

ENT 44266:2004 PG 1 of 6
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Apr 19 1:15 pm FEE 0.00 BY JRD
RECORDED FOR SARATOGA SPRINGS CITY

RESOLUTION NO. R04-14 (04-13-04)

**A RESOLUTION OF THE CITY OF SARATOGA SPRINGS CREATING A
STREET LIGHTING SPECIAL IMPROVEMENT DISTRICT.**

WHEREAS, *Utah Code Ann.* 17A-Part 3 provides for the establishment of Municipal Special Improvement Districts including special improvement districts to pay for the maintenance of street lighting.

WHEREAS on February 10, 2004, the City Council approved giving notice of intention of the City of Saratoga Springs to create a street lighting special improvement district (the Lighting SID) for the maintenance of street lighting within the subdivisions included in the Lighting SID.

WHEREAS the proposed Lighting SID consists of all lots and parcels included within the following Subdivisions:

Saratoga Springs #01 PUD, Saratoga Springs #02 PUD, Saratoga Springs #03 PUD, Saratoga Springs #04 PUD, Saratoga Springs "4" SHEET 2 PUD, Saratoga Springs "4" SH3 PUD AMD, Saratoga Springs #05 PUD, Saratoga Springs Plat #512, Saratoga Springs #06 PUD, Saratoga Springs #07 PUD, Saratoga Springs #08 PUD, Saratoga Springs #08A PUD AMD, Saratoga Springs #09 PUD, Saratoga Springs #10 PUD, Saratoga Springs #11 PUD, Saratoga Springs #12 PUD, Saratoga Springs #13 PUD, Saratoga Springs Plat 13A, Saratoga Springs Plat 13B, Saratoga Springs #15 PUD, Saratoga Springs #15C PUD, Saratoga Springs Plat 16, and Saratoga Springs #23

WHEREAS, Notice of the Intention of the City of Saratoga Springs to create the Lighting SID (the Notice) was published and was mailed to the affected property owners as required by Utah Law. The Notice indicated that any protests to establishing the Lighting SID must be filed with the City no later than March 17, 2004 and that a public hearing on the establishment of the Lighting SID would be held on March 23, 2004 at 7:00 pm. (A copy of the Notice is attached to this Resolution.)

WHEREAS, only three protests were filed by owners of less than half of the lots in the above Subdivisions and the public hearing was held as provided in the Notice and no additional owners of lots in the above subdivisions objected to the creation of the Lighting SID.

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

1. The City of Saratoga Springs hereby creates a street lighting special improvement district (the Lighting SID) consisting of all lots and parcels included within the following Subdivisions:

Saratoga Springs #01 PUD, Saratoga Springs #02 PUD, Saratoga Springs #03 PUD,

Saratoga Springs #04 PUD, Saratoga Springs "4" SHEET 2 PUD, Saratoga Springs "4" SH3 PUD AMD, Saratoga Springs #05 PUD, Saratoga Springs Plat #512, Saratoga Springs #06 PUD, Saratoga Springs #07 PUD, Saratoga Springs #08 PUD, Saratoga Springs #08A PUD AMD, Saratoga Springs #09 PUD, Saratoga Springs #10 PUD, Saratoga Springs #11 PUD, Saratoga Springs #12 PUD, Saratoga Springs #13 PUD, Saratoga Springs Plat 13A, Saratoga Springs Plat 13B, Saratoga Springs #15 PUD, Saratoga Springs #15C PUD, Saratoga Springs Plat 16, and Saratoga Springs #23

2. That Additional subdivisions may hereafter be added to the Lighting SID after the City Council finds that inclusion of the lots in the subdivision will not adversely affect the owners of properties already within the Lighting SID and the owners of the property within the additional subdivisions consent to being included in the Lighting SID.

