



**RESOLUTION NO. R16-17 (3-1-16)**

**ADDENDUM TO RESOLUTION OF THE CITY OF SARATOGA  
SPRINGS PERTAINING TO THE CITY STREET LIGHTING  
SPECIAL IMPROVEMENT DISTRICT TO INCLUDE  
ADDITIONAL SUBDIVISION LOTS.**

**RIVER BEND PHASES 3, 4 AND 5**

**WHEREAS**, on May 10, 2001, the City Council adopted Resolution No. 01-0510-01 creating a street lighting special improvement district (the "Lighting SID") consisting of all lots and parcels included within the Subdivisions set out in said Resolution for the maintenance of street lighting within the Lighting SID.

**WHEREAS**, *Utah Code Ann.* § 17A-3-307 provides that additional properties may be added to the special improvement district and assessed upon the conditions set out therein.

**WHEREAS**, the City Council has given final plat approval to River Bend Phase 3, 4 and 5, which plats are more fully described in Exhibit 1 (the "Subdivision") conditioned upon all lots in the Subdivision being included in the Lighting SID.

**WHEREAS**, the City Council finds that the inclusion of all of the lots covered by the Subdivision in the Lighting SID will benefit the Subdivision by maintaining street lighting improvements, after installation of such by the developer of the Subdivision, which is necessary for public safety, and will not adversely affect the owners of the lots already included within the Lighting SID.

**WHEREAS**, the owners of the property covered by the Subdivision have given written consent: (i) to have all lots and parcels covered by that Subdivision included within the Lighting SID, (ii) to the improvements to that property (maintenance of the street lighting), (iii) to payment of the assessments for the maintenance of street lighting within the Lighting SID, and (iv) waiving any right to protest the Lighting SID and/or assessments currently being assessed for all lots in the Lighting SID (which consent is or shall be attached as Exhibit 2 to this Resolution).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF SARATOGA SPRINGS THAT:**

1. All lots and parcels in the Subdivision be added to and included in the Lighting SID based upon the above findings and the written consent attached as Exhibit 2 to this Resolution.
2. City staff is directed to file a copy of this Resolution, as an Addendum to Resolution No. 01-0510-01 creating the Lighting SID, as required by *Utah Code Ann.* § 17A-3-307.

3. Assessments will be hereafter levied against owners of all lots within the Subdivision on the same basis as assessments are being levied against other lots included in the Lighting SID.
4. The provisions of this Resolution shall take effect upon the passage and publication of this Resolution as required by law.

Passed this 1<sup>st</sup> day of MARCH, 2016 on motion by

Councilor Willden, seconded by Councilor PORTER.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

Signed: [Signature]  
Mayor

Attest: [Signature]  
Recorder

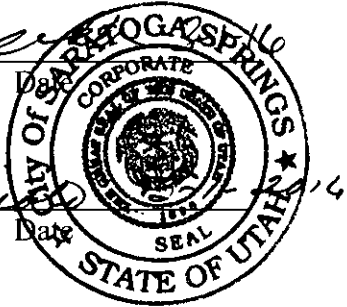


Exhibit 1 – Property Description

Exhibit "A"  
River Bend Phase 3A

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE RIVER BEND PHASE 2 PLAT BOUNDARY AS DESCRIBED IN THE RIVER BEND PHASE 2 SUBDIVISION PLAT AS RECORDED AS ENTRY 12407 IN THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF RIVER BEND ROAD, SAID POINT ALSO BEING EAST 499.53 FEET AND NORTH 2036.19 FEET AND SOUTH 89°22'26" EAST 331.32 FEET AND NORTH 305.32 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID PHASE 2 BOUNDARY NORTH 00°37'34" EAST 76.00 FEET TO A POINT ON THE SOUTH LINE OF THE JORDAN RIDGE CONDO PHASE 2 PLAT RECORDED AS ENTRY 2013-18466 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDERS OFFICE. THENCE ALONG SAID SOUTH LINE SOUTH 89°22'26" EAST 108.29 FEET; THENCE SOUTH 00°37'34" WEST 76.00 FEET TO A POINT ON SAID RIVER BEND PHASE 2 PLAT BOUNDARY AND THE NORTH RIGHT OF WAY LINE OF RIVER BEND ROAD, THENCE NORTH 89°22'26" WEST ALONG SAID RIGHT OF WAY LINE 108.29 FEET TO THE POINT OF BEGINNING.

## Exhibit 2 – Owner’s Consent

**CONSENT OF OWNER OF PROPERTY  
TO BE INCLUDED IN STREET LIGHTING SPECIAL IMPROVEMENT DISTRICT****RIVER BEND PHASES 3, 4 AND 5**

WHEREAS the City of Saratoga Springs (the “City”), by and through its City Council (Resolution No. 01-0510-01), has created a Street Lighting Special Improvement District (the “Lighting SID”) to pay for maintenance of street lighting within the subdivisions covered by the Lighting SID.

WHEREAS the undersigned (“Developer”) is the developer of [list name of plats] (the “Subdivision”), which property is more specifically described in Exhibit 1, located within the City for which the City Council has given or is expected to give final plat approval.

WHEREAS, *Utah Code Ann.* § 17A-3-307 provides that before the completion of the improvements covered by a special improvement district, additional properties may be added to the special improvement district and assessed upon the conditions set out therein. Since the improvements covered by the Lighting SID are the maintenance of street lighting in the Lighting SID, said improvements are not completed so additional properties may be added to the Lighting SID pursuant to said § 17A-3-307.

WHEREAS, the City is requiring that the Subdivision be included within the Lighting SID in order to provide for the maintenance of street lighting within the Subdivision as a condition of final approval of the Subdivision.

WHEREAS, Developer, as the owner of the property covered by the Subdivision, is required by *Utah Code Ann.* § 17A-3-307 to give written consent to having the property covered by that Subdivision included within the Lighting SID and to consent to the proposed improvements to the property covered by the Subdivision and to waive any right to protest the Lighting SID.

NOW THEREFORE, Developer hereby consents to including the lots and parcels within the Subdivision in the Lighting SID. On behalf of itself and all lot purchasers and/or successors in interests, Developer consents and agrees as follows:

1. Consents to have all property covered by the Subdivision and all lots and parcels created by the Subdivision included within the Lighting SID.
2. Consents to the improvements with respect to the property covered by the Subdivision -- that is the maintenance of street lighting within the Subdivision. The street lighting within the Subdivision will be installed by Developer as part of the “Subdivision Improvements.”

3. Agrees to the assessments by the Lighting SID for the maintenance of street lighting within the Lighting SID.

4. Waives any right to protest against the Lighting SID and/or the assessments currently being assessed for all lots in the Lighting SID.

Dated this 3 day of March, 2016.

Riverbend Townhomes, LLC

DEVELOPER:



Name: Riverbend Townhomes LLC

Authorized

Signature: Brad A. Jensen

Its: Manager

State of Utah )

:SS

County of Utah )

On this 3rd day of March, 2016, personally appeared before me Brad A. Jensen, who is the manager of Riverbend Townhomes, LLC, the signor of the within instrument who duly acknowledged to me that he executed the same.

Susan Palmer  
Notary Public

My commission number:685110

My commission expires: 09-17-2019

