

RESOLUTION NO. 24-98

Eagle Mountain, Utah

November 10, 1998

A regular meeting of the Town Council of Eagle Mountain, Utah County, Utah, was held on Tuesday, November 10, 1998, at the hour of 7:00 p.m. at its regular meeting place in Eagle Mountain Utah, at which meeting there were present the following members who constituted a quorum:

Robert E. Bateman	Mayor
Diane Bradshaw	Councilmember
William Chipman	Councilmember
Dan Valentine	Councilmember
Cyril Watt (arrived late, was not present for vote)	Councilmember

Also present:

John D Newman	Town Administrator
Janet Valentine	Town Clerk

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following proceedings, among others, were duly had and taken:

The Town Clerk notified the Town Council that the Notice of Intention to establish Eagle Mountain, Utah Special Improvement District No. 98-3 (Sweet Water Road/Storm Drainage Phase I) (the "District"), authorized by the resolution adopted by the Town Council on the 1st day of October, 1998, had been published in the New Utah, a newspaper of general circulation in Eagle Mountain, Utah, said notice having been published four times, once during each week for four consecutive weeks, the last publication being not less than five (5) nor more than twenty (20) days prior to November 9, 1998, and that the affidavit of publishing said Notice of Intention with a copy of the Notice as published was duly filed in her office; also that a copy of such Notice of Intention to create the District has been mailed by United States Mail, postage prepaid, to each owner of land affected by or specially benefited by such improvements as said property is described in said Notice insofar as the names and addresses of said owners could be ascertained from the most recent available county assessment books and

that it also has been mailed by the United States Mail, postage prepaid, to "Owner" at the street number of each piece of improved property to be affected by said assessment, said Notices having been mailed not later then ten (10) days after the first publication of the Notice of Intention; that the Notice of Intention has been on file in her office during all regular office hours from the 1st day of October, 1998, to the 10th day of November, 1998, for the examination of any interested parties; that said Notice directed that all persons desiring to protest and oppose the creation of the District might appear and file in writing said protests and objections.

The Town Clerk then presented a statement stating that written protests against the creation of the District and the making of the proposed improvements therein were received by her in her office by 5:00 p.m. on the 9th day of November, 1998.

The names of the protestants and descriptions of their property are as follows:

<u>Sweet Water Road Project Property Owner</u>	<u>Number of Acres</u>
NONE	

Total number of acres protesting creation of district or proposed improvements thereof:	<u>0</u>
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Total number of acres affected or to be benefited:	<u>605.35 acres</u>
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StormWater
 Drainage Project
Property Owner

Number of Acres

NONE

Total number of acres protesting creation
 of district or proposed improvements
 thereof:

0

Total number of acres affected or
 to be benefited:

2,094.71 acres

The Town Council then considered each and every protest so filed, whether written or oral, and heard each and every person who wished to be heard in protest against the creation of the District and the construction of said improvements therein.

After consideration of such protests and the statements of those persons heard as aforesaid, it was determined that the total acres represented by said protests is less than fifty percent (50%) of the total acres to be assessed within the District and is a percentage insufficient to legally protest creation of the District.

Councilmember Diane Bradshaw introduced the following resolution in writing, which was fully discussed, and moved its adoption:

RESOLUTION NO. 24-98

A RESOLUTION TO CREATE EAGLE MOUNTAIN, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 98-3 (SWEET WATER ROAD/STORM DRAINAGE PROJECT PHASE I) DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT AND AUTHORIZING THE TOWN OFFICIALS TO PROCEED TO MAKE

IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT; AUTHORIZING THE TOWN ENGINEER TO PREPARE A NOTICE TO CONTRACTORS FOR SEALED BIDS WITH RESPECT TO THE CONSTRUCTION OF THE IMPROVEMENTS; AND RELATED MATTERS.

BE IT RESOLVED by the Mayor and Town Council of Eagle Mountain, Utah County, Utah:

Section 1. The Town Council of Eagle Mountain, Utah County, Utah, hereby determines that it will be in the best interest of the Municipality to construct certain improvements within the Municipality. The specific description of the nature of the improvements is more particularly set out in the Notice of Intention which has been published and mailed as required by law.

