

WHEN RECORDED RETURN TO:

Grant Macfarlane
Coalville City Attorney
P. O. Box 616
Coalville, UT 84017

RESOLUTION NO. 2004-02

A RESOLUTION OF THE CITY COUNCIL OF COALVILLE CITY, SUMMIT COUNTY, STATE OF UTAH (THE "CITY"), AMENDING RESOLUTION NO. 2001-1 ADOPTED ON JULY 9, 2001, TO RELEASE AND DISCHARGE CERTAIN REAL PROPERTY FROM THE COALVILLE, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2001-1 (THE "IMPROVEMENT DISTRICT"); AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION AND RELATED MATTERS.

WHEREAS, on May 23, 2001, the City Council of the City adopted Resolution No. 2001-9 (the "Notice of Intention") declaring its intention to create the Improvement District for the purpose of financing the costs of construction of improvements within said Improvement District; and

WHEREAS, after holding a protest meeting on July 9, 2001, as required by law for the purpose of receiving comments with respect to the financing of improvements within the Improvement District and the creation of the Improvement District, and authorizing the financing of the construction of improvements within the Improvement District; and

WHEREAS, pursuant to the Notice of Intention and Creation Resolution, the City had divided the Improvement District into four zones (each a "Zone," as more particularly described in Exhibit B attached hereto) in order to enable the Improvement District to assess each Zone at a different rate; and

WHEREAS, as a result of changes in the manner in which development is anticipated to occur within the Improvement District the City Council now desires to delete Zones 1 and 4 from the Improvement District, each as more fully described in Exhibit C, it having been determined by the City Council that the properties within Zones 1 and 4 will not receive an immediate benefit from the improvements constructed within the Improvement District; and

WHEREAS, the City Council hereby considers this resolution to be the Release and Discharge of the Recorded Encumbrance document required by law to be recorded in the Summit County Recorder's Office;

WHEREAS, the City desires to authorize the Mayor, the City Recorder, and any other appropriate official to perform all other acts they may deem necessary and appropriate to implement the matters authorized in this resolution;

NOW THEREFORE, be it resolved by the City Council of Coalville City, Summit County, Utah:

00695657 BK01613 Pg01596-01608

ALAN SPRIGGS, SUMMIT CO RECORDER
2004 APR 20 10:09 AM FEE \$1.00 BY GGB
REQUEST: COALVILLE CITY MUNICIPAL CORPDR

Section 1. The City Council hereby amends the Creation Resolution adopted on July 9, 2001, to delete from the Improvement District the properties that comprise Zones 1 and 4 as described therein.

Section 2. As required by law, the City Recorder is hereby authorized and directed to file and record a copy of this resolution amending the Creation Resolution, and releasing and discharging Zones 1 and 4 from the Improvement District described by tax identification number and legal description, in the Summit County Recorder's Office within five days from the date hereof.

Section 3. In addition to the requirements of Section 4 hereof, immediately upon its adoption, this resolution shall be placed in the records of the City where it will be continuously available for public inspection on a reasonable basis at the office of the City during regular business hours of the City, from and after the date hereof through and including the last date of issuance of the bonds or such other time as is determined by the City.

Section 4. The Mayor, the City Recorder, and other appropriate officials are hereby authorized to perform all other acts they may deem necessary and appropriate to implement the matters authorized in this resolution.

Section 5. All other resolutions or parts thereof in conflict herewith are, to the extent of such conflicts, hereby repealed and this resolution shall be in full force and effect upon its approval and adoption.

Section 6. This resolution shall become effective immediately upon adoption.

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

(SEAL)

By: *J. Howard Madson*
Mayor

ATTEST:

By: *Trace Parker*
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Grace Carlsen, the duly chosen, qualified and acting City Recorder of Coalville City, Summit 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 April 12, 2004, at the hour of 7:00^{PM}, 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 April 12, 2004, has been recorded by me, and is a part of the permanent records of Coalville City, Summit County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said Municipality this April 15th, 2004.

(SEAL)

By: Grace Carlsen
City Recorder

BK1613 PG1599

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Grace Carlsen, the undersigned City Recorder of Coalville City, Summit 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, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 12, 2004, public meeting held by the City as follows:

(a) By causing a Notice in the form attached hereto as Schedule 1, to be posted at the City's principal offices on April ~~9th~~, 2004, 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 1, to be delivered to the Summit County Bee on April ~~6th~~, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2004 Annual Meeting Schedule for the City (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be posted on April __, 2004, at the principal office of the City and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the City on April 12, 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 12, 2004.

