 (Green, Mark L., et al.)
Sidwell Parcel VTAU 27-13-427-015-0000 (K. D. Kraft and Novelty, Inc. Distributors)
Sidwell Parcel VTAU 27-13-427-015-0000 (Green, Mark L., et al.)
Sidwell Parcel VTAU 27-13-402-006-0000 (Westwood)
Sidwell Parcel VTAU 27-13-402-004-0000 (Westwood)
Sidwell Parcel VTAU 27-13-452-001-0000 (Haglund, John E. and Oral O.)
Sidwell Parcel VTAU 27-13-478-007-0000 (Cook, Don V.)
Sidwell Parcel VTAU 27-13-478-008-0000 (Cook, Don V. and Sandy City Corp.)

27-13-478-001-0000
27-13-478-005-0000
27-13-478-007-0000
27-13-478-008-0000

Posted April 2, 1990
Published in the Green Sheet, on April 5, 12, 19, 26, 1990

SCB-4B

BK-6234 PG 2913

(Affidavit of proof of publication of the Notice of Intention to
create Sandy City, Utah Special Improvement District No. 90-1.)

BD3544 (PF)

13

03/27/90

BK6234PG2914
BK5248PG0159

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Shirley A. Bloxham, the undersigned City Recorder of Sandy City, Salt Lake County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, there was given not less than twenty-four (24) hours' public notice of the agenda, date, time and place of the March 27, 1990 public meeting held by the City as follows:

(a) By causing a Notice in the form attached hereto as Schedule A, to be posted at the City's principal offices on March 23, 1990, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule A, to be delivered to the Green Sheet on March 23, 1990, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 2 day of April, 1990.



Shirley A. Bloxham
Shirley A. Bloxham,
City Recorder

SCHEDULE A
NOTICE OF MEETING

9D3544 (PF)

15

03/27/90

BK623482916
BK624870161



POSTED: FRIDAY, MARCH 23, 1990
 Mayor Dick A. Police Chief
 Byron J. Bryant A. Fire Chief
 Wally M. Scott C. Phil G.
 Mike C. Ron G. Naleen W.
 Darrel S. Bruce S. 3/Press
 Dick B. Dennis T. Post Office
 Shirley B. John W. 2/Bulletin Bds

A G E N D A
SANDY CITY COUNCIL MEETING
 Sandy City Hall - 3rd Floor
 440 E. 8680 S. - Council Chambers
 Sandy City, Utah

TUESDAY, MARCH 27, 1990

Approximate Time: REDEVELOPMENT AGENCY MEETING
 5:30 p.m. (See separate Agenda)
 7:30 p.m. COUNCIL MEETING

PRAYER & PLEDGE:
CITIZEN'S COMMENTS:

PUBLIC HEARING(S):

ACTION

1. Public Hearing to consider an amendment to the Development Code to Sections 15-7, 15-8, 15-9, 15-10, and 15-29, affecting "R" (Residential) Zones, and various Commercial Zones, by defining, and listing "Park and Ride Facilities" as a "conditional use".
 (Cd. Amend: Park & Ride as Condl Use in R & C Zones)
2. Public Hearing considering Gary Harmer's request for a Plat Amendment for the South Meadows Subdivision; redrawing the rear lot line (zipper lots), as a straight line. The project address is 9200 South Riverside Drive. (South Meadows Plat Amendment)

MAYOR'S REPORT:
CAO REPORT:
CABINET REPORT:

COUNCIL ITEMS:

ACTION

3. Ordinance 90-11 - rezoning the entire block located between 9000 South and 9400 South, and between I-15 and State Street, from C-3, CR-R, M-1, and A-1, to RC (Regional Commercial) and R-1-40A (Residential).
 (K-Mart Super Block Rezone)
- *Documents Forth-4. Resolution #90-31 C - notice of intention to coming create a Special Improvement District (SID) within the Sandy Redevelopment Area #2.
 (Intent to Create a SID in the RDA Area #2)
5. Discussion: Sandy Music Festival.
 (Sandy Music Festival)
- *Documents forthcoming
6. Disclosure - SID Assessment Policy. (W. Miller)
 (Policy: SID Assessment Payments)
7. Resolution #90-16 C - authorizing the Housing Authority of Salt Lake County to administer the Rental Rehabilitation Program for the benefit of Sandy City.
 (Rental Rehabilitation Program)