Section 2. The Town 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 making of any of the improvements therein or on any other matter pertinent to the District.

Section 3. The improvements proposed and described in the Notice of Intention to create the District are hereby authorized, and the District is hereby created.

Section 4. As required by law, the Town Clerk is hereby authorized and directed to file a copy of the Notice of Intention and resolution creating the District as finally approved, together with a list of properties proposed to be assessed described by tax identification number and legal description, in the Utah County Recorder's office within five days from the date hereof.

Section 5. In addition to the requirements of Section 4 hereof, immediately upon its adoption, this Resolution shall be placed in the records of the Town where it will be continuously available for public inspection on a reasonable basis at the office of the Town Clerk during regular business hours of the Town, 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 Town.

Section 6. The Town Engineer is hereby authorized to prepare a notice to contractors for the receipt of bids for the construction of improvements. Said notice shall specify the time and place for the receipt of sealed bids and shall publish the notice one time in a newspaper having general circulation in the Municipality at least fifteen (15) days before the date specified for the receipt of sealed bids. The Town Council shall in open session at the time specified in the notice, open, examine and publicly declare the bids and may reject any or all bids when deemed for the public good and, at such or a later meeting, shall reject all bids other than the lowest and best bid of a responsible bidder.

If the price bid by the lowest and best responsible bidder exceeds the estimated costs as determined by the Town Engineer, the Town Council may nevertheless award a contract for the price so bid. The Town Council may in any case refuse to award a contract and may obtain new bids after giving a new notice to contractors or may determine to abandon the district or not to make some of the improvements proposed to be made.

Councilmember Daniel Valentine seconded the motion to adopt the foregoing Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

Those voting AYE:

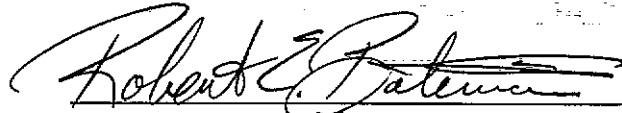
- Mayor Robert E. Bateman
- Council member Diane Bradshaw
- Council member William Chipman
- Council member Daniel Valentine

Those voting NAY:

None

Thereupon the motion was approved by the Mayor and made a matter of record by the Town Clerk.

ADOPTED AND APPROVED this 10th day of November, 1998.



 Mayor

ATTEST:

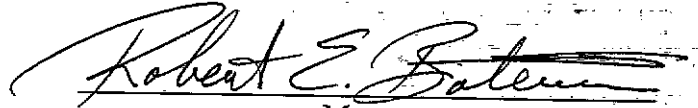


 Town Clerk



(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting adjourned.


Mayor

ATTEST:


Town Clerk

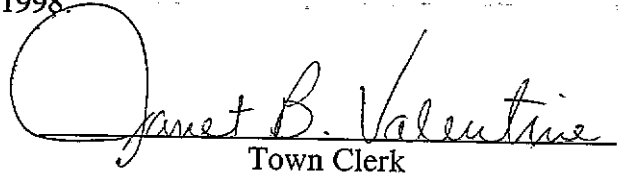


STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

I, Janet Valentine, the duly appointed, qualified Town Clerk of Eagle Mountain, Utah County, Utah, do hereby certify as follows:

That the foregoing pages constitute a full, true and correct copy of the record of proceedings of the Town Council of Eagle Mountain, Utah County, Utah, held on November 10, 1998 insofar as said proceedings relate to the hearing of protests against the establishment of the Eagle Mountain Utah Special Improvement District No. 98-3 (Sweet Water Road/Storm Drainage Phase I) and a resolution establishing said special improvement district as the same appears of record in my office. I personally attended said meeting, and the proceedings were in fact as specified in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Municipality this 10th day of November, 1998.


