A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on Tuesday, February 21, 1984, at the hour of 6:00 p.m. at its regular meeting place of said Council, at which meeting there was present and answering to roll call the following members who constituted a quorum:

Ronald J. Whitehead	Chairperson
Grant Mabey	Councilmember
Edward W. Parker	Councilmember
Alice Shearer	Councilmember

Sydney Reed Fonnesbeck Councilmember

Ione	М.	Davis	Councilmember
Earl	F.	Hardwick	Councilmember

Also present:

Albert E. Haines	Chief Administrative Officer
Roger Cutler	City Attorney
Kathryn Marshall	City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken:

808/5/3/3 8HF 2/5/9

80075533 FHE 2596

At the City Council meeting on February 14, 1984, at which a protest hearing was held for Salt Lake City, Utah Curb & Gutter Extension No. 38-750 (the "District"), the City Engineer was asked to tabulate protests and report to the Council.

Attached as Exhibit "A" is the tabulation by the City Engineer of written protests which were received by 5:00 p.m. on February 13, 1984, and submitted in connection with this District for owners of property situated on streets within the District.

Thereupon, Councilmember MABEV introduced a resolution to create the Salt Lake City, Utah Curb and Gutter Extension No. 38-750, as amended by removing Sunnyside Avenue, 700 North Street and Andrew Avenue from the District, and moved its adoption.

Councilmember by seconded the motion to adopt the Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the Collowing recorded vote:

AYE: Ronald J. Whitehead Grant Mabey Edward W. Parker Alice Shearer Sydney Reed Fonnesbad Ione M. Davis Earl F. Hardwick

NAY: none

The resolution reads as follows:

# RESOLUTION NO. 23 of 1984

A RESOLUTION TO CREATE SALT LAKE CITY, UTAH CURB AND GUTTER EXTENSION NO. 38-750, AS AMENDED BY REMOVING SUNNYSIDE AVENUE, 700 NORTH STREET, AND ANDREW AVENUE FROM THE DISTRICT, AND TO AUTHORIZE CONSTRUCTION OF IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION AND TO CREATE THE CURB AND GUTTER EXTENSION.

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

Section 1. It will be in the best interest of said Municipality to construct the improvements identified and described in the Notice of Intention for the Salt Lake City, Utah, Curb and Gutter Extension No. 38-750.

Section 2. 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 the construction of any of the improvements therein or on any other matter pertinent to said District. The Engineering Department has tabulated the protests and has submitted the tabulation together with a recommendation that said District be created as amended. Attached hereto as Exhibit "A" is a tabulation of protests received and/or heard, identifying three streets having more than 50% protests, said streets being deleted from District.

Section 3. Improvements proposed and described in the Notice of Intention to create said Curb and Gutter Extension

BOOK 5533 PART 2598

No. 38-750 are hereby authorized and Salt Lake City, Utah Curb and Gutter Extension No. 38-750 is hereby created.

Section 4. The City Engineer is hereby instructed to prepare a notice which calls for bids for the construction of improvements contemplated to be made in Curb and Gutter Extension No. 38-750, and the City Recorder is hereby instructed to publish the Notice to Contractors calling for bids at least one time in the <u>Deseret News</u>, a newspaper of general circulation in Salt Lake City, at least fifteen (15) days before the date specified in the notice for the receipt of bids.

Section 5. Construction contracts financed in part by funds which have not yet received budget approval shall be contingent on and subject to obtaining such approval.

ADOPTED AND APPROVED this 21st day of February, 1984.

ATTEST;

(SEAL)

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

Chairperson

ATTEST

.c, Recorde

(SEAL)

BOX5533 BAY 2594

I, Kathryn Marshall, the duly appointed, qualified and acting City Recorder of Salt Lake City, Salt Lake County, Utah do hereby certify as follows:

That the foregoing pages constitute a full, true and correct copy of the record of the proceedings of the City Council of Salt Lake City, Utah, at its regular meeting held on February 21, 1984 insofar as said proceedings relate to the creation of Salt Lake City Curb and Gutter Extension No. 38-750 as the same appears of record in my office. I personally attended said meeting and the proceedings were in fact held as specified in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City as of this 2/ day of February, 1984.

City Recorder

(SEAL)

STATE OF UTAH ) : SS. CERTIFICATE OF FILING COUNTY OF SALT LAKE )

I, Kathryn Marshall, the duly qualified and acting City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify that on the day day of February, 1984, pursuant to Utah Code Annotated, Section 10-16-7, (1953), as amended, a copy of the Notice of Intention and resolution creating Salt Lake City, Utah, Curb and Gutter Extension No. 38-750, as finally approved, was filed in the Salt Lake County Recorder's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this day of February, 1984.