440 East 8680 South Sandy, Utah 84070 (801) 566-1561

BK6248PG0162

BK6234PG2917

CONSENT CALENDAR:

ACTION

- | | |
|-------------------------------------|-------|
| 8. Council Meeting Minutes 2-20-90. | ----- |
| 9. Council Meeting Minutes 2-27-90. | ----- |

ADJOURN

**PUBLIC HEARING PROCEDURES:

- | | |
|----------------------------------------------------------------------------|------------------------------------|
| 1. Staff presentation to Council. | 2. Sponsor presentation to Council |
| 3. The amount of available time is allocated by the Chairman to *speakers. | |
| *Groups are encouraged to select one spokesman for their group. | |
| 4. Hearing opened to the Public. | 5. Public asks questions. |
| 6. Public makes comments. | 7. Hearing closed by Chairman |
- XA032790.doc

BK6234PG2918
BK6248PG0163

EXHIBIT A

DESCRIPTION OF PROPERTY WITHIN DISTRICT

Beginning N 89°55'40"W 198 feet from the Southeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence S 89°55'40"W 1122 feet, thence N 10°20'W 1342 feet, thence N 2°31'44"W 412.6 feet, thence Northerly along an 899.93 foot radius curve to the right 374.55 feet, thence N 17°19'39"E 94.45 feet, thence Northerly along a 1009.93 foot radius curve to the left 200.68 feet, thence N 00° 05'18"W 251.2 feet, thence East along the South line of 10600 South Street 176 feet, thence South 116.114 feet More or less along the westerly line of a 60 foot road, thence Southerly along a curve to the right 155.208 feet, thence S 39°W 7.945 feet, thence Southerly along a curve to the left 180.397 feet, thence S 86°53'11"E 60 feet, thence Northerly along a curve to the right 142.317 feet, thence N 39°E 7.945 feet, thence Northerly along a curve to the left 196.049 feet more or less, to a property corner thence East 165.00 feet, thence South 179.94 feet, thence East 518.76 feet, thence South 77.88 feet, thence East 99.72 feet, thence South 147.18 feet, thence West 39.00 feet, thence South 99.00 feet, thence East 491.5 feet to the West line of State Street, thence South 660 feet, thence West 488.2 feet, thence South 165 feet, thence East 488.2 feet, thence South 478 feet, thence S 27°30'56"W 261.2 feet, thence S 29°14'20"W 289.15 feet, thence S 18°04'20"W 184.73 feet to the point of beginning. Together with abutting public rights of way.

BK 6248 PG 0164

NO FEE

4958685
28 AUGUST 90 02:26 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SANDY CITY
REC BY: DIANE KILPACK , DEPUTY

EXHIBIT B

DESCRIPTION OF PROPERTIES WITHIN DISTRICT

Sidwell Parcel VTAU 27-13-476-001-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)

Sidwell Parcel VTAU 27-13-476-005-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)

Sidwell Parcel VTAU 28-18-351-002-0000 (Freeman, Belva C., Eric A., Karl F. and Keith W.)

Sidwell Parcel VTAU 27-13-427-011-0000 (Smith, Charles E. and Ethel)

Sidwell Parcel VTAU 27-13-427-019-0000 (Green, Mark L., et al)

Sidwell Parcel VTAU 27-13-427-018-0000 (K.D. Kraft and Novelty, Inc. Distributors)

Sidwell Parcel VTAU 27-13-427-015-0000 (Green, Mark L., et al)

Sidwell Parcel VTAU 27-13-402-006-09000 (Vestwood)

Sidwell Parcel VTAU 27-13-402-004-0000 (Vestwood)

Sidwell Parcel VTAU 27-13-452-001-0000 (Haglund, John E. and Oral O.)

Sidwell Parcel VTAU 27-13-476-007-000 (Cook, Don V.)

Sidwell Parcel VTAU 27-13-476-008-0000 (Cook, Don V. and Sandy City Corp.)

13-3012