(SEAL)

By: Grace Carlsen
City Recorder

BK1613 PG1600

SCHEDULE 1

NOTICE OF MEETING
AMENDED
COALVILLE CITY COUNCIL
MEETING NOTICE & AGENDA

Notice is hereby given that the Coalville City Council will hold its regularly scheduled City Council Meeting on Monday the 12th day of April, 2004 at the Coalville City Hall located at 10 North Main Street. This meeting will begin promptly at 7:00 P.M. The agenda will be as follows:

1. Roll Call
2. Pledge of Allegiance
3. Approval of Minutes
4. Approval of Accounts Payable
5. City Council Agenda Items:
 - A. Discussion of Claim of Ormond Construction Company and Completion of Work on 2001-1 Special Improvement District
 - B. Public Hearing – Street Master Plan 7:30 p.m.
 - C. Public Hearing – CDBG Grant Project 8:00 p.m.
 - D. Consider Resolution Extending Maturity Date on Interim Warrants for Coalville City Special Improvement District 2001-1.
 - E. Consider Amendment of Resolution which Created Special Improvement District 2001-1, to Exclude Zones I and IV from the District.
 - F. Coalville Area Business Association – Discussion of Street Closure for Car Show and Fishing Derby – Marcy Palmer
 - G. Approval of Business License
 - H. Public Works Updates – Doug Moore
 - a. Delinquent Water Bill Ordinance
 - b. Secondary Water Fees
 - c. Hoystville Well
 - I. Community Development Updates – Don Sargent
 - a. Billboard Code Amendment Application Update
 - b. Coal Miner Plaza Update
 - c. Presentation of Planning Commission *Statements of Support* to the Council Regarding:
 1. Economic Program
 2. Water Conservation Plan
 - d. Enforcement Updates
 - e. Planning Commission Agenda Review
6. Adjournment

Coalville City reserves the right to change the order of the meeting agenda as required.

Dated this 9th day of April 2004.

Grace Carlsen, City Recorder

BK1613 PG1601

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

COALVILLE CITY COUNCIL REGULAR MEETING SCHEDULE
AND WORK SESSION SCHEDULE
2004

Regular Meetings

2nd Monday

February 9
March 8
April 12
May 10
June 14
July 12
August 09
September 13
October 12 **Tuesday**
November 8th
December 13

Work Sessions

4th Wednesday – as needed
If not needed the Mayor will call it off.

February 25th
March 24
April 28
May 26
June 23
July 28
Aug 25
September 22
October 27
November - none
December 22

BK1613 PG1602

EXHIBIT B

DESCRIPTION OF IMPROVEMENT DISTRICT

The Improvement District is located in Sections 4 and 9 of Township 2 North, Range 5 East, Salt Lake Base and Meridian and is bounded on the North by the Northernmost Coalville City boundary, on the west by the toe of the western ridgeline of Allen Hollow, on the east by the toe of the eastern ridgeline of Allen Hollow, and on the South by paved Allen Hollow access road on the southeastern corner and southwestern corner of the existing Coalville City owned property.

The District is currently assessed in four zones, each bearing a different rate of assessment. The descriptions of the zones are as follows:

ZONE 1 (Flare)

BEGINNING AT A POINT WHICH IS NORTH 4142.81 FEET AND EAST 1809.85 FEET FROM THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 44° 07' 40" E 27.14 FEET; THENCE N 21° 17' 30" E 21.52 FEET; THENCE N 27° 30' 52" E 347.09 FEET; THENCE N 50° 50' 10" E 115.32 FEET; THENCE N 54° 52' 10" E 108.74 FEET; THENCE N 29° 24' 20" E 221.86 FEET; THENCE N 84° 41' 50" E 73.64 FEET; THENCE S 50° 56' 10" E 96.07 FEET; THENCE S 45° 00' 34" E 57.25 FEET; THENCE S 50° 56' 10" E 188.47 FEET; THENCE S 20° 32' 00" W 649.44 FEET; THENCE N 82° 07' 33" W 509.72 FEET; THENCE N 45° 24' 29" W 107.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.97 ACRES

ZONE 2 (Jade)

NW1/4 SE ¼ SEC 4 T2NR5E SLBM CONT 40.0 ACRES LESS 4.02 AC
BAL 35.78 ACRES MWD-176 Q-156 524-590 994-516

ZONE 3 (Allen Hollow)

A part of the south half of Section 4 and in the north half of Section 9, Township 2 North, Range 5 East, Salt Lake Base and Meridian.

