

North Santaquin S.I.D. Resolution 11-01-2004

Santaquin, Utah

November 17, 2004

A regular meeting of the City Council of Santaquin City, Utah County, Utah, was held on Wednesday, November 17, 2004, at 7:00 p.m. at the regular meeting place of said City Council, at which meeting there were present and answering roll call the following members who constituted a quorum:

A. LaDue Scovill	Mayor
Tracy Roberts	Councilmember
Wesley Morgan	Councilmember
Dennis Brandon	Councilmember
Todd Starley	Councilmember
Martin Green	Councilmember

Also present:

Darlene Gray	Deputy City Recorder
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Absent:

ENT 131626:2004 PG 1 of 39  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2004 Nov 22 2:12 pm FEE 0.00 BY LJ  
RECORDED FOR SANTAQUIN CITY CORPORATION

The meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Deputy City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this November 17, 2004, meeting, a copy of which is attached hereto as Exhibit A.

The Deputy City Recorder notified the City Council that the Notice of Intention to establish the Santaquin City, Utah Special Improvement District No. 2004-1 (the "District"), authorized by the resolution adopted by the City Council on October 6, 2004, ~~2003~~, had been published in the Payson Chronicle, a newspaper of general circulation in Santaquin, 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 17, 2004, and that the affidavit of publishing said Notice of Intention with a copy of the Notice as published was duly filed in the City 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 than ten (10) days after the first publication of the Notice of Intention; that the Notice of Intention has been

on file in the City office during all regular office hours from October 6, 2004, to November 17, 2004, 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 Deputy City Recorder 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 the City Recorder in the City office by 5:00 p.m. on November 16, 2004.

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

Property Owner      See Exhibit "B"

Total number of represented ERU's<sup>(1)</sup> protesting  
Creation of District or proposed improvements  
thereof:

0

Total number of ERU's affected or  
to be benefited:

57

<sup>(1)</sup> The term "equivalent residential unit" or ERU is defined as any dwelling, unit or development which in its nature of use or impact on the proposed improvements is equal to a single family residential unit. There is no assurance that the minimum number of ERU's within each Zone will be developed or that each parcel of property proposed to be assessed will ultimately be developed.

The City 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 ERU's represented by said protests is less than fifty percent (50%) of the total ERU's to be assessed within the District and is a percentage insufficient to legally protest creation of the District.

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

RESOLUTION 11-01-2004

A RESOLUTION TO CREATE THE SANTAQUIN CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2004-1 OF SANTAQUIN CITY, UTAH COUNTY, UTAH, DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT, AND AUTHORIZING THE CITY OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT; AND RELATED MATTERS.

WHEREAS: The City Council of Santaquin City, Utah County, Utah (the "City"), has determined that it will be in the best interest of the City to construct certain improvements within the City. 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 and is attached hereto as Exhibit A; and

WHEREAS 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 making of any of the improvements therein or on any other matter pertinent to the District.

NOW THEREFORE BE IT RESOLVED by the City Council of Santaquin City, Utah County, Utah:

Section 1. The improvements proposed and described in the Notice of Intention to create the District are hereby authorized and the Santaquin City, Utah Special Improvement District No. 2004-1, of the City, is hereby created.

Section 2. The properties to be included in the District described in the original Notice of Intention are approved by the City Council. The legal description and tax identification number of said properties are more fully set forth on Exhibit B attached hereto.

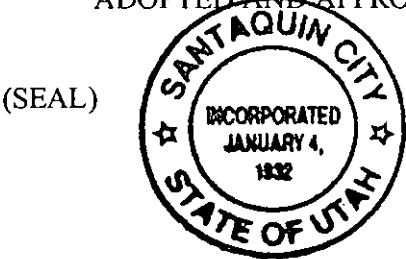
Section 3. As required by law, the City Recorder is hereby authorized and directed to file a copy of the Notice of Intention and resolution creating the District as finally approved, together with a list of properties proposed to be assessed described by

tax identification number and legal description, in the Utah County Recorder's office within five days from the date hereof.

Section 4. In addition to the requirements of Section 3 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 later time as is determined by the City.

Section 5. This resolution shall become effective upon passage and publication.

ADOPTED AND APPROVED this November 17, 2004.



By: *Ashtley Couillard*  
Mayor

ATTEST:

By: *Marlene Gray*  
Deputy City Recorder

Those voting AYE:

- Councilmember Martin Green
- Councilmember Todd Starley
- Councilmember Wesley Morgan
- Councilmember Dennis Brandon

Those voting NAY:

- Councilmember Tracy Roberts

Councilmember Martin Green seconded the motion to adopt the foregoing resolution. The resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

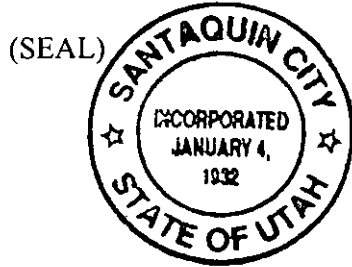
Thereupon the motion was approved by the Mayor and made a matter of record by the Deputy City Recorder.

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

I, Darlene Gray, the duly appointed, qualified and acting Deputy City Recorder of Santaquin City, Utah County, Utah, do hereby certify as follows:

That the foregoing pages constitute a full, true and correct copy of the entire record of the proceedings of the City Council of Santaquin City, Utah County, Utah, at its regular meeting held on November 17, 2004, insofar as said proceedings relate to the creation of the Santaquin City, Utah Special Improvement District No. 2004-1 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 meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Municipality this November 17, 2004.



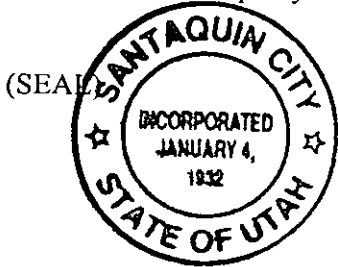
By: Darlene Gray  
Deputy City Recorder

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

CERTIFICATE OF FILING

I, Susan Farnsworth, the duly qualified and acting City Recorder of Santaquin City, Utah County, Utah, do hereby certify that on 11-22, 2004, pursuant to Section 17A-3-307, Utah Code Annotated 1953, as amended, a copy of the Notice of Intention and resolution creating the Santaquin City, Utah Special Improvement District No. 2004-1, 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 11-22, 2004.



By: S. Farnsworth  
City Recorder

EXHIBIT A  
Notice of Intention

Santaquin, Utah

October 6, 2004

ENT 131626:2004 PG 8 of 39

A regular meeting of the City Council of Santaquin City, Utah County, Utah, was held on Tuesday, October 6, 2004, at the hour of 7:00 p.m., at the regular meeting place of said City Council at which meeting there were present and answering roll call the following members who constituted a quorum:

A. LaDue Scovill	Mayor
Tracy Roberts	Councilmember
Wesley Morgan	Councilmember
Dennis Brandon	Councilmember
Todd Starley	Councilmember
Martin Green	Councilmember

Also present:

Susan Farnsworth	City Recorder
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Absent:

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this October 6, 2004, meeting, a copy of which is attached hereto as Exhibit A. Councilmember Brandon introduced the following resolution in writing, which was read in its entirety, and moved its adoption:



RESOLUTION NO. 10-04-2004

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF SANTAQUIN CITY, UTAH COUNTY, STATE OF UTAH, TO CONSTRUCT IMPROVEMENTS WITHIN SAID CITY CONSISTING OF SEWER, WATER AND PRESSURIZED IRRIGATION IMPROVEMENTS, LAND ACQUISITION FOR CONSTRUCTION OF A MUNICIPAL PARK AND OTHER MISCELLANEOUS IMPROVEMENTS; TO CREATE THE SANTAQUIN CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2004-1; TO DEFRAY THE COST AND EXPENSES OF SAID IMPROVEMENT DISTRICT BY SPECIAL ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTY BENEFITED BY SUCH IMPROVEMENTS; TO PROVIDE NOTICE OF INTENTION TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE CREATION OF SAID DISTRICT; TO FUND A RESERVE FUND; TO DECLARE ITS OFFICIAL INTENT TO REIMBURSE ITSELF FOR EXPENDITURES PAID BY IT PRIOR TO THE SALE OF BONDS; AND RELATED MATTERS.

