

A RESOLUTION TO CREATE GARDEN CITY, UTAH BUTTERCUP PROJECT SPECIAL IMPROVEMENT DISTRICT (THE "DISTRICT") AND AUTHORIZING THE TOWN OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT.

WHEREAS, pursuant to the Municipal Improvement District Act, Title 17A, Chapter 3 of the Utah Code Annotated 1953, as amended, the Town Council (the "Council") of Garden City (the "Town") is authorized to create a special improvement district to make and finance improvements, including paving roads, cleaning culverts, sewer and water line connections, and other related improvements, which improvements are more fully described in the Notice of Intention (the "Notice of Intention") attached hereto as *Exhibit A* (the "Improvements");

WHEREAS, the Council desires to create Garden City, Utah Buttercup Project Special Improvement District, as more fully described in the Notice of Intention (the "District"), to make the Improvements;

WHEREAS, at a public hearing on August 11, 2005, the Council considered all filed protests and heard all objections concerning the creation of the District, the making of the Improvements and all other matters relating to the District; and

WHEREAS, the Council has determined that the percentage of written protests for the entire proposed district was approximately 2.94% of the total taxable value of land of the lots to be assessed and such percentage is less than the percentage specified in Section 17A-3-207(3) of the Utah Code Annotated 1953, as amended, that would require the Council to abandon the creation of the District.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Town Council of Garden City, Utah as follows:

Section 1. It will be in the best interests of the Town to create the District to make and finance the Improvements.

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 objection against the creation of the District or the making of any of the Improvements or on any other matter pertinent to the District. Attached hereto as *Exhibit B* is a tabulation of protests received in writing.

Section 3. The Improvements, as proposed and described in the Notice of Intention, are hereby authorized. The District, as proposed and described in the Notice of Intention, is hereby created.

Section 4. The properties to be included in the District described in the Notice of Intention were approved by the Town Council on July 14, 2005. None of such properties have been excluded from the District. The legal description and tax identification numbers of said properties are more fully set forth in *Exhibit "C"* attached hereto.

Section 5. As required by law, the Town Clerk is hereby authorized and directed to file a copy of the Notice of Intention and this Resolution creating the District as finally approved, together with a list of properties proposed to be assessed described by tax identification number and a valid legal description of each property within the District in the Rich County Recorder's office within five days from the date hereof.

Section 6. Immediately after its passage, this Resolution shall be signed by the Mayor and attested by the Town Clerk and shall be recorded in a book kept by the Town Clerk for that purpose. A copy of this Resolution shall be forthwith filed in the office of the Town Clerk 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 later time as is determined by the Town.

Section 7. It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Resolution.

Section 8. All ordinances, resolutions, orders and regulations or parts thereof heretofore adopted or passed that are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 9. This Resolution shall become effective immediately upon its approval and passage.

ADOPTED AND APPROVED this 11th day of August, 2005.

GARDEN CITY, UTAH

By *Kenneth Hansen*
Mayor
Garden City, Utah

ATTEST:

Kathy L. Huslop
Town Clerk

[SEAL]



EXHIBIT A

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on July 14, 2005, the Town Council (the "Council") of Garden City, Utah (the "Town"), adopted a resolution declaring its intention to create a special improvement district to be known as Garden City, Utah Buttercup Project Special Improvement District (the "District"). It is the intention of the Council to make improvements within the District and to levy special assessments as provided in Chapter 3, Title 17A, Utah Code Annotated 1953, as amended, on the property lying within the District for the benefit of which such assessments are to be expended in the making of such improvements.

PURPOSE OF THE DISTRICT; DESCRIPTION AND LOCATION OF IMPROVEMENTS

The District is being created and the assessments are being levied for the purpose of making the following improvements at the following locations which will benefit the property located within the District:

<i>Improvements</i>	<i>Location</i>
Pave roads, clean culverts, sewer and water line connections	Buttercup Lane, Spruce Drive, Spruce Circle, Buttercup Circle, Buttercup Boulevard, Cedar Drive, Cedar Lane, Aspen Drive and Maple Drive

The proposed improvements will be made according to the plans, maps and specifications on file in the Town Office. A detailed map showing the location of the proposed improvements, together with the plans and specifications for the proposed improvements, are available for review during regular business hours at the Town Office, 145 West Center, Garden City, Utah.

METHOD OF ASSESSMENT

The property owners whose property is directly or indirectly benefited by the proposed improvements will be assessed a portion of the cost of such improvements. Such costs of such improvements will be assessed by taxable value of the land. The proposed assessment will be equal and uniform based on benefits received.

DESCRIPTION OF DISTRICT

The District will be created and improvements will be made within the boundaries of Garden City, Utah. The District includes all properties adjoining the following streets and roads: Aspen Drive, Buttercup Boulevard, Buttercup Circle, Buttercup Lane, Cedar Drive, Cedar Lane,

Maple Drive, Spruce Circle and Spruce Drive. There are available for review at the Town Office, 145 West Center, Garden City, Utah:

1. A map showing the proposed boundaries of the District; and
2. A list of all properties located in the District.

Property located in the District that is owned by the federal government, the state of Utah, the Town, any school district, a municipality or other political subdivision of the state of Utah will not be assessed; *provided, however*, that any such political subdivision may contract for the making of the Improvements and for the payment of a portion of the cost thereof.

ESTIMATED COST OF IMPROVEMENTS

The total cost of improvements in the District as estimated by the Town Engineer is \$350,000 which shall be paid by a special assessment to be levied against the property within the District that is directly or indirectly benefited by such improvements. The total estimated cost of the improvements may be financed during the construction period by the use of interim warrants. The interest on said warrants will be assessed to the property owners.