Hithin Markall
Sity Recorder

(SEAL)

STATE OF UTAH ) CERTIFICATE OF COMPLIANCE : ss. WITH OPEN MEETING LAW COUNTY OF SALT LAKE )

- I, Kathryn Marshall, the duly qualified City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify:
- (a) that in accordance with the requirements of Section 52-4-6(1), Utah Code Annotated (1953), as amended, public notice of the 1984 Annual Meeting Schedule of the City Council of Salt Lake City (the "Council") was given, specifying the date, time and place of the regular meetings of the Council scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the Council to be posted on December 22, 1983, at the principal office of the Council at the City and County Building, Salt Lake City, Utah; said Notice of Annual Meeting Schedule having continuously remained so posted and available for public inspection during regular office hours at the City-County Building until the date hereof; and causing a copy of the Notice of Annual Meeting Schedule to be provided on December 22, 1983, to at least one newspaper of general circulation within the geographic jurisdiction of Salt Lake City, or to a local media correspondent;
- (b) that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, public notice of the regular meeting of the Council on February 21, 1984, was given by specifying in a Notice of

BOOK 5533 PART 2603

Regular Meeting the agenda, date, time and place of the February 21, 1984 Council Meeting and by causing the Notice of Regular Meeting to be posted at the principal office of the Council at the City and County Building in Salt Lake City, Utah, on the 17th day of February, 1984, a time and date not less than 24 hours prior to the date and time of the February 21. 1984 regular meeting; said Notice of Regular Meeting having continuously remained so posted and available for public inspection during the regular office hours at the City-County Building until the date and time of the February 21, 1984 regular Council meeting; and causing a copy of the Notice of Regular Meeting to be provided on February 17, 1984 to at least one newspaper of general circulation within the geographic jurisdiction of Salt Lake City, or to a local media correspondent.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this day of February, 1984.

(SEAL)

# LIST OF PROTEST Project No. 38-750

Street	Property Owner .	Street Address	Front Feet
(1) Sunnyside Avenue	Petusky Nielsen Manson Nagata Cannon Gardner Johnson Hicken Shislor	2150 East Sunnyside 2158 East Sunnyside 2176 East Sunnyside 2208 East Sunnyside 2254 East Sunnyside 2314 East Sunnyside 2350 East Sunnyside 2366 East Sunnyside 2398 East Sunnyside	75 75 75 78 78 216.95 105.0 125
		TOTAL	952.95'

Total assessable front footage for this street is 1497.98. Percentage of front footage against = 63.6%

Street	Property Owner	Street Address	Front Feet
1700 South Street	Sher Johnson Arnall Hackvale Nielsen Hearn Martin Farn Thayne Klausinq Hall Baxter Burrett Lee Henderson Stott Menlove Wood Kruse	1525 East 1700 So. 1537 East 1700 So. 1543 East 1700 So. 1545 East 1700 So. 1551 East 1700 So. 1559 East 1700 So. 1569 East 1700 So. 1600 East 1695 So. 1518 East 1700 So. 1528 East 1700 So. 1536 East 1700 So. 1556 East 1700 So. 1556 East 1700 So. 1556 East 1700 So. 1577 East 1700 So. 1583 East 1700 So. 1587 East 1700 So. 1600 East 1700 So.	50 50 37.5 37.5 50 50 50 38.86.5 45.5 86 50 75 75 58.85 80 47 60 61
		TOTAL	1,087.85'

Total assessable front footage for this street 2400.95'. Percentage of front footage against = 45.3%

Street	Property Owner	Street Add.ess	Front Feet
)700 North Street	Henderson Callister Hovey Callister *Parsons	1640 West 700 No. 1632 West 700 No. 1608 West 700 No. 1661 West 700 No. 1621 West 700 No.	48.5 118.5 91.0 51 445.2
		TOTAL	734.20

<sup>\*</sup> This property was in front of City Council at the protest hearing.