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

Section 1. The City Council of Santaquin City, Utah County, Utah (the "City"), hereby determines that it will be in the best interest of the City to construct certain improvements consisting of sewer, water and pressurized irrigation improvements, acquisition of land for the construction of a municipal park and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner (collectively, the "Improvements").

Section 2. The City intends to complete the Improvements in a proper and workmanlike manner according to plans, profiles and specifications on file in the Office of the City Recorder. To finance the costs of the Improvements, the City proposes to create and establish a special improvement district. The proposed special improvement district is more particularly described in the Notice of Intention hereinafter set forth.

Section 3. The proposed district shall be known as "Santaquin City, Utah Special Improvement District No. 2004-1" (the "District").

Section 4. The cost and expenses of the proposed Improvements shall be paid by a special assessment to be levied against the property fronting or abutting upon or adjacent to the Improvements or which may be affected or specially benefited by any of such Improvements, such assessment to be paid in not more than fifteen (15) annual installments with interest on the unpaid balance until due and paid.

Section 5. Written protests against the proposed Improvements or against the creation of the District must be presented and filed in the Office of the City Recorder on

or before November 16, 2004, at the hour of 5:00 p.m. Thereafter at 7:00 p.m. on November 17, 2004, at 45 West 100 South, Santaquin, 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 and the date when such protests will be heard and considered by publishing a notice of intention to create the District in the Payson Chronicle, a newspaper of general circulation in the City, said notice to be published four times, once during each week for four consecutive weeks, the last publication to be not less than five (5) nor more than twenty (20) days prior to the time fixed in the notice as the last day for the filing of protests. In addition, the City Recorder shall mail a copy of such notice by United States Mail, postage prepaid, to each owner of land to be assessed within the proposed District at the last known address of such owner, using for such purpose the names and addresses of said owners appearing on the last completed real property assessment rolls of Utah County, and, in addition, a copy of such notice shall be mailed, postage prepaid, addressed to "Owner" at the street number of each piece of improved property to be affected by the assessment, said notices to be so mailed not later than ten (10) days after the first publication of the Notice of Intention. If a street number has not been so assigned, then the post office box, rural route number, or any other mailing address of the improved property shall be used for the mailing of the Notice. Said Notice shall be in substantially the following form:

## NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on October 6, 2004, the City Council of Santaquin City, Utah County, Utah (the "City"), adopted a resolution declaring its intention to create a special improvement district to be known as the Santaquin City, Utah Special Improvement District No. 2004-1 (the "District"). It is the intention of the City Council to make certain improvements herein generally described 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 identified real property lying within the District for the benefit of which such assessments are to be assessed in the making of such improvements.

## DESCRIPTION OF DISTRICT

The boundaries of the proposed District are shown on the map attached hereto as Exhibit A and are described as follows:

Beginning at the intersection of Orchard Lane and 400 North Street, then north along 4800 West Street to the Highline Canal, then west following the Highline Canal to the western boundary of Santaquin City, then south following the western boundary of Santaquin City to the railroad line, then southeast along a straight line to the intersection of 400 East Street and 400 North Street, then east along 400 North Street to the point of beginning.

Contains: Approximately 449.48 acres

## INTENDED IMPROVEMENTS

The City hereby determines that it will be in the best interest of the City to construct certain improvements, including sewer, water and pressured irrigation improvements, the acquisition of land for construction of a municipal park and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner (collectively, the "Improvements"). The Improvements will be generally located as shown on the map attached hereto as Exhibit A.

## ESTIMATED COST OF IMPROVEMENTS

The total cost of the proposed Improvements including overhead costs and costs of funding a reserve fund as estimated by the City Engineer is \$3,727,000, of which the City will pay \$0, leaving a remainder of \$3,727,000 which shall be paid by a special assessment 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. In lieu of utilizing a guaranty fund, the City Council intends to create a special reserve fund to secure payment of the special assessment bonds (the "Bonds") anticipated to be issued to finance the Improvements and to pay interest on the Bonds during construction of the Improvements. The reserve fund will be initially funded with proceeds of the Bonds in

an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued, plus interest to be paid on the Bonds for approximately one year. The City Council anticipates applying any 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 benefited by such Improvements, all of which will be further described in the assessment ordinance to be adopted by the City Council. 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.

METHOD OF ASSESSMENT

To fairly assess properties for the benefit received from the construction and installation of the proposed Improvements, the District shall be divided into four Zones based upon the following minimum development densities approved for the properties in each Zone:

<u>Zone</u>	<u>Minimum development density</u>
Zone 1	2 ERU's <sup>(1)</sup> per acre
Zone 2	2.5 ERU's per acre
Zone 3	3.8 ERU's per acre
Zone 4	1 ERU per acre

The properties in each Zone will then be assessed on an area basis<sup>(2)</sup> as follows:

<u>Zone</u>	<u>Estimated Assessment per acre</u>
Zone 1	\$7,020
Zone 2	8,775
Zone 3	13,338
Zone 4	3,510

<sup>(1)</sup> The term "equivalent residential unit" or ERU is defined as any dwelling, unit or development which in its nature of use or impact on the proposed improvements is equal to a single family residential unit. There is no assurance that the minimum number of ERU's within each Zone will be developed or that each parcel of property proposed to be assessed will ultimately be developed.

<sup>(2)</sup> The boundary descriptions of properties within the District have not been surveyed and are known to create islands between property descriptions that are not presently shown on the Utah County Recorder's records as being owned by any party. The above estimated assessments per acre are based on the total acreage shown by existing recorded deeds and do not include said island acreage.

Based upon the above method of assessment, the total combined properties of the following property owners would be assessed the following total estimated assessments:

<u>Improvements</u>	<u>Minimum No. of ERU's</u>	<u>Total Estimated Assessment</u>
All above described improvements		
Greenhalgh Property	247	\$868,093.20
Pyne Property	75	263,952.00
Farley Property	74	259,143.30
Ferguson Property	157	549,666.00
CK Farms Property	196	688,486.50
Valley View Orchards	36	127,062.00
Vern Stratton Property	73	255,703.50
Pam Stratton Property	34	119,936.70
Kimball Stratton Property	76	266,163.30
Royce Johnson Property	10	35,100.00
Fred Johnson Property	2	6,669.00
V & L Investments	39	137,381.40
Janis Broadbent	5	17,550.00
James Stanley	1	4,001.40
LPT Family Funding	21	72,025.20
Goodall	16	56,160.00

#### LEVY OF ASSESSMENTS

It is the intention of the City Council to levy assessments as provided by the laws of Utah on all parcels and lots of real property to be benefited by the proposed Improvements within the District. The purpose of the assessment and levy is to pay those costs of the Improvements which the City will not assume and pay. The method of assessment shall be by area within each Zone as set forth herein.