3. The improvements to be made shall be the maintenance by the City of the street lights installed by the developers of the subdivisions included within the Lighting SID. Such maintenance shall include payment of utility costs and other costs of operating the street lights; replacement of failed bulbs, photo sensors and other parts of such street lights; establishment of a sinking fund to replace street lights that are damaged by persons who the City is not able to require to pay for such damage and to install additional street lights the City may determine are necessary for the health and safety of residents within said subdivisions; and, overhead costs.

4. City staff is directed to file a copy of this Resolution, the Notice and a list of the properties to be assessed with the County Recorders office as required by *Utah Code Ann.* 17A-3-307.

5. Assessments will be hereafter levied against owners of lots within the Lighting SID in the manner provided by *Utah Code Ann.* 17A-Part 3.

6. The provisions of this Resolution shall take effect and the Lighting SID shall be created upon the passage and publication of this Resolution as required by law.

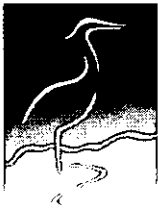
Passed this 13th day of April, 2004 on motion by

Councilor Paskeh, seconded by Councilor Kimball.

Signed: [Signature]
Mayor Date

Attest: [Signature] 4/19/04
Recorder Date





March 3, 2004

Albert "Reed" Hill
47 E Hunters Haven
Saratoga Springs, UT 84043

RE : Notice of Intention of City of Saratoga Springs to Create Saratoga Springs Development Street Lighting Special Improvement District

The City of Saratoga Springs (the City), through its City Council, intends to create a special improvement district to pay for the maintenance of street lighting (the SSD Lighting SID) within the subdivisions included within the SSD Lighting SID. Through the creation of the SSD Lighting SID, the City proposes to pay for the maintenance of street lights installed within the SSD Lighting SID and to assess property owners within the SSD Lighting SID on a per lot basis for reimbursement of the costs to maintain street lighting.

The SSD Lighting SID shall consist of all lots and parcels included within the following Subdivisions:

Saratoga Springs #01 PUD, Saratoga Springs #02 PUD, Saratoga Springs #03 PUD, Saratoga Springs #04 PUD, Saratoga Springs "4" SHEET 2 PUD, Saratoga Springs "4" SH3 PUD AMD, Saratoga Springs #05 PUD, Saratoga Springs Plat #512, Saratoga Springs #06 PUD, Saratoga Springs #07 PUD, Saratoga Springs #08 PUD, Saratoga Springs #08A PUD AMD, Saratoga Springs #09 PUD, Saratoga Springs #10 PUD, Saratoga Springs #11 PUD, Saratoga Springs #12 PUD, Saratoga Springs #13 PUD, Saratoga Springs Plat #13A, Saratoga Springs Plat #13B, Saratoga Springs #15 PUD, Saratoga Springs #15C PUD, Saratoga Springs Plat #16, and Saratoga Springs #23 PUD.

Additional subdivisions may hereafter be added to the SSD Lighting SID after the City Council finds that inclusion of the lots in the subdivision will not adversely affect the owners of properties already within the SSD Lighting SID and the owners of the property within the additional subdivisions consent to being included in the SSD Lighting SID.

The improvements to be made shall be the maintenance by the City of the street lights installed by the developers of the subdivisions included within the SSD Lighting SID. Such maintenance shall include payment of utility costs and other costs of operating the street lights; replacement of failed bulbs, photo sensors and other parts of such street lights; establishment of a sinking fund to replace street lights that are damaged by persons who the City is not able to require to pay for such damage and to install additional street lights the City may determine are necessary for the health and safety of residents within said subdivisions; and, overhead costs.

The estimated cost of the improvements for the above subdivisions, as determined by the City Engineer, is \$32,120.27 per year based upon an annual cost of \$208.57 per street light. With an average of one street light for every 5.2 lots within the above subdivisions the **estimated annual assessment is \$40.08 per lot, payable at \$3.34 per month**. The City proposes to levy assessments on all lots within the SSD Lighting SID to pay for those improvements.