Total assessable front footage for this street 1,146.65. Percentage of front footage against = 65.8%

Street	Property Owner	Street Address	Front Feet
Paxton Avenue	Ingersoll Rand	319 W. Paxton Avenue	301.0'

Total assessable front footage for this street is 1,389.80. Percentage of front footage agains = 21.7%

Street	Property Owner	Street Address	Front Feet
Whitney Avenue	Rio Grande Railroad	329 W. Whitney Ave.	261.5

Total assessable front footage for thi street is 1,139.00. Percentage of front footage against = 23.0%

Stre	et	Property Owner	Street Address	Front Feet
1) Andrews	Avenue	Bunting Lancaster	351 W. Paxton Ave. 333 W. Paxton Ave.	373.0 55.0
			IATOT	428 O'

Total assessable front footage for this street is 551.0'. Percentage of front footage against = 77.7%

Street	Property Owner	Street Address	Front Feet
400 West Street	D & H Investment Stephens	1434 South 400 West 1450 South 400 West	200.5
		TOTAL	316.0 W

Total assessable front footage for this street is 3,108.62. Percentage of front footage against = 10.2%.

Street	Property Owner	Street Address	Front Feet
Colmar Avenue	Tidewell Rasmassen	969 West Colmar Ave. 965 West Colmar Ave.	75 50
		TOTAL	125

Total assessable front footage for this street is 1,886.52. Percentage of front footage against = 6.6%

Original total front footage for the district Total front footage protesting against Total percentage against the district	20,098.72' 3,781.39' 18.8%	
Revised protest rate as per recommendations.		
Revised total front footage for the district Revised front footage protesting against	16,903.09 2,502.19 14.8%	

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah was held on Tuesday, the 10th day of January, 1984, at the hour of 6:00 p.m., at the regular meeting place of said City Council at which meeting there were present and answering roll call the following rembers who constituted a quorum:

Ronald J. Whitehead Cha	irperson
-------------------------	----------

Grant Mabey Councilmember

Sydney Reed Fonnesbeck Councilmember

Alice Shearer Councilmember

Ione M. Davis Councilmember

Edward W. Parker Councilmember

Earl F. Hardwick Councilmember

Also present:

Ted L. Wilson Mayor

Albert E. Haines Chief Administrative Officer

Walter Miller Deputy City Attorney

Kathryn Marshall City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken:

80%5533 per 2607

Councilmember Davis introduced the following resolution in writing, which was read by title, and moved its adoption:

#### RESOLUTION NO. 3 of 1984

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF SALT LAKE CITY, SALT LAKE COUNTY, STATE OF UTAH, TO CONSTRUCT IMPROVEMENTS ON CERTAIN STREETS WITHIN SAID MUNICIPALITY CONSISTING OF THE CONSTRUCTION OF A DRAINAGE SYSTEM, CURB AND GUTTER AND SIDEWALK WHERE IT DOES NOW EXIST, REMOVING ALL EXISTING NOT NON-CONFORMING IMPROVEMENTS IN THE WAY OF NEW IMPROVEMENTS, CONSTRUCTING DRIVEWAYS FROM THE NEW CURB AND GUTTER TO THE STREET EDGE OF SIDEWALKS, AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; TO CREATE SALT LAKE CITY, UTAH CURB AND GUTTER EXTENSION NO. 38-750; TO DEFRAY THE COST AND EXPENSES OF SAID IMPROVEMENT DISTRICT BY SPECIAL ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITED BY SUCH IMPROVEMENTS; AND 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.

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

Section 1. The City Council of Salt Lake City, Salt Lake County, Utah hereby determines, that it will be in the best interest of said Municipality to make such improvements that will cause all streets in the extension to be paved with bituminous surface course placed on compacted gravel base, to construct a drainage system, to construct curb and gutter and sidewalk where it does not now exist; to remove all existing non-conforming improvements in the way of new improvements; to construct driveways from the new curb and gutter to the street edge of sidewalks; and to complete the whole in a proper and workmanlike manner according to the

preliminary design plans on file in the Office of the City Engineer of Salt Lake City, Utah. A description of the proposed 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 "Salt Lake City, Utah Curb and Gutter Extension No. 38-750" (the "District").

Section 3. The cost and expenses of a portion of the proposed improvements shall be paid by a special tax to be levied against the property fronting or abutting upon or adjacent to the District to be improved or which may be affected or specially benefited by any of such improvements, such tax to be paid in not more than ten (10) equal annual installments with interest on the unpaid balance until due and paid.

Section 4. Written protests against the proposed improvements or against the creation of said District must be presented and filed in the Office of the City Recorder on or before the 13th day of February, 1984, at the hour of 5:00 p.m. Thereafter at 6:00 p.m. on Tuesday, the 14th day of February, 1984 at the City Council's Chambers in Salt Lake 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 improvements and of the time within which protests against the proposed improvements or the creation of the District

may be filed a.d the date when such protests will be heard and considered by publishing notice of intention to create Salt Lake City, Utah Curb and Gutter Extension No. 38-750 in the Deseret News, a newspaper of general circulation in said Municipality, 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 Special Improvement 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 City, 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. Said Notice shall be in substantially the following form:

#### NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 10th day of January, 1984, the Mayor and City Council of Salt Lake City, Salt Lake County, Utah, adopted a resolution declaring its intention to create a special improvement district to be known as Salt Lake City, Utah Curb and Gutter Extension No. 38-750 (the "District"). It is the intention of the City Council to make improvements within the District and to levy special taxes 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 taxes are to be expended in the making of such improvements.