The assessments may be paid by property owners in not more than fifteen (15) annual installments with interest on the unpaid balance at a rate or rates fixed by the City, or the whole or any part of the assessment may be paid without interest within fifteen (15) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the District. Other payment provisions and enforcement remedies shall be in accordance with 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 City Engineer who will make such information available to all interested persons.

## TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the District described in this Notice of Intention shall have the right to file in writing a protest against the creation of the District or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned of record by the person or persons making the protest, the Zone or Zones in which the property is located, and the total acreage of the property represented by said protest. Protests shall be filed with the City Recorder of Santaquin City, Utah County, Utah, on or before 5:00 p.m. on November 16, 2004. Thereafter at 7:00 p.m. on November 17, 2004, the City Council will meet in public meeting at 45 West 100 South, Santaquin, Utah, to consider all protests so filed and hear all objections relating to the proposed District.

After such consideration and determination, the City Council shall adopt a resolution either abandoning the District or creating the District either as described in this Notice of Intention or with deletions and changes made as authorized by law; but the City Council shall abandon the District and not create the same if the necessary 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 protests necessary to defeat the District must represent at least one-half of the total acres within the District to be assessed.

ADOPTED BY THE CITY COUNCIL OF SANTAQUIN CITY, UTAH COUNTY, UTAH.

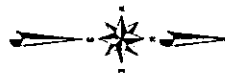
By:                   /s/Susan Farnsworth                    
City Recorder

Published in the Payson Chronicle.

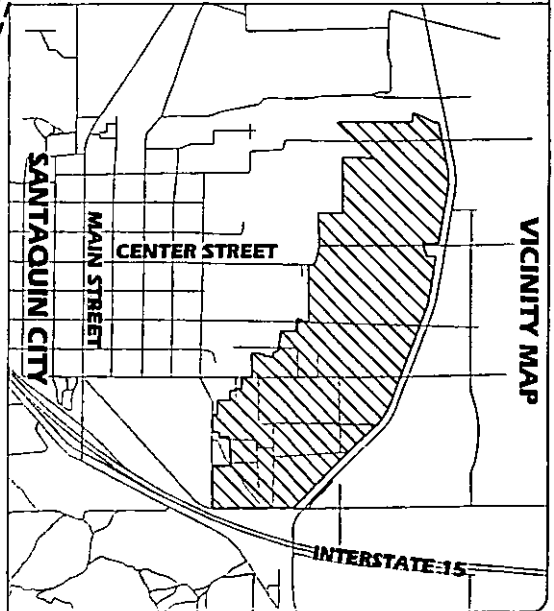
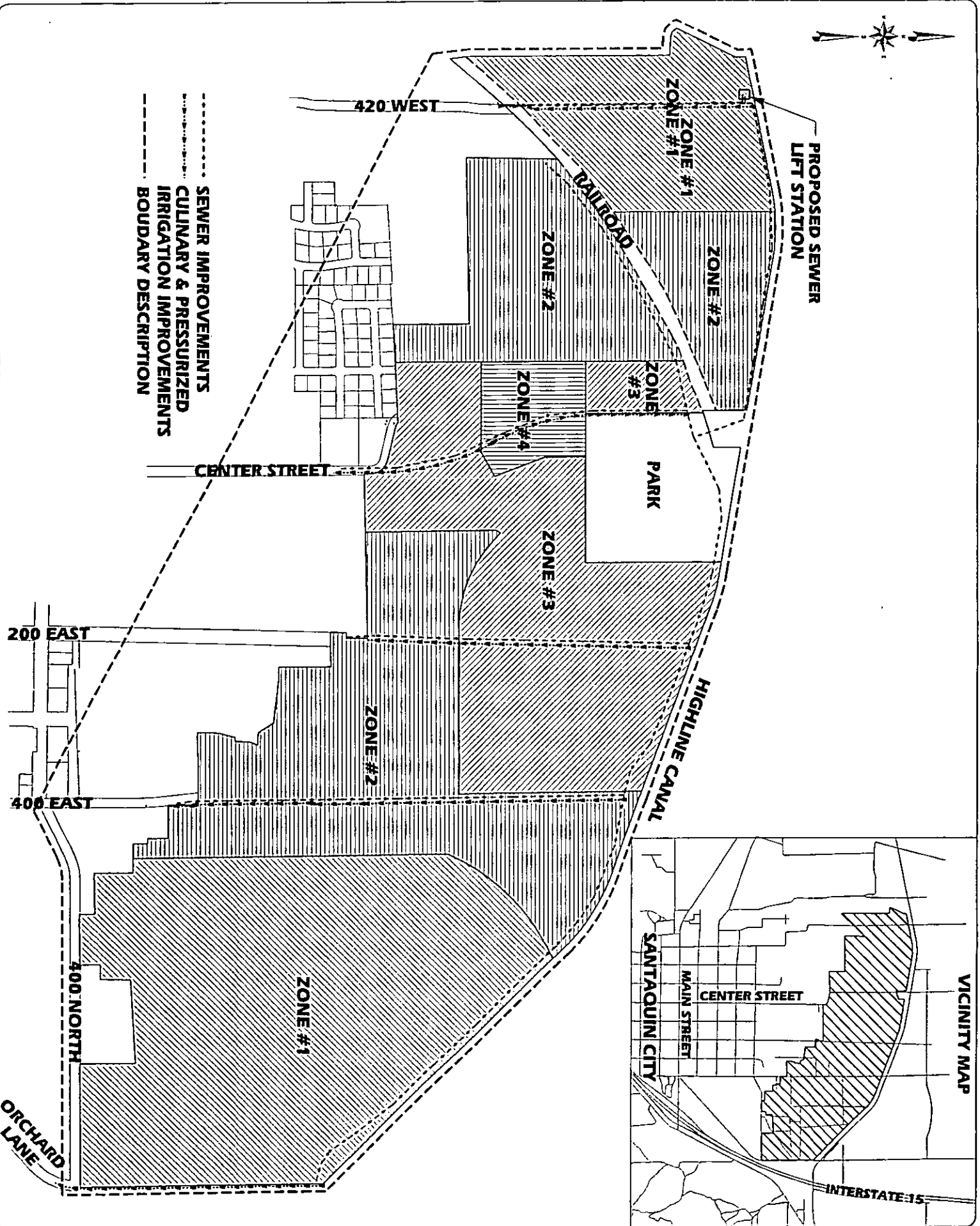
Publication Dates: October 13, 20, 27, and November 3, 2004

EXHIBIT A

BOUNDARIES OF PROPOSED DISTRICT  
AND  
GENERAL LOCATION OF IMPROVEMENTS



- - - - - SEWER IMPROVEMENTS  
 - - - - - CULINARY & PRESSURIZED  
 - - - - - IRRIGATION IMPROVEMENTS  
 - - - - - BOUDARY DESCRIPTION





The City Council reasonably expects, and hereby confirms its prior expressions of intent, to reimburse the City from proceeds of the Bonds for capital expenditures paid by the City (whether or not such expenditures are paid from proceeds of interim warrants) with respect to the Improvements.

Section 6. This declaration is intended to be a declaration of official intent under Treasury Regulation § 1.103-18(1).

Section 7. The maximum principal amount of debt expected to be issued for reimbursement purposes is \$3,727,000. This amount will be reduced by cash payments received by the City from property owners who elect to pay their assessment in full during the cash payment period immediately following the effective date of the assessment ordinance.