Town Clerk



STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

CERTIFICATE OF FILING

I, Janet Valentine, the duly qualified and acting Town Clerk of Eagle Mountain, Utah County, Utah, do hereby certify that on the 16TH day of November, 1998, pursuant to Section 17A-3-307, Utah Code Annotated 1953, as amended, a copy of the Notice of Intention and resolution creating Eagle Mountain, Utah Special Improvement District No. 98-3 (Sweet Water Road/Storm Drainage Project Phase I) as finally approved, together with a list of properties proposed to be assessed described by tax identification number and legal description, was filed in the Utah County Recorder's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this 16TH day of November, 1998.

Janet B. Valentine
Town Clerk



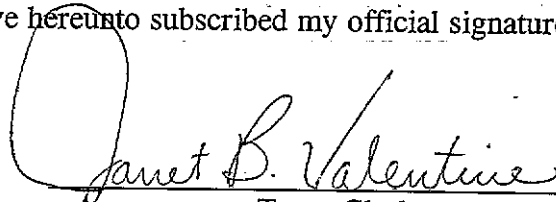
CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Janet Valentine, the undersigned Town Clerk of Eagle Mountain, Utah County, Utah (the "Town"), do hereby certify, according to the records of the Town 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 November 10, 1998, public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto as Exhibit "A", to be posted at the Town's principal offices on November 9th, 1998, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained to 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 Exhibit "A", to be delivered to the New Utah on November 9th, 1998, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 10th day of November, 1998.



 Town Clerk



EXHIBIT "A"

NOTICE OF MEETING

AGENDA
EAGLE MOUNTAIN TOWN COUNCIL MEETING

Tuesday, November 10, 1998
 1680 East Heritage Drive
 Eagle Mountain, Utah 84043

Town Council Meeting at 7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes (01/23/98, 08/25/98, 10/27/98)
5. General Discussion/Questions/Announcements
6. Warrant Register/Jeri Wilson
7. Public Comment
8. Public Hearing;
 - A. Consideration to approve an Ordinance enacting Impact Fees for Roads, Culinary Water, Sewer, Electricity, Natural Gas, Telephone and Storm Drainage Facilities.
 - B. Action from item 8, A.
9. Protest Hearing:
 - A. Protest hearing to receive public comment regarding the creation of Special Improvement District No. 98-3 (Sweetwater Road/Storm Drainage Phase I)
 - B. Consideration of a resolution to create Eagle Mountain, Utah Special Improvement District No. 98-3 (Sweetwater Road/Storm Drainage Project Phase I) as described in the Notice of Intention; authorizing the Town officials to proceed to make improvements as set forth in the Notice of Intention; and related matters.
10. Approval of an Ordinance amending the Development Code to include various changes.
11. Discussion of the sewer line that is being installed adjacent to State Road 73 and Meadow Ranch and the right-of-way issue and requirement for Meadow Ranch residents to hook into the sewer system.
12. Approval of an Easement with the Communities of the United Apostolic Brethren (CUAB), area contained-2.435 acres.
13. Approval of an Easement with the Communities of the United Apostolic Brethren (CUAB), area contained-0.453 acres.
14. Approval of an Encroachment Agreement between the Utah Lake Distributing Company and the Town of Eagle Mountain.
15. The Ranches Street Lights
16. Final Plat Approval for the Ranches (The Estates at Red Hawk Ranch- R1 N9)/Korey Walker
17. Approval of the Contract between the Town of Eagle Mountain and World Wireless for the Automatic Meter Reading System.
18. Approval of a Resolution authorizing the Execution of an Interlocal Cooperation Agreement with Utah County for the Provision of Law Enforcement Services.
19. Appointments
20. Discussion of options for Town Office Space/John Newman
21. Bonding and Bond Releases/Korey Walker
 - A. Meadow Ranch Park Bond for \$111,975.00 & Pedestrian Trail Guarantee Bond for \$33,556.00 (previously called Cedar Meadows).
 - B. Meadow Ranch Subdivision Construction Guarantee Bond for \$130,709.00.
 - C. Meadow Ranch Phases 1, 2, & 3 Bond Release for \$294,328.00
22. 1999 Meeting Times for Town Council, Planning Commission and Public Works Board/John Newman
23. Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues.
24. Action from the Closed Executive Session.
25. Adjournment

Approval:

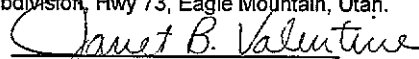


Mayor Robert E. Bateman

Date: Nov. 10, 1998

CERTIFICATE OF POSTING

The undersigned, duly appointed Town Clerk, does hereby certify that the above notice and agenda was posted in three public places within Eagle Mountain Town Limits on this 9th day of November 1998. These public places being 1) the Town Offices, 1680 E. Heritage Dr., Eagle Mountain, Utah; 2) Cedar Pass Ranch Bulletin Board, 9155 No. Cedar Pass Road, Eagle Mountain; and 3) the Bulletin Board located at Meadow Ranch Subdivision, Hwy 73, Eagle Mountain, Utah.



Janet B. Valentine
 Town Clerk

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 1st day of October, 1998, the Town Council of Eagle Mountain, Utah County, Utah (the "Town"), adopted a resolution declaring its intention to create a special improvement district to be known as Eagle Mountain, Utah Special Improvement District No. 98-3 (Sweet Water Road/Storm Drainage Phase I). It is the intention of the Town council to make the improvements described herein within the District and to levy special assessments as provided in Title 17A, Chapter 3, Part 3, 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 coincide with the legal description set forth in Exhibit "A", all being located within the Town limits of Eagle Mountain, Utah.

INTENDED IMPROVEMENTS

The improvements (the "Improvements") consists of two separate projects known as the Sweet Water Road Project to be constructed to benefit those properties within Zone 1 described herein and the Storm Water Drainage Project to be constructed to benefit those properties within Zone 2 described herein.

Sweet Water Road Project

The Sweet Water Road Project consists of a north and south area. The north area consists of:

1. The construction of approximately 3,400 feet of improved paved street improvements with underground supporting utilities. The road will extend northerly from the main traffic circle at the intersection of Eagle Mountain Boulevard and Sweetwater Roads to the north line of the property within the boundaries of the district in Section 12, Township 6 South, Range 2 West, SLB&M. A portion of the street (approximately 1,400 feet) will be constructed with a center median, including curbing, with a fifteen foot asphalt lane on each side of the median. The divided portion of the street will be that portion extending northerly from the Eagle Mountain Boulevard traffic circle to the existing entrance to the Eagle Park subdivision. From the Eagle Park entrance to the north end of the street, the curbed median will stop and the roadway will transition to an asphalt street consisting of two lanes on the east side of the right of way. Those two lanes will be constructed to a point approximately 2,000 feet north of the Eagle Park subdivision

entrance. At that point, the road will turn 90 degrees to the west and extend an additional 1,000 feet to the north entrance to Eagle Park subdivision.

2. The construction of underground infrastructure. Approximately 2,700 feet of 24" sewer pipe will be installed by connecting to the existing sewer main north of the Eagle Mountain traffic circle and extending that sewer main north to the end of construction of Sweetwater Road. There will be approximately 3,400 of 12" water pipe installed under the entire length of Sweetwater Road. A 24" storm water drainage pipe will be installed along the easterly edge of Sweetwater Road. The storm water pipe will carry storm water which will be connected to and drain into the master storm water drainage system. Utility conduits for future utility extensions across the road will be installed approximately every 1,000 feet.

3. The construction of improvements in the area known as "Town Center." These improvements include the completion of the main entrance road from Eagle Mountain Boulevard to the fire station, the traffic circle, the installation of all underground utilities into the Town Center area, road related landscaping along Sweetwater Road, Town Center and the main traffic circle.

The south area consists of:

1. The construction of approximately 12,000 feet of improved paved street improvements. The road will extend southerly from the main traffic circle at the intersection of Eagle Mountain Boulevard and Sweetwater Roads to the south line of Section 24, Township 6 South, Range 2 West, SLB&M. A portion of the street (approximately 1,400 feet) will be constructed with a center median, including curbing, with a fifteen foot asphalt lane on each side of the median. The divided portion of the street will be that portion extending southerly from the Eagle Mountain Boulevard traffic circle to a road known as Harvest Way which is the westerly entrance to the Eagle Point subdivision. From the Harvest Way entrance to the south line of Section 24, the curbed median will stop and the roadway will transition to an asphalt street consisting of two lanes on the east side of the right of way. Those two lanes will be constructed continuing past the existing wastewater treatment plant and provide access to the future airport industrial park.