### DESCRIPTION OF DISTRICT

The District will be constructed within the following described area and boundaries and upon the streets named in the section entitled "Streets for Improvement".

#### <u>..rea</u>:

Block No.'s 176, 177, 178 and 179 Sunnyside Park and Park Crescent, Sidwell Map No. 16-10-12; Block No.'s 251 and 252 Sidwell Map No. 16-10-21; Block No.'s 178, 179 and 180 Glen Arbor and College View Subdivisions Sidwell Map No. 16-16-21; Block No.'s 252 and 253 Sidwell Map No. 16-16-21; Block No. 377 (Lot No. 13) Oak Hills Plat "C" Sidwell Map No. 16-11-32; Block No.'s 176 and 177 Sidwell Map No.'s 16-29-11 and 16-29-12; Block No.'s 452 and 453 Sidwell Map No. 8-27-41; Block No.'s 178 and 326 Sidwell Map No.'s 8-35-123 and 8-35-114; Block No.'s 451, 452 and 453, Stringers and Desky 2nd Addition, Sidwell Map No. 15-12-41; Block No.'s 376, 377, 378, 379, 380, 381. 382 and 383 Davis Sharp and Stringers Subdivision and Desky 2nd Addition, Sidwell Map No. 15-12-32; Block No.'s 201, 202, 203, 204, 205, 206 and 251 Desky's 2nd Addition, Burr Oak Addition and Stewart's Addition Sidwell Map No. 15-13-21; Block No.'s 126, 127, 128, 129, 130, 131, 132, 176 and 178 Desky's 2nd Addition, Burr Oak Addition, Stewart's Addition Tand Wahoo Subdivision, Sidwell Map No. 15-13-12; Block No.'s 333 and

377 Sidwell Map No. 15-14-32 and Block No.'s 404 and 451 Lincoln Park Plat "A" Sidwell Map No. 15-14-41.

#### Boundaries

. . •

Sunnyside Avenue - From Connor Street to Woodruff Way
1700 South Street - From 1500 East Street to 1700 East Street
Vista View Drive - From St. Mary's Way to Sherwood Drive
Hudson Avenue - From 800 East Street to 900 East Street
700 North Street - From Jordan River to Redwood Road
Simondi Avenue - From 1100 West Street to 1200 West Street
Paxton Avenue - From 300 West Street to 400 West Street
Lucy Avenue - From 300 West Street to 400 West Street
Albermarle Avenue - From 300 West Street to 400 West Street
Whitney Avenue - From 300 West Street to 400 West Street
Whitney Avenue - From 300 West Street to 400 West Street
Andrew Avenue - From 300 West Street to 400 West Street
Andrew Avenue - From 300 West Street to 400 West Street
Andrew Avenue - From 300 West Street to Andrew Avenue
Colmar Avenue - From 900 West Street to 1045 West Street

## STREETS FOR IMPROVEMENT AND BASIS FOR ASSESSMENT

Along the following named streets the abutting property owners will be assessed for improvements built at the herein below estimated rates per front foot of abutting property; for designated widths of roadway measured out from the street edge of the gutter to the center of the roadway, for concrete curb and gutter and sidewalk where it does not now exist, and for the abutter's portion of certain miscellaneous costs of the project as follows:

SUNNYSIDE AVENUE - SOUTH SIDE - From Connor Street to 155 feet east of 2300 East Street - 1,077.28 feet - Rate No. 2.

2300 EAST STREET - EAST SIDE - From Sunnyside Avenue; thence south 92 feet - Rate No. 2.

SUNNYSIDE AVENUE - SOUTH SIDE - From 84.39 feet west of Woodruff Way; thence west 780.70 feet - Rate No. 1.