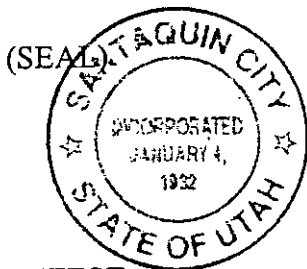
Section 8. This declaration of official intent is consistent with the City's budgetary and financial circumstances. No funds from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group pursuant to their budget or financial policies with respect to the expenditures to be reimbursed.

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

Those voting AYE: Green  
Roberts  
Starley  
Morgan  
Brandon

Those voting NAY:

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



By: *[Signature]*  
Mayor

ATTEST:

By: *[Signature]*  
City Recorder

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

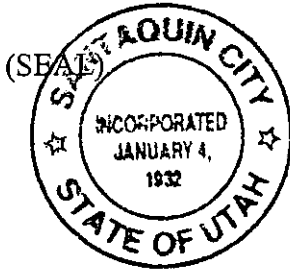
I, Susan Farnsworth, the duly chosen, qualified and acting City Recorder of Santaquin City, Utah County, Utah, do hereby certify as follows:

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 special meeting thereof held in said City on October 6, 2004, insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the City Council to create Special Improvement District No. 2004-1 and make certain improvements therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

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

3. That the above resolution was deposited in my office on October 6, 2004, has been recorded by me, and is a part of the permanent records of Santaquin City, Utah County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said City this October 6, 2004.



By: *Susan Farnsworth*  
City Recorder

STATE OF UTAH )  
 : ss.  
COUNTY OF UTAH )

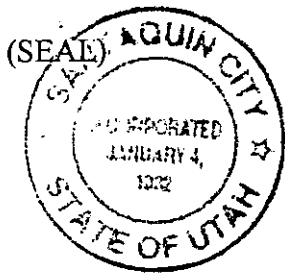
AFFIDAVIT OF MAILING  
NOTICE OF INTENTION

I, Susan Farnsworth, the duly chosen, qualified and acting City Recorder of Santaquin City, Utah County, Utah, do hereby certify that the attached Notice of Intention was approved and adopted in the proceedings of the City Council had on October 6, 2004.

I further certify that on the 10-11, 2004 (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 Santaquin City, Utah Special Improvement District No. 2004-1 by United States Mail, postage prepaid to each owner of land to be assessed within the proposed Special Improvement District at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Utah County, and in addition I mailed on the same date a copy of said Notice of Intention addressed to "Owner" addressed to the street number, post office box, rural route number, or other mailing address of each piece of improved property to be affected by the assessment.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Santaquin City, Utah County, Utah, this 10-7, 2004.



By: Susan Farnsworth  
City Recorder

(Affidavit of proof of publication of the Notice of Intention to create Santaquin City, Utah Special Improvement District No. 2004-1.)

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, the undersigned City Recorder of Santaquin City, Utah 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 October 6, 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 October 1, 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 Payson Chronicle on October 1, 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 Council (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 12-22, 2003 at the principal office of the City Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the City on 12-22, 2003

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this October 1, 2004.

(SEAL)



By: [Signature]  
City Recorder

SCHEDULE 1  
NOTICE OF MEETING

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, October 6, 2004, in the Council Chambers, 45 West 100 South, at 7:00 P.M.

### AGENDA

ENT 131626:2004 PG 24 of 39

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVOCATION/INSPIRATIONAL THOUGHT
4. CONSENT AGENDA
  - a. Approval of the minutes
    1. Approval of the minutes of a Regular Meeting held on September 15, 2004 and a Special Meeting held on September 22
  - b. Bills -\$203,700.48
5. PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS  
Public Forum will be held to a 30 minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement
6. FORMAL PUBLIC HEARINGS
  - a. Public Hearing with regard to the proposed Beer Handlers Ordinance
  - b. Public Hearing with regard to the proposed Subdivision Platting and Utility Requirements Ordinance
  - c. Public Hearing with regard to the CDBG Small Cities Program for Program year 2005-2006
  - d. Public Hearing with regard to the proposed Oak View Hills Annexation
7. UNFINISHED BUSINESS
8. NEW BUSINESS
  - a. Final Approval of the Apple Cove Subdivision Plat "B"
  - b. Discussion and possible action with regard to Santaquin City participating in the North Santaquin Orchards S.I.D
9. BUSINESS LICENSES
10. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS
  - a. Ordinance 10-01-2004 "An Ordinance Amending The Santaquin City Code Providing for the establishment of a Beer Handler's Ordinance"
  - b. Ordinance 10-02-2004 "An Ordinance Amending The Santaquin City Code Providing For Amendments To Subdivision Platting And Utility Requirements"
  - c. Resolution 10-04-2004 "A Resolution Declaring The Intention Of The City Council Of Santaquin City, Utah County, State Of Utah, To Construct Improvements Within Said City Consisting Of Sewer, Water And Pressurized Irrigation Improvements, Land Acquisition For Construction Of A Municipal Park And Other Miscellaneous Improvements; To Create The Santaquin City, Utah Special Improvement District No. 2004-1; To Defray The Cost And Expenses Of Said Improvement District By Special Assessments To Be Levied Against The Property Benefited By Such Improvements; To Provide Notice Of Intention To Authorize Such Improvements And To Fix A Time And Place For Protests Against Such Improvements Or The Creation Of Said District; To Fund A Reserve Fund; To Declare Its Official Intent To Reimburse Itself For Expenditures Paid By It Prior To The Sale Of Bonds; And Related Matters"
11. PETITIONS AND COMMUNICATIONS
12. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
  - a. Planning Commission
13. REPORTS BY MAYOR AND COUNCIL MEMBERS
  - a. Mayor Scovill
  - b. City Council Member Roberts-update on the County Equestrian Park
  - c. City Manager Chatwin
14. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
15. EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
16. ADJOURNMENT

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

### CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was faxed to the Payson Chronicle, Payson, UT, 84651.

BY:

\_\_\_\_\_  
Susan B. Farnsworth, City Recorder

POSTED: CITY CENTER, POST OFFICE, ZIONS BANK



SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE



*freedom · family · friendship*

Susan B. Farnsworth  
Recorder  
(801) 754-3211 ext. 17  
Mobile (801) 592-4171  
[sfarnsworth@santaquin.org](mailto:sfarnsworth@santaquin.org)

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Following are the dates associated with City Council Meetings, if they were to be held on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month for the calendar year of 2004.