2. The construction of approximately 2,900 feet of 24" sewer pipe and approximately 2,900 feet of 12" water main will be installed to the south end of the project and utility conduits for future utility extensions across the road will be installed approximately every 1,000 feet.

Storm Water Drainage Project

The Storm Water Drainage Project consists of the first phase of a master storm water drainage system to collect and transport surface storm water away from individual

developments and deliver that excess run off to the ultimate storage and absorption location. This project does not include the on-site storm water facilities required to be installed and provided by the subdevelopers.

The local collection system is designed to service the individual parcels by a series of local collectors and regional ponds, and an integrated system of underground pipes. The collected water will be moved through the system of pipes from the north end of the project area to the ultimate storage and absorption area at the south end of the project area near the future airport and the area known as the "sinks". The pipes are sized in accordance to the capacities required and range from 18" to 54" in diameter. There will be approximately 27,000 feet of pipe in the system. There are two large regional collection and retention ponds, the first comprising 7.93 acres and the second comprising 13.09 acres.

Zone 1 includes the properties described in Exhibit "A-1" and Zone 2 includes the properties described in Exhibit "A-2." All properties within Zone 1 will be assessed for the Sweet Water Road Project. All properties within Zone 2 will be assessed for the Storm Water Drainage Project.

ESTIMATED COST OF IMPROVEMENTS

The total cost of Improvements in the District as estimated by the Engineer is \$5,121,000, of which the Town will pay \$0, leaving a remainder of \$5,121,000 which shall be paid by a special assessment to be levied against the property which may be affected or specifically benefitted by such Improvements. The Town Council has determined that those parcels within the boundaries of the proposed District, the owners of which have a present intent to develop said parcels, will be benefitted by the proposed Improvements. 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. In lieu of utilizing a guaranty fund, the Town intends to create a special reserve fund to secure payment of the special assessment bonds (the "Bonds") the Town anticipates issuing to finance the proposed Improvements. The reserve fund will be initially funded with proceeds of the Bonds in an amount equal to approximately \$512,000. The Town anticipates applying moneys remaining in the reserve fund to the final payment on the Bonds which, in turn, would offset the final assessment payments to be made by the owners of property benefitted by such Improvements, all of which will be further described in the assessment ordinance to be adopted by the Town. In addition, the estimated costs of assessment include estimated overhead costs which the Town projects to incur in the creation and administration of the District. The estimated cost to be assessed against the properties within the District and the method of assessment shall be as follows:

<u>Improvements</u>	<u>Estimated Assessment</u>	<u>Method of Assessment</u>
Sweet Water Road Project	\$4,900	per acre
Storm Water Drainage Project	\$1,300	per acre

LEVY OF ASSESSMENTS

It is the intention of the Town Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefitted by the proposed Improvements within the District. The purpose of the assessment and levy is to pay those costs of the Improvements which the Town will not assume and pay. The method of assessment shall be based on a per acre basis, as set forth herein.

The assessments may be paid by property owners in not more than ten (10) annual installments with interest on the unpaid balance at a rate or rates fixed by the Town Council, 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 Title 17A, Chapter 3, Part 3, 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 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 represented by said protest. Protests shall be filed with the Town Clerk of Eagle Mountain, Utah, on or before 5:00 p.m. on the 9th day of November, 1998. Thereafter at 7:00 p.m. on the 10th day of November, 1998, the Town Council will meet in public meeting at the offices of the Town Council at 4114 North 1680 East, Eagle Mountain, Utah to consider all protests so filed and hear all objections relating to the proposed District.

After such consideration and determination, the Town 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 Town 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 shall mean protests representing one-half of the total acreage to be assessed.

BY ORDER OF THE TOWN COUNCIL OF EAGLE MOUNTAIN, UTAH

/s/ Janet Valentine

Town Clerk

Published in the Lehi Free Press.