1700 SOUTH STREET - NORTH SIDE - From 1500 East Street to 1600 East Street - 708.50 feet - Rate No. 2.

1700 SOUTH STREET - NORTH SIDE - From 1600 East Street; thence east 113 feet - Rate 2.

1700 SOUTH STREET - NORTH SIDE - From 113 feet east of 1600 East Street; thence east 167.11 feet - Rate No. 1.

1700 SOUTH STREET - NORTH SIDE - From 1700 East Street; thence west 333.22 feet - Rate 3.

1700 SOUTH STREET - SOUTH SIDE - From 1500 East Street; thence east 379.35 feet - Rate No. 2.

1700 SOUTH STREET - SOUTH SIDE - From 379.35 feet east of 1500 East Street; thence east 994.87 feet - Rate No. 1.

1700 SOUTH STREET - SOUTH SIDE - From 1700 East Street; thence west 150 feet - Kate No. 3.

<u>VISTA VIEW DRIVE</u> - WEST SIDE - From St. Mary's Way; thence southeasterly 171.35 feet - Rate No. 1.

HUDSON AVENUE - NORTH SIDE - From 800 East Street to 900 East Street - 726 feet - Rate No. 2.

HUDSON AVENUE - SOUTH SIDE - From 800 East Street to 900 East Street - 726 feet - Rate No. 2.

700 NORTH STREET - NORTH SIDE - From Redwood Road to Riverside Drive - 666.13 feet - Rate No. 1.

700 NORTH STREET - SOUTH SIDE - From Redwood Road to Riverside Drive - 736 feet - Rate No. 1.

RIVERSIDE DRIVE - EAST SIDE - From 700 North Street; thence north 303 feet - Rate No. 2.

RIVERSIDE DRIVE - WEST SIDE - From 700 North Street; thence north 202.95 feet - Rate No. 1.

 $\underline{\text{SIMONDI}}$  AVENUE - SOUTH SIDE - From 1100 West Street; thence west 165 feet - Rate No. 1.

SIMONDI AVENUE - SOUTH SIDE - From 1200 West Street; thence east 105 feet - Rate No. 1.

PAXTON AVENUE - NORTH SIDE - From 300 West Street to 400 West Street - 713.30 feet - Rate No. 2.

PAXTON AVENUE - SOUTH SIDE - From 300 West Street; thence west 582.30 feet - Rate No. 2.

PAXTON AVENUE - SOUTH SIDE - From 400 West Street; thence east 131 feet - Rate No. 3.

LUCY AVENUE - NORTH SIDE - From 300 West Street to 400 West Street - 713.30 feet - Rate No. 2.

LUCY AVENUE - SOUTH SIDE - From 300 West Street; thence west 576.30 feet - Rate No. 2.

LUCY AVENUE - SOUTH SIDE - From 400 West Street; thence east 15, feet - Rate No. 1.

<u>ALBERMARLE AVENUE</u> - NORTH SIDE - From 300 West Street; thence west 110 feet - Rate No. 2.

ALBERMARLE AVENUE - NORTH SIDE - From 400 West Street; thence east 601.00 feet - Rate No. 3.

ALBERMARLE AVENUE - SOUTH SIDE - From 300 West Street; thence west 403.00 feet - Rate No. 2.

ALBERMARLE AVENUE - SOUTH SIDE - From 400 West Street; thence east 308 feet - Rate No. 3.

 $\frac{\text{HOPE AVENUE}}{110.00 \text{ feet}}$  - NORTH SIDE - From 300 West Street; thence west  $\frac{110.00 \text{ feet}}{110.00 \text{ feet}}$  - Rate No. 2.

HOPE AVENUE - NORTH SIDE - From 110 feet west of 300 West Street; thence west 318.00 feet - Rate No. 3.

 $\frac{\text{HOPE AVENUE}}{183.00 \text{ feet}}$  - NORTH SIDE - From 400 West Street; thence east

HOPE AVENUE - NORTH SIDE - From 183.00 feet east of 400 West Street; thence east 100.00 feet - Rate No. 2.

HOPE AVENUE - SOUTH SIDE - From 300 West Street to 400 West Street - 711.00 feet - Rate No. 3.

WHITNEY AVENUE - NORTH SIDE - From 300 West Street; thence west 117.50 feet; - Rate No. 3.

WHITNEY AVENUE - NORTH SIDE - From 117.50 feet west of 300 West Street; thence west 270.50 feet - Rate No. 2.

WHITNEY AVENUE - NORTH SIDE - From 400 West Street; thence east 323.00 feet - Rate No. 3.

WHITNEY AVENUE - SOUTH SIDE - From the east line of D.&R.G.W. right-of-way; thence west 261.50 feet - Rate No. 2.

WHITNEY AVENUE - SOUTH SIDE - From 400 West Street; thence east 408.00 feet - Rate No. 3.