January 7 <sup>th</sup>	July 7 <sup>th</sup>
January 21 <sup>st</sup>	July 21 <sup>st</sup>
February 4 <sup>th</sup>	August 4 <sup>th</sup>
February 18 <sup>th</sup>	August 18 <sup>th</sup>
March 3 <sup>rd</sup>	September 1 <sup>st</sup>
March 17 <sup>th</sup>	September 15 <sup>th</sup>
April 7 <sup>th</sup>	October 6 <sup>th</sup>
April 21 <sup>st</sup>	October 20 <sup>th</sup>
May 5 <sup>th</sup>	November 3 <sup>rd</sup>
May 19 <sup>th</sup>	November 17 <sup>th</sup>
June 2 <sup>nd</sup>	December 1 <sup>st</sup>
June 16 <sup>th</sup>	December 15 <sup>th</sup>

The following dates represent City Council Work Sessions:

Wednesday, January 14<sup>th</sup> (joint Work Session with the Planning Commission)  
Wednesday, February 12<sup>th</sup>  
Wednesday, March 11<sup>th</sup>  
Thursday, April 8<sup>th</sup> (joint Work Session with the Planning Commission)  
Wednesday, May 12<sup>th</sup>  
Wednesday, June 9<sup>th</sup>  
Wednesday, July 14<sup>th</sup> (joint Work Session with the Planning Commission)  
Wednesday, August 11<sup>th</sup>  
Wednesday, September 8<sup>th</sup>  
Thursday, October 14<sup>th</sup> (joint Work Session with the Planning Commission)  
Wednesday, November 10<sup>th</sup>  
Wednesday, December 8<sup>th</sup>

[www.santaquin.org](http://www.santaquin.org)

45 West 100 South · Santaquin, Utah 84655 · (801) 754-3211 · Fax (801) 754-3526

SCHEDULE A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

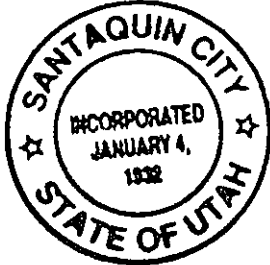
I, Susan Farnsworth, the undersigned City Recorder of Santaquin City, Utah County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the November 17, 2004, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the City's principal offices on 11-12, 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 A, to be delivered to the Payson Chronicle on 11-12, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 11-22, 2004.

(SEAL)



By: S. Farnsworth  
City Recorder

SCHEDULE B  
NOTICE OF MEETING

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## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, November 17, 2004, in the Council Chambers, 45 West 100 South, at 7:00 P.M.

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### AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **CONSENT AGENDA**
  - a. Approval of the minutes
    1. Approval of the minutes of a Regular Meeting held on November 3, 2004
  - b. Bills -\$66,183.69
5. **PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

**Public Forum will be held to a 30 minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement**
6. **FORMAL PUBLIC HEARINGS**
  - a. Public Hearing with regard to the Proposed Special Improvement District 2004-1
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**
  - a. Discussion and possible action with regard to a request from Habitat for Humanity of Utah County
  - b. Discussion and possible action with regard to the Willie's Landing Commercial Development
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
  - a. Resolution 11-01-2004 "A Resolution To Create The Santaquin City, Utah Special Improvement District No. 2004-1 Of Santaquin City, Utah County, Utah, Described In The Notice Of Intention Concerning The District, And Authorizing The City Officials To Proceed To Make Improvements As Set Forth In The Notice Of Intention To Create The District And Related Matters"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
  - a. Planning Commission
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
  - a. Mayor Scovill
  - b. City Manager Chatwin
    1. Discussion with regard to the Employee Christmas Party
  - c. Council Member Starley
    1. Discussion and possible action with regard to increase on Library Card Fees
14. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
15. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
16. **ADJOURNMENT**

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

### CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was faxed to the Payson Chronicle, Payson, UT, 84651.

BY: \_\_\_\_\_  
Susan B. Farnsworth, City Recorder

**POSTED:**  
CITY CENTER  
POST OFFICE  
ZIONS BANK

EXHIBIT B  
LIST OF PROPERTIES

**1 PYNE, MAX T & BEATRICE G ET AL TEE**

Serial # 29:039:0032

COM S 577.03 FT & E 203.59 FT FR N 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; S 2 DEG 24'42"E 104.8 FT; S 26 DEG 10'36"W 459.79 FT; S 39 DEG 40'39"E 26.38 FT; S 49 DEG 48'55"E 16.26 FT; S 73 DEG 37'20"E 32.77 FT; S 87 DEG 0'29"E 467 FT; N 485.14 FT; S 87 DEG 40'6"W 16.89 FT; N 0 DEG 3'52"W 127.29 FT; N 78 DEG 45'16"E 17.35 FT; N 41.88 FT; S 79 DEG 4'0"W 337 FT M OR L TO BEG (DEFECTIVE DESCRIPTION) TO BEG. AREA 5.691 AC.

**2 PYNE, MAX T & BEATRICE G ET AL TEE**

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Serial # 29:039:0034

COM S 1174 FT & E 528 FT FR N 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; N 87 DEG 0'29"W 340 FT; S 1395 FT; N 41 DEG 37'0"E 506 FT; N 374.52 FT; N 58 DEG 40'33"W 9.24 FT; S 88 DEG 20'47"W 295.71 FT; N 55.8 FT; N 88 DEG 20'47"E 284.67 FT; N 52 DEG 17'4"E 23.92 FT; N 545.56 FT M OR L TO BEG (DEFECTIVE DESCRIPTION) TO BEG TO BEG. AREA 8.843 AC.

**3 PYNE, J TERRY & SUE JT**

Serial # 29:039:0031

COM S 398.9 FT & W 1418.2 FT FR NE COR. SEC. 35, T9S, R1E, SLB&M.; S 0 DEG 12'0"W 748.7 FT; S 86 DEG 54'0"W 21.5 FT; S 0 DEG 22'0"W 421.2 FT; S 53 DEG 0'0"W 138.5 FT; S 51 DEG 13'0"W 142.8 FT; S 49 DEG 44'0"W 143 FT; S 47 DEG 59'0"W 119.3 FT; S 46 DEG 21'0"W 140.2 FT; S 44 DEG 55'0"W 134.4 FT; N 26 DEG 49'0"W 111.5 FT; N 0 DEG 45'0"W 87.3 FT; N 0 DEG 15'0"W 1223.84 FT; N 89 DEG 41'2"E 17.91 FT; N 0 DEG 3'52"W 60.08 FT; N 89 DEG 55'0"E 64 FT; N 0 DEG 15'0"E 123.8 FT; N 79 DEG 35'0"E 627.7 FT TO BEG. AREA 21.39 AC.

**4 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE (PORTION OF PARCEL)**

Serial # 29:039:0003

COM W 1056 FT FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; N 1253.11 FT; S 56 DEG 56'41"W 393.25 FT; S 1038.8 FT; E 330 FT TO BEG. AREA 8.672 AC. ALSO COM N 1333.12 FT & W 1056 FT FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; N 883.38 FT; N 87 DEG 10'0"W 330 FT; S 1114.19 FT; N 56 DEG 56'41"E 393.25 FT TO BEG. AREA 7.557 AC. TOTAL AREA 16.229 AC.

**5 GOODALL, LA RAIN & ZALOMA L TEE (PORTION OF PARCEL)**

Serial # 29:040:0103

COM S 25.16 FT & W 741.27 FT FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; S 0 DEG 9'0"W 399.8 FT; S 87 DEG 3'0"W 727 FT; S 0 DEG 6'0"W 375.9 FT; S 89 DEG 20'0"W 164.3 FT; S 0 DEG 27'0"W 3.12 FT; S 89 DEG 20'0"W 208.22 FT; N 1 DEG 10'21"E 366.29 FT; N 39 DEG 42'58"E 60.5 FT; N 1 DEG 8'58"E 1144.26 FT; ALONG A CURVE TO R (CHORD BEARS: N 50 DEG 41'19"E 431.07 FT, RADIUS=4380 FT) ARC LENGTH = 431.24 FT; S 0 DEG 36'0"W 1014.5 FT; N 89 DEG 35'0"E 708.2 FT TO BEG. AREA 20.124 AC. ALSO COM N 2222.87 FT & W 1480.95 FT FR SE COR. SEC. 35, T9S, R1E, SLB&M.; S 0 DEG 6'0"W 375.9 FT; S 89 DEG 20'0"W 164.29 FT; S 0 DEG

27'0"W 348.5 FT; S 89 DEG 4'4"E 5.63 FT; N 0 DEG 10'58"E 136.48 FT; N 0 DEG 10'58"E 28 FT; N 0 DEG 10'58"E 28 FT; N 0 DEG 10'58"E 150.38 FT; N 89 DEG 3'59"E 80.02 FT; N 89 DEG 3'59"E 84.29 FT; N 0 DEG 10'1"W 16.29 FT; N 0 DEG 10'1"W 89 FT; N 0 DEG 10'1"W 270.61 FT; N 86 DEG 46'58"E 258.9 FT; N 86 DEG 46'58"E 105.29 FT; N 86 DEG 46'58"E 56.06 FT; N 86 DEG 46'58"E 126.77 FT; N 0 DEG 5'5"W 2.51 FT; S 87 DEG 3'0"W 549.13 FT TO BEG. AREA 0.133 AC. TOTAL AREA 20.258 AC.