Publication Dates: October 7, 14, 21 & 28, 1998.

EXHIBIT "A"

BOUNDARY OF THE DISTRICT

The proposed District will include the following described property:

EXHIBIT "A-1"

LEGAL DESCRIPTION OF ZONE 1

SWEET WATER ROAD SPECIAL IMPROVEMENT DISTRICT
 CEDAR VALLEY
 8/13/98

BEGINNING AT THE SW CORNER OF SECTION 13, T6S, R2W, SLB&M;
 THENCE S88°52'05"E ALONG THE SECTION LINE 1322.83 FEET;
 THENCE N00°24'41"E 5426.16 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
 CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1385.00 TO WHICH POINT A RADIAL
 LINE BEARS N05°05'20"E
 THENCE SOUTHEASTERLY ALONG SAID CURVE 440.08 FEET THROUGH A CENTRAL ANGLE
 OF 18°12'20" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING S75°48'30"E 438.23
 FEET) TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING
 A RADIUS OF 325.00 FEET;
 THENCE NORTHEASTERLY 521.34 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE
 OF 91°54'31" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N67°20'25"E 467.21
 FEET)
 THENCE N21°23'09"E 110.77 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO
 THE SOUTHEAST HAVING A RADIUS OF 62.09 FEET;
 THENCE NORTHEASTERLY 52.27 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE
 OF 48°14'12" (CHORD BEARING AND DISTANCE OF SAID CURVE N47°40'18"E 50.74 FEET) TO
 THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS
 OF 78.61 FEET;
 THENCE NORTHWESTERLY 127.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE
 OF 92°40'42" (CHORD BEARING AND DISTANCE OF SAID CURVE N31°19'14"E 113.74 FEET) TO
 THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS
 OF 52.44 FEET;
 THENCE NORTHEASTERLY 32.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE
 OF 35°30'26" (CHORD BEARING AND DISTANCE OF SAID CURVE S03°46'00"W 31.98 FEET);
 THENCE N21°31'13"E 235.47 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
 CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 9950.00 TO WHICH POINT A RADIAL
 LINE BEARS S21°03'07"W
 THENCE NORTHWESTERLY ALONG SAID CURVE 1212.64 FEET ALONG THE NORTHERLY
 BOUNDARY OF EAGLE MOUNTAIN BOULEVARD EASEMENT THROUGH A CENTRAL ANGLE
 OF 06°58'58" (CHORD BEARING AND DISTANCE OF SAID CURVE BEING N65°27'24"W 1211.89
 FEET);
 THENCE N00°57'41"W 775.66 FEET;
 THENCE N89°57'53"E 1892.67 FEET ALONG THE SOUTHERLY BOUNDARY OF EAGLE PARK
 SUBDIVISION;
 THENCE N00°01'13"E 1953.85 FEET ALONG THE EASTERLY BOUNDARY OF THE
 SWEETWATER ROAD EASEMENT;
 THENCE N88°44'07"E 2173.40 FEET;
 THENCE S00°26'53"W 1334.51 FEET ALONG THE EASTERLY BOUNDARY OF THE SE ¼ OF THE
 NE ¼ OF SECTION 12, T6S, R2W, SLB&M;
 THENCE S00°26'53"W 1305.69 FEET ALONG THE EASTERLY BOUNDARY OF THE NE ¼ OF
 THE SE ¼ OF SAID SECTION 12;
 THENCE N86°56'27"W 149.31 FEET;
 THENCE N81°03'55"W 1260.09 FEET ALONG THE NORTHERLY BOUNDARY OF LANDING AT
 EAGLE MOUNTAIN SUBDIVISION;
 THENCE S08°56'01"W 1271.37 FEET ALONG THE WESTERLY BOUNDARY OF EAGLE POINT
 PLAT A, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST
 HAVING A RADIUS OF 10099.21 TO WHICH POINT A RADIAL LINE BEARS S12°53'45"W
 THENCE NORTHWESTERLY ALONG SAID CURVE 1221.79 FEET ALONG SAID BOUNDARY
 THROUGH A CENTRAL ANGLE OF 06°55'54" (CHORD BEARING AND DISTANCE OF SAID
 CURVE BEING S80°34'11"E 1221.04 FEET);
 THENCE S00°00'01"W 1833.82 FEET ALONG THE WESTERLY BOUNDARY OF EAGLE POINT
 PLAT A;