1500 SOUTH STREET - NORTH SIDE - From 300 West\_Street; thence west 213.20 feet - Rate No. 2.

1500 SOUTH STREET - NORTH SIDE - From 400 West Street; thence east 324.50 feet - Rate No. 3.

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1540 SOUTH STREET - NORTH SEDE - From 324.50 feet east of.... 400 West Street; thence east 81.00 feets - Rate No. 2.

1500 SOUTH STREET - SOUTH SIDE - From 300 West Street; thence west 280.50 feet - Rate No. 3.

1500 SOUTH STREET - SOUTH SIDE - From 400 West Street; thence east 237.50 feet - Rate No. 3.

1500 SOUTH STREET - SOUTH SIDE - From 237.50 feet east of 400 West Street; thence east 93.00 feet - Rate No. 2.

ANDREW AVENUE - NORTH SIDE - From 300 West Street to 400 West Street - 611.00 feet - Rate No. 1.

ANDREW AVENUE - SOUTH SIDE - From 300 West Street; thence west 430.00 feet - Rate No. 2.

ANDREW AVENUE - SOUTH SIDE - From 400 West Street; thence east 171.00 feet - Rate No. 1.

LUCY AVENUE - NORTH SIDE - From 400 West Street; thence west 47.77 feet - Rate No. 2.

LUCY AVENUE - SOUTH SIDE - From 400 West Street; thence west 46 feet - Rate No. 2.

400 WEST STREET - EAST SIDE - From Paxton Avenue; thence north 134.00 feet - Rate No. 2.

 $\frac{400\ \text{WEST}\ \text{STREET}}{\text{south }129.5\ \text{feet}}$  - EAST SIDE - From Paxton Avenue; thence

400 WEST STREET - EAST SIDE - From Lucy Avenue; thence south 284.00 feet - Rate No. 2.

400 WEST STREET - EAST SIDE - From 1300 South Street; thence south to Albermarle Avenue - 571.00 feet - Rate No. 2.

400 WEST STREET - EAST SIDE - From Albermarle Avenue to Hope Avenue - 259.50 feet - Rate No. 3.

400 WEST STREET - EAST SIDE - From Hope Avenue to Whitney Avenue - 258 feet - Rate No. 3.

400 WEST STREET - EAST SIDE - From Whitney Avenue to 1500 South Street - 244.50 feet - Rate No. 2.

400 WEST STREET - EAST SIDE - From 1500 South Street to Andrew Avenue - 110.50 feet - Rate No. 3.

PAXTON AVENUE - NORTH SIDE - From 400 West Street; thence west 72.34 feet - Rate No. 2.

PAXTON AVENUE - SOUTH SIDE - From 400 West Street; thence west 60.00 feet - Rate No. 2.

400 WEST STREET - WEST SIDE - From Paxton Avenue; thence north 148.00 feet - Rate No. 2.

400 WEST STREET - WEST SIDE - From Paxton Avenue to Lucy Avenue - 284.00 feet - Rate No. 2.

400 WEST STREET - WEST SIDE - From Lucy Avenue to 1300 South Street - 243.00 feet - Rate No. 2.

400 WEST STREET - WEST SIDE - From 1300 South Street; thence south 1,033.50 feet - Rate No. 3.

400 WEST STREET - WEST SIDE - From 1500 South Street; thence north 457.00 feet - Rate No. 2.

400 WEST STREET - WEST SIDE - From 1500 South Street; thence south 110.50 feet; Rate No. 3.

COLMAR AVENUE - NORTH SIDE - From 900 West Street; thence
West 385.00 feet - Rate No. 3.

COLMAR AVENUE - NORTH SIDE - From 1045 West Street; thence east 709.52 feet - Rate No. 1.

COLMAR AVENUE - SOUTH SIDE - From 260.00 feet west of 900 West Street; thence west 250.00 feet - Rate No. 3.

COLMAR AVENUE - SOUTH SIDE - From 1045 West Street; thence east 582.73 feet - Rate No. 1.

All other necessary things shall be done to complete the whole project in a proper and workmanlike manner according to preliminary plans and profiles on file in the office of the Salt Lake City Public Works Director.

All nonconforming improvements such as lawns, sprinkling systems, rock gardens, driveways, curbs and gutters, culverts, walks, fences, etc. which have been built or installed by abutting property owners within the area to be improved, must be removed by the property owners at their

expense prior to the commencement of the project. If these improvements are not removed by the property owners, they will be removed by the contractor and disposed of by him as directed by the Engineer.

## ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in said proposed Special Improvement District as estimated by the City Engineer is \$1,350,000.00, of which it is anticipated the Municipality will pay \$704,220.15. The remainder of approximately \$645,779.85 shall be paid by a special tax to be levied against the property abutting upon the streets to be improved or upon property which may be affected or specifically benefited by such improvements. The actual commitment of the municipality to pay its portion of the costs of improvements is subject to the availability of funds and compliance with budget approval.

The estimated costs include an allowance for contingencies and an allowance of approximately fifteen percent (15%) for administrative costs, engineering, legal and other costs in connection with the issuance of bonds. 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. The interest on said warrants will be assessed to the property owners. The estimated cost to be assessed against the properties within Curb and Gutter Extension No. 38-750 shall be as follows:

## IMPROVEMENTS & ESTIMATED COSTS

Rate No.	Improvements	Front Feet of Abutting Property	Estimated Cost/Foot		Estimated Cost
1.	4' Sidewalk, Curb & Gutter & 10' Pavement	6,143.21	\$ 36.46	\$	223,988.73
	Curb & Gutter & 10' Pavement	9,382.40	26.86		252,011.26
3.	10' Pavement	5,770.22	16.19		93,419.86
		Total Estimated Abutter's Portion Exclusive of Extra Cost for Private Driveways S			569,419.85
		Total Estimated Cost of City's Portion Proper  Total Estimated Cost for Private Driveways, Topsoil & Sodding			704,220.15
					76,360.00
					,350,000.00

The estimated cost of the City's portion consists of the cost of unclassified excavation, the cost of the paving of all intersections, the cost of all drainage systems, the cost of relocating water systems, and sewer systems, resetting manholes and cleanout box covers and frames, the cost of replacing any existing curb and gutter or sidewalk necessitated by the new improvements and all miscellaneous cost of the project.

Parking areas, i.e., those areas between the back of new curb and the street edges of existing sidewalk, not occupied by housewalks or driveways will be brought to finished grade using the existing soil unless the property

BPV5533 RE 2619

owner desires a 4-inch trough be left for placement of topsoil at his expense and labor, or if so elected the property owner can choose to have topsoil and sod furnished and placed by the contractor at the owner's expense at an estimated cost of \$0.50 per square foot; this cost to be assessed only against those properties where the owners request in writing the furnishing and placement of sod and topsoil No fine grading or installing of sprinkling system will be done under this improvement project.

All of the frontages of streets in this district, upon which the improvements are to be made, will be assessed in accordance with the improvements constructed. Credit under proper permits from the office of the Public Works Director and extensions previously built and assessed will be made and allowed so that the property will not be reassessed for those prior improvements so constructed. Credits for corner lot exemptions or partial exemptions will be made as provided by State Statutes and City Ordinances.

The abutter's estimate cost per front foot does not include the cost of driveways which will vary according to width, length and amount of parking area to be covered. These costs are estimated to be approximately \$3.00 per square foot for flare and dip type driveways and \$55.00 per linear foot for pipe drive including apron and waterway. The cost of driveways will be assessed against the properties benefited in addition to the assessment for sidewalk, curb and gutter and paving.

## ASSESSMENTS AND LEVY OF TAXES

It is the intention of the City Council of Salt Lake City, Utah to levy assessments as provided by the laws of Utah on all parcels and lots of real property within the District. The purpose of the assessment and levy is to pay those costs of the subject improvements which the Municipality will not assume and pay. The method of assessment shall be by lineal front foot as set forth herein.

Abatement of Assessments. Assessments shall be equal and uniform according to the benefits and improvements received; however, when the owner of a residence abutting the required improvements shall have a combined family income at or below the very low income level guidelines established by the Department of Housing and Urban Development in its "Income Limits for Housing and Community Development, Section 8 Program for Salt Lake City and Ogden, Utah SMSA", as amended from time to time, the entire cost of replacement may be paid by the City, subject to the availability of funds. "Low and moderate income household" or "lower income household" means a household whose income does not exceed 50% of the median family income for the area, as determined by HUD with adjustments for smaller and larger families. Such owner must file an application therefor with the City, in order for the payments required to be abated. In order for the above income guidelines to become effective for the purposes of this section, the City must receive notice of such amendment and same must be adopted by the Mayor by executive action.

The abatement of assessments will only apply for owner occupied single family residences. All other abutting properties will be assessed in accordance with the Notice of Intention. The property owners will be required to submit documentation of their income to the City for an evaluation for an abatement. This information would be submitted for review not less than ten (10) days before the time of the Board of Equalization hearings for the District. These abatements will be on an annual basis. The property owner will have to provide income information yearly, at the time of assessment billing, for the abatement to be extended.