Beginning at a point which is N88°46'24"W 450.52 feet from the North Quarter Corner of Section 9, Township 2 North, Range 5 East, Salt Lake Base and Meridian (Said point located on the northerly section line of above said Section 9, and also on the southeasterly boundary line of Cedar Crest Subdivision) and running thence;

N 17°15'06" E 420.73 feet, along said boundary line; thence

N 22°33'41" E	580.03 feet, along said line; thence
S 35°37'26" E	201.26 feet, along said line to the westerly line of the Southwest Quarter of the Southeast Quarter of Section 4; thence
N 00°43'44" E	214.59 feet, to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 4; thence
S 88°32'37" E	1,329.33 feet, to the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 4; thence
S 00°23'40" W	1,320.13 feet, to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 4; thence
N 88°46'25" W	539.07 feet, to the crest of a Cedar Ridge; thence
S 26°35'09" W	245.46 feet, along said crest; thence
S 18°16'04" W	307.89 feet, along said crest; thence
S 31°09'41" W	471.75 feet, along said crest; thence
N 50°56'01" W	301.69 feet, to the Northeast boundary corner of CRA Enterprises; thence
N 48°49'51" W	188.47 feet, along the northerly boundary line of CRA Enterprises; thence
N 42°54'15" W	57.25 feet, along said boundary line; thence
N 48°49'51" W	96.07 feet, along said boundary line; thence
S 86°48'09" W	73.64 feet, along said boundary line to the Northwest Corner of above said boundary; thence
S 31°30'39" W	221.86 feet, along the westerly boundary line of CRA Enterprises; thence
S 56°58'29" W	108.74 feet, along said boundary line; thence
S 56°56'29" W	115.32 feet, along said boundary line; thence
S 29°37'11" W	327.46 feet, along said boundary line to the northerly line of an existing road right of way (which is 30.00 feet perpendicular from the centerline); thence
N 63°34'07" W	296.43 feet, along said right of way line to a non-tangent curve to the left; thence
753.44 feet	along the arc of a curve to the left and said right of way line (R=483.56', Delta=89°16'24", T=477.47', CH=679.51', CHB=S 66°06'08" W); thence
S 15°45'06" W	29.69 feet, along said right of way line to the southerly line of the Northwest Quarter of the Northwest Quarter of Section 9; thence
N 88°49'44" W	687.48 feet, along said line to the edge of a rock ledge; thence
N 43°38'35" E	64.40 feet, along said ledge; thence
N 31°10'07" E	57.35 feet, along said ledge; thence
N 17°53'08" E	176.08 feet, along said ledge; thence

N 36°16'43" E	650.31 feet, along said ledge; thence
N 33°39'13" E	334.86 feet, along said ledge; thence
N 19°30'51" E	257.91 feet, along said ledge to the northerly line of Section 9 (said line also being the southerly boundary line of Cedar Crest Subdivision); thence
S 88°46'24" E	1,021.86 feet, along said line to the point of beginning.

Contains: 99.956 acres

ZONE 4 (Cedar Crest)

All property within the District that lies with the below described property:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS N 89° 47' 19" E 599.83 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF ABOVE SAID SECTION 4, (SAID POINT BEING ON THE SOUTHEAST CORNER OF DEED NO. PWD-440) AND RUNNING THENCE N 02° 10' 00" E 439.48 FEET ALONG SAID DEED LINE, THENCE S 89° 48' 00" W 186.38 FEET ALONG SAID DEED LINE TO A LINE WHICH IS THE EASTERLY LINE OF DEEDS NO. SWD-457, AND M19-145, THENCE N 24° 30' 00" E 368.85 FEET, THENCE N 88° 35' 00" W 583.19 FEET ALONG SAID DEED LINE TO THE WESTERLY LINE OF SAID SECTION 4, THENCE NORTH 447.80 FEET ALONG THE SECTION LINE TO AN EXISTING FENCE LINE, THENCE S 72° 59' 50" E 318.15 FEET, ALONG SAID FENCE LINE, THENCE NORTH 185.27 FEET, TO AN EXISTING FENCE LINE, THENCE N 83° 42' 20" W 305.00 FEET ALONG SAID FENCE LINE TO THE EASTERLY LINE OF COALVILLE MAIN STREET, THE NEXT FIVE COURSES ARE ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STREET, THENCE N 06° 20' 20" E 69.07 FEET, THENCE N 22° 35' 38" E 768.16 FEET, THENCE N 23° 58' 21" E 40.05 FEET, THENCE N 14° 40' 35" E 216.73 FEET, THENCE N 00° 19' 46" E 281.80 FEET MORE OR LESS TO THE 1/4 SECTION LINE, THENCE S 89° 45' 15" E 2266.29 FEET MORE OR LESS ALONG SAID LINE TO THE CENTER OF SAID SECTION 4, THENCE S 89° 45' 15" E 416.06 FEET, THENCE S 48° 49' 45" W 196.24 FEET, THENCE S 30° 55' 45" W 347.82 FEET, THENCE N 89° 45' 15" W 84.48 FEET MORE OR LESS TO THE EASTERLY LINE OF THE SOUTHWEST QUARTER, THENCE S 00° 40' 43" E 1109.71 FEET ALONG SAID LINE TO DEED NO. 365-599, THENCE S 34° 11' 09" W 202.81 FEET, THENCE S 21° 07' 24" W 580.03 FEET, THENCE S 15° 48' 49" W 420.73 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID SECTION 4, THENCE S 89°