**6 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

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Serial # 29:039:0016

COM W 726 FT & S 357.7 FT FR NE COR. SEC. 35, T9S, R1E, SLB&M.; S 698.3 FT; S 68 DEG 0'0"W 396 FT; N 924 FT; S 78 DEG 6'9"E 375.23 FT TO BEG. AREA 6.837 AC.

**7 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

Serial: 29:039:0006

COM W 726 FT & S 1188 FT FR NE COR. SEC. 35 T9S R1E SLB&M.; S 792 FT; W 330 FT; N 594 FT; N 59 DEG 2'10"E 384.84 FT TO BEG. AREA 5.25 AC.

**8 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

Serial: 29:039:0002

COM W 42 RD FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; W 20 RD; N 40 RD; E 20 RD; S 40 RD TO BEG. AREA 5 AC.

**9 GREENHALGH, DOUGLAS S & BARBARA ET AL 1/2INT**

Serial: 29:039:0027

COM S 629.12 FT & W 33 FT FR NE COR. SEC. 35, T9S, R1E, SLB&M.; S 245.38 FT; S 68 DEG 13'37"W 718.08 FT; N 759 FT; S 80 DEG 55'0"E 7.98 FT; S 0 DEG 13'16"E 138.04 FT; S 80 DEG 33'16"E 334.7 FT; N 0 DEG 10'16"W 1.58 FT; S 80 DEG 33'16"E 332.79 FT TO BEG. AREA 6.658 AC.

**10 MCMULLIN ORCHARDS INC ET AL**

Serial: 29:039:0015

COM S 14.32 CH & W 0.5 CH FR NE COR. SEC. 35, T9S, R1E, SLB&M.; S 11.52 CH; W 10.09 CH; N 7.45 CH; N 68 DEG 2'0"E 10.88 CH TO BEG. AREA 9.57 AC.

**11 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

Serial: 29:039:0029

COM W 0.5 CH & N 5 CH FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; W 10 CH; N 10 CH; E 10 CH; S 10 CH TO BEG. AREA 10 AC.



**12 GREENHALGH, DOUGLAS P & BARBARA J ET AL TEE**

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Serial: 29:039:0028

COM W 0.5 CH FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; W 10 CH; N 5 CH; E 10 CH; S 5 CH TO BEG. AREA 5 AC.

**13 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

Serial: 29:040:0021

COM W 5.54 CH FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; S 416.8 FT; S 87 DEG 25'8"W 225.73 FT; S 84 DEG 52'51"W 107.99 FT; N 436.6 FT; E 333.07 FT TO BEG. AREA 3.25 AC.

**14 GREENHALGH, DOUGLAS S & BARBARA J ET AL TEE**

Serial: 29:040:0018

COM W 1 RD FR E 1/4 COR. SEC. 35, T9S, R1E, SLB&M.; S 401.06 FT; S 87 DEG 25'8"W 330.33 FT; N 416.78 FT; E 330 FT TO BEG. AREA 3.101 AC.

**15 GREENHALGH, MERRILL**

Serial: 29:042:0014

COM N 24.69 CH & E 3.39 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 4.6 CH; N 4.9 CH; W 4.6 CH; S 4.9 CH M OR L TO BEG (2.25 ACRES LESS 0.57 ACRES SOLD SPLA RR CO) TO BEG. AREA 1.68 AC.

**16 GREENHALGH, MERRILL**

Serial: 29:042:0016

COM N 14 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 5.26 CH; N 10.67 CH; W 140 FT; N 221.93 FT; S 60 DEG 45'52"W 237.4 FT; S 810.2 FT TO BEG. AREA 6.392 AC.

**17 GREENHALGH, MERRILL**

Serial: 29:042:0005

COM AT W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 5.32 CH; N 14 CH; W 5.32 CH; S 14 CH TO BEG. AREA 7.448 AC.

**18 GREENHALGH, MERRILL**

Serial: 29:041:0012

COM W 35.08 CH & N 32.91 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 7.06 CH; W 4.98 CH; S 431.11 FT; ALONG A CURVE TO L (CHORD BEARS: S 49 DEG 8'59"E 60.68 FT, RADIUS=100 FT); S 76 DEG 38'37"E 233.15 FT; ALONG A CURVE TO R (CHORD BEARS: S 64 DEG 14'26"E 42.94 FT, RADIUS=100 FT); E 17.27 FT; N 77.36 FT TO BEG. AREA 3.759 AC.

**19 GREENHALGH, MERRILL**

Serial: 29:042:0006

COM E 5.32 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 24.59 CH; E 2.06 CH; S 11 CH; E 2.06 CH; S 13.59 CH; W 4.12 CH TO BEG. AREA 7.865 AC.

**20 GREENHALGH, MERRILL (PORTION OF PARCEL)**

Serial: 29:041:0108

COM N 2053.92 FT & E 587.4 FT FR SW COR. SEC. 36, T9S, R1E, SLB&M.;  
 N 592.68 FT; W 224.4 FT; S 484.66 FT; ALONG A CURVE TO R (CHORD  
 BEARS: S 15 DEG 51'32"E 70.92 FT, RADIUS=128 FT) ARC LENGTH = 71.86  
 FT; S 0 DEG 13'26"W 44.22 FT; N 88 DEG 46'0"E 205.24 FT TO BEG. AREA  
 3.025 AC.

**21 STANLEY, JAMES**

Serial: 29:042:0015

COM N 25.53 CH & E 9.6 CH FR W 1/4 COR. SEC. 36 T9S R1E SLB&M.; E  
 7.05 CH; N 3.7 CH; W 7.05 CH; S 3.7 CH TO BEG. AREA 2.609 AC.

**22 GREENHALGH, DOUGLAS & BARBARA ET AL**

Serial: 29:042:0008

COM N 13.59 CH & E 7.82 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.;  
 N 12 CH; E 6.4 CH; S 5.53 CH; E 3.73 CH; S 6.41 CH; W 10.13 CH TO BEG.  
 AREA 10.033 AC.

**23 FARLEY, KENYON L & IRENE L JT**

Serial: 29:042:0022

COM E 9.57 CH & N 3.705 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E  
 7.64 CH; N 9.885 CH; W 7.64 CH; S 9.885 CH TO BEG. AREA 7.552 AC.