Any protests to the establishing of the SSD Lighting SID and the proposed assessment must be filed not later than March 17, 2004 at 5:00 p.m. at the offices of the City at 2015 South Redwood Road, Saratoga Springs, Utah 84043. The City Council will conduct a public hearing on March 23, 2004 at 7:00 p.m. at the City Office to consider all protests filed. In order to defeat the proposed SSD Lighting SID, the City must receive protests from the owners of one-half or more of the lots in the proposed SSD Lighting SID.

Sincerely,

Ken Leetham
City Manager

SARATOGA SPRINGS #01 PUD SUBDIVISION

BOOK 52 PAGE 625 LOTS #104-115, 117-146, 148-162, 165-168

SARATOGA SPRINGS #02 PUD SUBDIVISION

BOOK 52 PAGE 660 LOTS #202-210, 212-239, 241-253

SARATOGA SPRINGS #03 PUD SUBDIVISION

BOOK 52 PAGE 626 LOTS #304-315, 317-336, 338-344, 346-379

SARATOGA SPRINGS #04 PUD SUBDIVISION

BOOK 52 PAGE 627 LOTS #401, 404

SARATOGA SPRINGS "4" SHEET 2 SUBDIVISION

BOOK 52 PAGE 695 LOTS #1-43

SARATOGA SPRINGS "4" SH3 PUD AMD SUBDIVISION

BOOK 52 PAGE 663 LOTS #1-72

SARATOGA SPRINGS #05 PUD SUBDIVISION

BOOK 52 PAGE 683 LOTS #501-511, 514-517

SARATOGA SPRINGS #512 PUD SUBDIVISION

BOOK 52 PAGE 983 LOT #512

SARATOGA SPRINGS #06 PUD SUBDIVISION

BOOK 52 PAGE 694 LOTS #601-631, 633-662

SARATOGA SPRINGS #07 PUD SUBDIVISION

BOOK 52 PAGE 731 LOTS #702-711, 713-722, 724-725

SARATOGA SPRINGS #08 PUD SUBDIVISION

BOOK 52 PAGE 732 LOTS #802-820, 823-835

SARATOGA SPRINGS #8A PUD AMD SUBDIVISION

BOOK 52 PAGE 878 LOT #8A

SARATOGA SPRINGS #09 PUD SUBDIVISION

BOOK 52 PAGE 715 LOTS #902-910, 912-918, 920-926

SARATOGA SPRINGS #10 PUD SUBDIVISION

BOOK 52 PAGE 716 LOTS #1002-1006, 1008-1012, 1014-1031

SARATOGA SPRINGS #11 PUD SUBDIVISION

BOOK 52 PAGE 775 LOTS #1102-1106, 1108-1122, 1124-1138, 1140-1147

SARATOGA SPRINGS #12 PUD SUBDIVISION

BOOK 52 PAGE 835 LOTS #1201-1204, 1206-1219, 1224-1226

SARATOGA SPRINGS #13 PUD SUBDIVISION

BOOK 52 PAGE 836 LOTS #1301-1361

SARATOGA SPRINGS PLAT 13A PUD SUBDIVISION

BOOK 52 PAGE 924 LOTS #1362-1363

SARATOGA SPRINGS PLAT 13B PUD SUBDIVISION

BOOK 52 PAGE 927 LOTS #1364-1365

SARATOGA SPRINGS #15 PUD SUBDIVISION

BOOK 52 PAGE 854 LOTS #1501-1564, 1583-1587

SARATOGA SPRINGS #15C PUD SUBDIVISION

BOOK 52 PAGE 897 LOTS #1565-1582

SARATOGA SPRINGS PLAT 16 PUD SUBDIVISION

BOOK 52 PAGE 931 LOTS #1601-1611

SARATOGA SPRINGS #23 PUD SUBDIVISION

BOOK 52 PAGE 837 LOTS #2301-2325