47° 19" W 1623.69 FEET ALONG SAID SECTION LINE TO THE
POINT OF BEGINNING.

CONTAINING 139.87 ACRES TOTAL

BK1613 PG1606

EXHIBIT C

ZONES 1 AND 4

ZONE 1 (Flare)

BEGINNING AT A POINT WHICH IS NORTH 4142.81 FEET AND EAST 1809.85 FEET FROM THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 44° 07' 40" E 27.14 FEET; THENCE N 21° 17' 30" E 21.52 FEET; THENCE N 27° 30' 52" E 347.09 FEET; THENCE N 50° 50' 10" E 115.32 FEET; THENCE N 54° 52' 10" E 108.74 FEET; THENCE N 29° 24' 20" E 221.86 FEET; THENCE N 84° 41' 50" E 73.64 FEET; THENCE S 50° 56' 10" E 96.07 FEET; THENCE S 45° 00' 34" E 57.25 FEET; THENCE S 50° 56' 10" E 188.47 FEET; THENCE S 20° 32' 00" W 649.44 FEET; THENCE N 82° 07' 33" W 509.72 FEET; THENCE N 45° 24' 29" W 107.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.97 ACRES

ZONE 4 (Cedar Crest)

All property within the District that lies with the below described property:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS N 89° 47' 19" E 599.83 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF ABOVE SAID SECTION 4, (SAID POINT BEING ON THE SOUTHEAST CORNER OF DEED NO. PWD-440) AND RUNNING THENCE N 02° 10' 00" E 439.48 FEET ALONG SAID DEED LINE, THENCE S 89° 48' 00" W 186.38 FEET ALONG SAID DEED LINE TO A LINE WHICH IS THE EASTERLY LINE OF DEEDS NO. SWD-457, AND M19-145, THENCE N 24° 30' 00" E 368.85 FEET, THENCE N 88° 35' 00" W 583.19 FEET ALONG SAID DEED LINE TO THE WESTERLY LINE OF SAID SECTION 4, THENCE NORTH 447.80 FEET ALONG THE SECTION LINE TO AN EXISTING FENCE LINE, THENCE S 72° 59' 50" E 318.15 FEET, ALONG SAID FENCE LINE, THENCE NORTH 185.27 FEET, TO AN EXISTING FENCE LINE, THENCE N 83° 42' 20" W 305.00 FEET ALONG SAID FENCE LINE TO THE EASTERLY LINE OF COALVILLE MAIN STREET, THE NEXT FIVE COURSES ARE ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STREET, THENCE N 06° 20' 20" E 69.07 FEET, THENCE N 22° 35' 38" E 768.16 FEET, THENCE N 23° 58' 21" E 40.05 FEET, THENCE N 14° 40' 35" E

216.73 FEET, THENCE N 00° 19' 46" E 281.80 FEET MORE OR LESS TO THE 1/4 SECTION LINE, THENCE S 89° 45' 15" E 2266.29 FEET MORE OR LESS ALONG SAID LINE TO THE CENTER OF SAID SECTION 4, THENCE S 89° 45' 15" E 416.06 FEET, THENCE S 48° 49' 45" W 196.24 FEET, THENCE S 30° 55' 45" W 347.82 FEET, THENCE N 89° 45' 15" W 84.48 FEET MORE OR LESS TO THE EASTERLY LINE OF THE SOUTHWEST QUARTER, THENCE S 00° 40' 43" E 1109.71 FEET ALONG SAID LINE TO DEED NO. 365-599, THENCE S 34° 11' 09" W 202.81 FEET, THENCE S 21° 07' 24" W 580.03 FEET, THENCE S 15° 48' 49" W 420.73 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID SECTION 4, THENCE S 89° 47' 19" W 1623.69 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 139.87 ACRES TOTAL

BK1613 PG1608