**24 FARLEY, KENYON L & IRENE L JT (PORTION OF PARCEL)**

Serial: 29:041:0110

COM N 1977.01 FT & W 2004.42 FT FR S 1/4 COR. SEC. 36, T9S, R1E,  
 SLB&M.; N 662.99 FT; E 359.04 FT; S 66 FT; W 114.84 FT; S 591.74 FT; S 88  
 DEG 46'0"W 244.26 FT TO BEG. AREA 3.876 AC. ALSO COM E 9.57 CH FR  
 W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 7.64 CH; N 3.705 CH; W 7.64 CH;  
 S 3.705 CH TO BEG. AREA 2.831 AC. TOTAL AREA 6.707 AC.

**25 FARLEY, KENYON L & IRENE (PORTION OF PARCEL)**

Serial: 29:041:0112

COM N 2572.63 FT & W 1760.3 FT FR S 1/4 COR. SEC. 36, T9S, R1E,  
 SLB&M.; S 590.37 FT; N 88 DEG 46'0"E 610.57 FT; S 2 DEG 13'41"W 150.68  
 FT; S 88 DEG 46'1"W 14.06 FT; S 0 DEG 57'13"W 98.84 FT; E 11.81 FT; N 3  
 DEG 10'5"E 894.3 FT; W 409.2 FT; S 66 FT; W 240.9 FT TO BEG. AREA  
 9.105 AC.

**26 LPT FAMILY FUNDING LC**

Serial: 29:042:0021

COM E 15.5 CH & N 20 CH FR W 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N  
 5.52 CH; E 1.15 CH; N 3.7 CH; E 6.89 CH; S 9.23 CH; W 8.04 CH M OR L TO  
 BEG (LESS SOLD US FOR CANAL) TO BEG. AREA 5.57 AC.

**27 STRATTON, VERN A & JOANN ET AL G PTNR**

Serial: 29:042:0004

COM E 17.76 CH FR E 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 5.98 CH; N 13.59 CH; E 16.5 FT; N 6.45 CH; W 5.98 CH; S 6.45 CH; W 16.5 FT; S 13.59 CH TO BEG. AREA 11.984 AC.

**28 STRATTON, KIMBALL T & MARLENE E JT**

Serial: 29:042:0011

COM N 18.46 CH & W 9.2 CH FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 290.4 FT; N 71 DEG 33'0"W 417.42 FT; S 165 FT; W 47.52 FT; S 257.4 FT; E 443.52 FT TO BEG. AREA 3.52 AC.

**29 STRATTON, KIMBALL T & MARLENE E JT**

Serial: 29:041:0021

COM W 9.2 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 6.72 CH; W 8.04 CH; N 6.72 CH; E 1.07 CH; N 16.99 CH; E 16.5 FT; N 1.47 CH; E 6.72 CH; S 18.46 CH TO BEG. AREA 18.233 AC.

**30 JOHNSON, ROYCE J & GEORGIE JT**

Serial: 29:041:0022

COM N 26.45 CH & W 11.67 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; W 5.45 CH; N 6.83 CH; E 5.45 CH; S 6.83 CH TO BEG. AREA 3.722 AC.

**31 STRATTON, VERN A & JOANN JT**

Serial: 29:042:0033

COM N 3249.77 FT & W 625.86 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 0 DEG 19'44"W 624.04 FT; N 89 DEG 40'16"E 13.2 FT; N 0 DEG 24'34"W 243.9 FT; S 69 DEG 32'40"E 606.37 FT; S 0 DEG 33'21"E 156.59 FT; N 89 DEG 26'13"E 10.32 FT; S 0 DEG 19'44"E 500.66 FT; N 89 DEG 53'52"W 590.72 FT TO BEG. AREA 10.235 AC.

**32 STRATTON, PAMELA K**

Serial: 29:042:0032

COM N 2195.3 FT & W 210.6 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 89 DEG 40'19"W 382.8 FT; N 0 DEG 19'44"W 492.86 FT; S 89 DEG 40'16"W 26.4 FT; N 0 DEG 19'44"W 563.97 FT; S 89 DEG 53'52"E 590.72 FT; S 0 DEG 19'44"E 155.45 FT; S 89 DEG 40'16"W 181.5 FT; S 0 DEG 19'44"E 896.94 FT TO BEG. AREA 10.265 AC.

**33 JOHNSON, FRED M TEE**

Serial: 29:042:0020

COM N 5.06 CH & W 0.25 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; W 2.75 CH; N 1.82 CH; E 2.75 CH; S 1.82 CH TO BEG. AREA 0.501 AC.

**34 FERGUSON, WILLIAM J & KENYON L ET AL**

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Serial: 29:041:0143

COM N 2196.48 FT & W 16.51 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 777.48 FT; W 181.5 FT; S 777.48 FT; E 181.5 FT TO BEG. AREA 3.239 AC.

**35 FERGUSON, WILLIAM J & KENYON L ET AL**

Serial: 29:041:0142

COM N 1745.7 FT & W 16.5 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; W 595.32 FT; S 363 FT; N 89 DEG 35'47"W 315.32 FT; S 0 DEG 19'30"W 383.9 FT; S 86 DEG 53'49"W 4.63 FT; N 0 DEG 1'56"E 736.9 FT; S 89 DEG 5'0"W 185.1 FT; N 1 DEG 16'57"E 8.85 FT; N 89 DEG 39'2"E 351.48 FT; E 5.9 FT; N 0 DEG 21'15"W 450.4 FT; N 89 DEG 57'40"E 565.8 FT; E 181.5 FT; S 450.78 FT TO BEG. AREA 10.471 AC.

**36 STRATTON, VERN A & JOANN JT (PORTION OF PARCEL)**

Serial: 29:041:0097

COM N 1745.58 FT & W 26.52 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 0 DEG 19'44"E 1085.43 FT; S 88 DEG 18'37"W 549.75 FT; N 0 DEG 19'44"W 1098.46 FT; N 89 DEG 40'16"E 549.59 FT TO BEG. AREA 13.777 AC.

**37 FERGUSON, WILLIAM J & JOANN J JT**

Serial: 29:043:0032

COM S 1975.69 FT & E 19.19 FT FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; W 19.19 FT; N 448.35 FT; N 89 DEG 49'32"E 37.96 FT; N 0 DEG 33'21"W 174.18 FT; ALONG A CURVE TO R (CHORD BEARS: S 71 DEG 27'56"E 438.18 FT, RADIUS=1711.04 FT) ARC LENGTH EQ 439.39 FT; S 0 DEG 41'0"W 941.55 FT; N 88 DEG 47'0"W 428.58 FT; N 0 DEG 57'0"E 449.08 FT TO BEG. AREA 10.159 AC.

**38 BROADBENT, JANIS TEE**

Serial: 29:043:0018

COM S 2627.2 FT & E 6.87 FT FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 1 DEG 4'59"E 202.94 FT; S 88 DEG 47'0"E 428.58 FT; S 0 DEG 41'0"W 202.95 FT; N 88 DEG 47'0"W 429.99 FT TO BEG. AREA 2 AC.

**39 FERGUSON, WILLIAM J & JOANN J JT**

Serial: 29:044:0040

COM AT S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 5.23 CH; S 4.34 CH; W 5.23 CH; N 4.34 CH TO BEG. AREA 2.27 AC. ALSO COM N 1925.88 FT & E 228.36 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 270.6 FT; W 162.36 FT; N 157.08 FT; E 319.44 FT; S 427.68 FT; W 157.08 FT TO BEG. AREA 2.128 AC. TOTAL AREA 4.398 AC.