THENCE N89°31'58"W 1310.03 FEET ALONG THE NORTHERLY BOUNDARY OF EAGLE POINT
PLAT B;
THENCE S01°14'44"W 32.66 FEET ALONG SAID BOUNDARY;
THENCE N89°51'13"W 196.30 FEET ALONG SAID BOUNDARY;
THENCE N00°46'19"E 26.53 FEET ALONG SAID BOUNDARY;
THENCE N89°51'05"W 780.13 FEET ALONG SAID BOUNDARY;
THENCE S00°27'05"W 877.71 FEET TO THE NORTHERLY BOUNDARY OF THE CEDAR VIEW
LAND HOLDING TRUST PROPERTY;
THENCE S00°27'05"W 5251.19 FEET ALONG THE WESTERLY BOUNDARY OF SAID
PROPERTY;
THENCE N88°59'38"W 566.52 FEET ALONG THE NORTHERLY BOUNDARY OF THE EAGLE
MOUNTAIN WASTE WATER TREATMENT PLANT PROPERTY;
THENCE SOUTH 252.61 FEET ALONG SAID BOUNDARY;
THENCE N88°59'38"W 2122.44 FEET ALONG SAID BOUNDARY TO THE WESTERLY
BOUNDARY OF SECTION 24, T6S, R2W, SLB&M;
THENCE N00°45'25"E 2813.72 FEET ALONG SAID SECTION LINE TO THE POINT OF
BEGINNING.

CONTAINING 641.91 ACRES
EXCLUDING THE FOLLOWING LAND:
FIRE STATION-.66 ACRES
GAS SITE-.91 ACRES
SWEET WATER ROAD-27.07 ACRES
REGIONAL POND #1-7.93 ACRES