The assessments may be paid by property owners in ten (10) equal annual installments with interest on the unpaid balance at a rate or rates fixed by the City Treasurer, 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 of Title 10 of Utah Code Annotated, (1953), as amended.

A map of the proposed District and copies of the preliminary design 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 Curb and Gutter Extension No. 38-750 or to make any other objections relating thereto. Protests shall describe or otherwise identify the property record by the person or persons making the protest. Protests shall be filed with the City Recorder of Salt Lake City, Utah, on or before 5:00 p.m. on the 13th day of February, 1984. Thereafter at 6:00 p.m. on the 14th day of February, 1984, the City Council will meet in public meeting at the City Council Chambers to consider all protests so filed and hear all objections relating to the proposed Curb and Gutter Extension No. 38-750.

BY ORDER OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

/s/ Kathryn Marshall City Recorder

Published in the Deseret News.

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

Those voting AYE:

Ronald J. Whitehead

Grant Mabey

Sydney Reed Fonnesbeck

Alice Shearer

Ione M. Davis

Edward W. Parker

Earl F. Hardwick

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.

Chairperson

ATTEST:

TYHYD 1 1 KINOM City Recorder

(SEAL)

100X5533 PARE 26

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

- I, Kathryn Marshall, the duly chosen, qualified and acting City Recorder of Salt Lake City, Salt Lake County 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 January 10, 1984, at the hour of 6:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the City Council to create Curb and Gutter Extension No. 38-750 and make certain improvements therein described as the same appears of record in my office; and that the proceedings were in fact held as in said minutes specified.
- 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 January 10, 1984, has been recorded by me, and is a part of the permanent records of Salt Lake City, Salt Lake County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said Municipality this day of January, 1984.

Mtkar HVG 1. M.

(SEAL)

500x5533 PAGE 2625

STATE OF UTAH
)
AFFIDAVIT OF MAILING
: ss. NOTICE OF INTENTION
COUNTY OF SALT LAKE
)

I, Kathryn Marshall, the duly chosen, qualified and acting City Recorder of Salt Lake 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 10th day of January, 1984.

I further certify that on the day of January, 1984 (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 Salt Lake City, Utah Curb and Gutter Extension No. 38-750 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 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 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 Salt Lake City, Salt Lake County, Utah this 26 day of January, 1984.

City Recorder

(SEAL)

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REQ OF SHE COUNTY,

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(Affidavit of proof of publication of the Notice of Intention to create Salt Lake City, Utah Curb and Gutter Extension No. 38-750.)

STATE OF UTAH

CERTIFICATE OF COMPLIANCE
: SS WITH OPEN MEETING LAW

COUNTY OF SALT LAKE

COUNTY OF SALT LAKE

- I, Kathryn Marshall, the duly qualified City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify:
- (a) that in accordance with the requirements of Section 52-4-6(1), Utah Code Annotated (1953), as amended, public notice of the 1984 Annual Meeting Schedule of the City Council of Salt Lake City (the "Council") was given, specifying the date, time and place of the regular meetings of the Council scheduled to be held during the year 1984, by causing a Notice of Annual Meeting Schedule for the Council to be posted on December 22, 1983, at the principal office of the Council at City Hall, Salt Lake Sity, Utah; said Notice of Annual Meeting Schedule having continuously remained so posted and available for public inspection during regular office hours at City Hall until the date hereof; and causing a copy of the Notice of Annual Meeting Schedule to be provided on December 22, 1983, to at least one newspaper of general circulation within the geographic jurisdiction of the Municipality or to a local media correspondent;
- (b) that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, public notice of the regular meeting of the Council on January 10, 1984, was given by specifying in a Notice of Regular Meeting the agenda, date, time and place of the January 10, 1984

BOOK 5533 PAGE 2630

Council Meeting and by causing the Notice of Regular Meeting to be posted at the principal office of the Council at City Hall in Salt Lake City, Utah, on the 6th day of January, 1984, a date not less than 24 hours prior to the date and time of the January 10, 1984 regular meeting; said Notice of Regular Meeting having continuously remained so posted and available for public inspection during the regular office hours at City Hall until the date and time of the January 10, 1984 regular Council meeting; and causing a copy of the Notice of Regular Meeting to be provided on January 6, 1984, to at least one newspaper of general circulation within the geographic jurisdiction of the Municipality or to a local media correspondent.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this day of January, 1984.

Within Trushair CITY RECORDER

(SEAL)

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8 3056 LSPERRY REALTY, INC.	475 SO MAIN ST 84111	40-42	i :	DAVIS SHARP & STRING	ERS -75 •	* RATE 12		ji,
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