**40 FERGUSON, WILLIAM J & JOANN J JT****Serial:** 29:044:0039

COM N 935.88 FT & E 16.5 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 1085.7 FT; E 49.5 FT; N 174.9 FT; E 162.36 FT; S 1260.6 FT; W 211.86 FT TO BEG. AREA 5.932 AC.

**41 FERGUSON, WILLIAM J & JOANN J JT****Serial:** 29:044:0004

COM E 0.25 CH & N 13.68 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 2.87 CH; N 0.5 CH; W 2.87 CH; S 0.5 CH TO BEG. AREA 0.144 AC.

**42 FERGUSON, WILLIAM J & JOANN J JT****Serial:** 29:044:0037

COM N 847.1 FT & E 16.5 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 56.84 FT; E 189.42 FT; N 33 FT; E 22.44 FT; S 0 DEG 0'1"E 89.9 FT; S 89 DEG 49'9"W 212.83 FT M OR L TO BEG (DEFECTIVE DESCRIPTION) TO BEG. AREA 0.295 AC.

**43 FERGUSON, WILLIAM J & JOANN J JT****Serial:** 29:044:0033

COM N 610.02 FT & E 17.07 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 0 DEG 8'51"W 237.13 FT; N 89 DEG 49'9"E 231.22 FT; S 0 DEG 8'51"E 237.76 FT; S 89 DEG 58'32"W 231.22 FT TO BEG. AREA 1.26 AC.

**44 FERGUSON, WILLIAM J & JOANN J****Serial:** 29:043:0025

COM S 2642.91 FT & E 514.12 FT FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 89 DEG 32'34"W 25 FT; N 0 DEG 5'41"E 238.14 FT; N 89 DEG 52'49"W 48.67 FT; N 0 DEG 41'0"E 912.6 FT; ALONG A CURVE TO L (CHORD BEARS: S 62 DEG 54'2"E 72.16 FT, RADIUS=1711.04 FT); S 0 DEG 5'41"W 1117.7 FT TO BEG. AREA 1.557 AC.

**45 FERGUSON, WILLIAM J & JO ANN JT****Serial:** 29:043:0023

COM S 2642.91 FT & E 514.12 FT FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 89 DEG 32'34"E 456.29 FT; N 0 DEG 11'10"W 874.98 FT; ALONG A CURVE TO L (CHORD BEARS: N 62 DEG 6'6"W 510.97 FT, RADIUS=1711.04 FT); S 0 DEG 5'41"W 1117.7 FT TO BEG. AREA 10.532 AC.

**46 FERGUSON, WILLIAM J & JOANN J JT****Serial:** 29:044:0021

COM E 5.23 CH FR E 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 0.58 CH; S 4.34 CH; W 0.58 CH; N 4.34 CH TO BEG. AREA 0.252 AC.

**47 FERGUSON, WILLIAM J & JOANN J JT**

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**Serial:** 29:044:0017

COM E 5.85 CH FR E 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 9.92 CH; E 3.84 CH; N 1.7 CH; E 4.54 CH; N 8.22 CH; W 8.38 CH TO BEG. AREA 7.541 AC.

**48 FERGUSON, WILLIAM J & JOANN J JT**

**Serial:** 29:044:0008

COM N 14.18 CH & E 3.43 CH FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 6.22 CH; N 15.9 CH; W 3.84 CH; S 0.9 CH; W 2.38 CH; S 15 CH TO BEG. AREA 9.676 AC.

**49 FERGUSON, WILLIAM J & JOANN J JT**

**Serial:** 29:044:0038

COM N 470.32 FT & E 247.72 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; E 782.54 FT; N 466.62 FT; W 801.9 FT; S 0 DEG 0'1"E 89.9 FT; N 89 DEG 49'9"E 18.39 FT; S 0 DEG 8'51"E 376.78 FT TO BEG. AREA 8.427 AC.

**50 FERGUSON, WILLIAM & JOANN JT (PORTION OF PARCEL)**

**Serial:** 29:044:0026

COM E 385.1 FT & N 369.26 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; W 100 FT; N 100 FT; E 100 FT; S 100 FT TO BEG. AREA 0.23 AC.

**51 FERGUSON, WILLIAM J & JOANN J JT (PORTION OF PARCEL)**

**Serial:** 29:044:0028

COM E 7.35 CH & N 369.26 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 100 FT; W 100 FT; S 100 FT; E 100 FT TO BEG. AREA 0.23 AC.

**52 FERGUSON, WILLIAM J & JOANN J JT**

**Serial:** 29:044:0007

COM W 26.29 CH & N 14.18 CH FR SE COR. SEC. 36, T9S, R1E, SLB&M.; W 4.04 CH; N 17.6 CH; E 4.04 CH; S 17.6 CH TO BEG. AREA 7.11 AC.

**53 STRATTON, KIMBALL T & MARLENE E ET AL**

**Serial:** 29:043:0024

COM S 2657.78 FT & E 970.45 FT FR N 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 88 DEG 47'0"E 559.28 FT; N 0 DEG 45'0"E 274.3 FT; N 42 DEG 18'0"W 768 FT; S 4 DEG 56'0"W 546.19 FT; S 0 DEG 11'10"E 283.51 FT TO BEG. AREA 7.149 AC.

**54 STRATTON, KIMBALL T & MARLENE E ET AL**

**Serial:** 29:043:0019

COM W 16.81 CH FR E 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; N 217.51 FT; S 44 DEG 5'0"E 302.8 FT; W 210.66 FT TO BEG. AREA 0.526 AC.

**55 STRATTON, KIMBALL T & MARLENE E ET AL**

Serial: 29:044:0016

COM W 7.28 CH & S 235.2 FT FR E 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 178.62 FT; W 18.98 CH; N 6.27 CH; E 1024.88 FT; S 44 DEG 5'0"E 327.43 FT M OR L TO BEG (11.29 ACRES LESS 1.56 ACRES FOR CANAL) TO BEG. AREA 9.73 AC.

**56 STRATTON, KIMBALL T & MARLENE E ET AL**

Serial: 29:044:0010

COM N 13.61 CH & W 0.25 CH FR SE COR. SEC. 36, T9S, R1E, SLB&M.; S 55 DEG 25'0"W 1013.92 FT; N 52.75 FT; S 86 DEG 29'21"W 580.64 FT; S 0 DEG 42'12"W 205.99 FT; N 89 DEG 52'30"W 100.24 FT; S 0 DEG 12'18"W 134.45 FT; W 350.92 FT; N 0 DEG 8'35"W 96.32 FT; S 89 DEG 0'13"W 269.8 FT; N 377.28 FT; E 8.3 CH; N 7.07 CH; W 1.94 CH; N 17.6 CH; E 0.5 CH; N 2.47 CH; E 19 CH; S 44 DEG 5'0"E 619.43 FT; S 916.68 FT TO BEG. AREA 72.602 AC.

**57 STRATTON, PAMELA K (PORTION OF PARCEL)**

Serial: 29:041:0096

COM N 1742.47 FT & W 576.1 FT FR S 1/4 COR. SEC. 36, T9S, R1E, SLB&M.; S 0 DEG 19'44"E 1098.49 FT; S 88 DEG 18'35"W 37.71 FT; S 1 DEG 48'51"W 203.32 FT; W 320.28 FT; N 0 DEG 1'53"E 344.59 FT; N 0 DEG 1'53"E 593.15 FT; N 89 DEG 40'16"E 313.94 FT; N 0 DEG 19'44"W 363 FT; N 89 DEG 40'16"E 45.74 FT TO BEG. AREA 8.002 AC.