TOTAL EXCLUDED LAND-36.57 ACRES
TOTAL ACREAGE- 605.34 ACRES

LEGAL DESCRIPTION OF ZONE 2

STORM DRAIN SPECIAL IMPROVEMENT DISTRICT
CEDAR VALLEY
08/05/98

BEGINNING AT THE SW CORNER OF SECTION 14, T6S, R2W, SLB&M;
THENCE N00°23'02"E ALONG THE SECTION LINE 2662.09 FEET TO THE WEST 1/4 OF SAID SECTION;
THENCE N00°22'28"E ALONG SAID SECTION LINE 2668.06 FEET TO THE NW CORNER OF SAID SECTION.
THENCE S89°25'16"E 2669.93 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 14.
THENCE S89°33'15"E 1334.31 FEET TO THE SW CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 11, T6S, R2W, SLB&M;
THENCE N01°09'50"W 2414.29 FEET ALONG THE WESTERLY BOUNDARY OF THE EAST 1/2 OF THE SE 1/4 OF SAID SECTION 11 TO THE NW CORNER OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION;
THENCE N01°11'06"E 308.55 FEET ALONG THE WESTERLY BOUNDARY OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 11;
THENCE N86°14'51"W 1329.14 FEET;
THENCE N36°57'38"E 2271.26 FEET;
THENCE S01°11'08"W 750.93 FEET ALONG THE WESTERLY BOUNDARY OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 11 TO THE SW CORNER OF SAID NE 1/4 OF THE NE 1/4;
THENCE S88°05'17"E 1315.24 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID NE 1/4 OF THE NE 1/4 TO THE EAST BOUNDARY OF SAID SECTION 11;
THENCE N88°46'09"E 2736.08 FEET ALONG THE SOUTHERLY BOUNDARY OF THE NORTH 1/2 OF THE NW 1/4 OF SECTION 12, T6S, R2W, SLB&M;
THENCE N88°44'07"E 2672.42 FEET ALONG THE SOUTHERLY BOUNDARY OF THE NORTH 1/2 OF THE NE 1/4 OF SAID SECTION 12;
THENCE S89°35'20"E 2657.25 FEET ALONG THE SOUTHERLY BOUNDARY OF THE NORTH 1/2 OF THE NW 1/4 OF SECTION 7, T6S, R1W, SLB&M TO THE WESTERLY BOUNDARY OF THE KERN RIVER EASEMENT RECORDED IN BOOK 595 PAGE 2815 OF THE OFFICIAL RECORDS;
THENCE S03°12'41"W 1333.48 FEET ALONG SAID WESTERLY BOUNDARY TO THE NORTH BOUNDARY OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 7;
THENCE N89°38'50"W 1259.20 FEET ALONG SAID NORTH BOUNDARY;
THENCE S00°21'01"W 1331.39 FEET ALONG THE WESTERLY BOUNDARY OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 7;
THENCE S89°44'07"E 1192.76 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID NE 1/4 OF THE SW 1/4 TO THE WESTERLY BOUNDARY OF THE KERN RIVER EASEMENT RECORDED IN BOOK 595 PAGE 2815 OF THE OFFICIAL RECORDS;
THENCE S03°12'41"W 3990.67 FEET ALONG THE WESTERLY BOUNDARY OF SAID EASEMENT TO THE NORTHERLY BOUNDARY OF THE CEDAR VIEW LAND HOLDING TRUST PROPERTY RECORDED IN BOOK 3642 PAGE 467 OF THE OFFICIAL RECORDS;
THENCE N89°13'44"W 4986.00 FEET ALONG SAID NORTHERLY BOUNDARY;
THENCE S00°27'05"W 5251.19 FEET ALONG THE WESTERLY BOUNDARY OF SAID PROPERTY;
THENCE N88°59'38"W 566.52 FEET ALONG THE NORTHERLY BOUNDARY OF THE EAGLE MOUNTAIN WASTE WATER TREATMENT PLANT PROPERTY;
THENCE SOUTH 252.61 FEET CONTINUING ALONG SAID BOUNDARY;
THENCE N88°59'38"W 654.63 FEET ALONG SAID BOUNDARY;
THENCE SOUTH 1051.63 FEET ALONG SAID BOUNDARY;
THENCE WEST 1475.74 FEET ALONG SAID BOUNDARY TO THE WESTERLY BOUNDARY OF SECTION 24, T6S, R2W, SLB&M;
THENCE N00°26'02"E 1217.45 FEET ALONG SAID SECTION LINE TO THE WEST 1/4 CORNER OF SAID SECTION;
THENCE N00°46'23"E 1336.85 FEET ALONG THE SECTION LINE TO THE SE CORNER OF THE NORTH 1/2 OF THE NE 1/4 OF SECTION 23;
THENCE N89°56'54"W 2672.51 FEET ALONG THE SOUTH BOUNDARY OF THE NORTH 1/2 OF THE NE 1/4 OF SAID SECTION TO THE 1/4 SECTION LINE OF SAID SECTION;

THENCE N00°21'49"E 1333.67 FEET ALONG SAID 1/4 SECTION LINE TO THE NORTH 1/4
CORNER OF SAID SECTION 23;
THENCE N89°59'14"W 2666.19 FEET ALONG THE SECTION LINE TO THE POINT OF
BEGINNING;

CONTAINING 2398.51 ACRES

EXCLUDING THE FOLLOWING LAND:

FIRE STATION-.66 ACRES

WOODS SUBDIVISION-20.02 ACRES

GAS SITE-.91 ACRES

EAGLE MOUNTAIN BOULEVARD-22.53 ACRES

SWEET WATER ROAD-27.07 ACRES

REGIONAL POND #1-7.93 ACRES

TOUCHSTONE MULTIFAMILY-32.15 ACRES

STATE LANDS-47.00 ACRES

OVERLAND TRAILS-11.54 ACRES

WAYNE PATTERSON'S LAND-108.24 ACRES

EAGLE PARK-5.74 ACRES

LOTUS DEVELOPMENT-20.00 ACRES

TOTAL EXCLUDED LAND=303.80 ACRES

TOATAL ACREAGE=2094.71 ACRES