LEVY OF ASSESSMENTS

It is the intention of the Council to levy assessments as provided by the laws of the State of Utah on all property within the District benefiting from the improvements. The purpose of the assessments is to pay the cost of the improvements according to the benefits to be derived by the property.

The assessments may be paid by property owners in twenty (20) annual principal installments. Interest will accrue on the unpaid balance at a rate or rates fixed by the Council. 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. Other payment provisions and enforcement remedies shall be in accordance with Chapter 3, Title 17A, Utah Code Annotated 1953, as amended.

RESERVE FUND

In lieu of creating and funding a special guaranty fund, the Town intends to create a reserve fund (the "*Reserve Fund*") to secure payment of the assessment installments that will secure the bonds (the "*Bonds*") anticipated to be issued to finance the Improvements. The Reserve Fund will be funded with proceeds of the Bonds in an amount that will be determined at the time of adoption of the resolution of the Town authorizing the issuance of the Bonds. The size of the Reserve Fund will be determined, in part, based on market conditions when the Bonds are issued. The Town anticipates applying any moneys remaining in the Reserve Fund to the final assessment installment payments to be made by the property owners in the District. The credit for moneys paid from the Reserve Fund will be allocated and prorated based on the

amount of each property owner's assessment installment compared to the aggregate total of all installments then due.

TIME FOR FILING PROTESTS

Any person who is the owner 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 by the person or persons making the protest. Protests must be filed with the Town Clerk of Garden City, Utah, at 145 West Center, Garden City, Utah on or before 3:00 p.m. on August 10, 2005. No written protest will be considered for purposes of creating the District if it is received by the Council Clerk later than this protest filing deadline. Thereafter at 7:00 p.m. on August 11, 2005, the Council will meet in public meeting at the regular meeting place of the Council at 145 West Center, Garden City, Utah to consider all protests so filed and hear all objections relating to the proposed District.

CALCULATION OF PROTEST RATE

The protest rate shall be determined by totaling the total taxable value of land of all lots to be assessed in the District. The Council will abandon its intention to create the District if, after the deletions from the District, as described below, the necessary number of protests have been filed on or before the time specified in this Notice of Intention for the filing of protests. The necessary number of protests shall mean protests representing one-half of the total taxable value of land of the lots to be assessed in the District.

In determining the rate of protest, the Council shall eliminate from the number of filed protests those protests relating to property or relating to a type of improvement that has been deleted from the District and those protests that have been withdrawn in writing prior to the conclusion of the hearing.

BY ORDER OF THE TOWN COUNCIL OF GARDEN CITY, UTAH

/s/ Kathy Hislop

Town Clerk

Published in *The Herald Journal*.

EXHIBIT B

SUMMARY OF TABULATION OF PROTESTS

	AMOUNT	% OF TOTAL
Total protests by taxable value of land	\$65,500	2.94%

EXHIBIT C

**TAX IDENTIFICATION NUMBERS AND LEGAL
DESCRIPTIONS OF PROPERTIES TO BE ASSESSED**

<u>ID NUMBER</u>	<u>LEGAL DESCRIPTION</u>
41-21-32-000	ROADS IN BUTTERCUP MOBILE HOME ESTATES SUB
41-21-32-001	LOT 1, BUTTERCUP MOBILE HOME ESTATES
41-21-32-002	LOT 2, BUTTERCUP MOBILE HOME ESTATES
41-21-32-003	LOT 3, BUTTERCUP MOBILE HOME ESTATES
41-21-32-004	LOT 4, BUTTERCUP MOBILE HOME ESTATES
41-21-32-005	LOT 5, BUTTERCUP MOBILE HOME ESTATES
41-21-32-006	LOT 6, BUTTERCUP MOBILE HOME ESTATES
41-21-32-007	LOT 7, BUTTERCUP MOBILE HOME ESTATES
41-21-32-008	LOT 8, BUTTERCUP MOBILE HOME ESTATES
41-21-32-009	LOT 9, BUTTERCUP MOBILE HOME ESTATES
41-21-32-010	LOT 10, BUTTERCUP MOBILE HOME ESTATES
41-21-32-011	LOT 11, BUTTERCUP MOBILE HOME ESTATES
41-21-32-012	LOT 12, BUTTERCUP MOBILE HOME ESTATES
41-21-32-013	LOT 13, BUTTERCUP MOBILE HOME ESTATES
41-21-32-014	LOT 14, BUTTERCUP MOBILE HOME ESTATES
41-21-32-015	LOT 15, BUTTERCUP MOBILE HOME ESTATES
41-21-32-016	LOT 16, BUTTERCUP MOBILE HOME ESTATES
41-21-32-017	LOT 17, BUTTERCUP MOBILE HOME ESTATES
41-21-32-018	LOT 18, BUTTERCUP MOBILE HOME ESTATES
41-21-32-019	LOT 19, BUTTERCUP MOBILE HOME ESTATES
41-21-32-020	LOT 20, BUTTERCUP MOBILE HOME ESTATES
41-21-32-021	LOT 21, BUTTERCUP MOBILE HOME ESTATES
41-21-32-022	LOT 22, BUTTERCUP MOBILE HOME ESTATES
41-21-32-023	LOT 23, BUTTERCUP MOBILE HOME ESTATES
41-21-32-024	LOT 24, BUTTERCUP MOBILE HOME ESTATES
41-21-32-025	LOT 25, BUTTERCUP MOBILE HOME ESTATES
41-21-32-026	LOT 26, BUTTERCUP MOBILE HOME ESTATES
41-21-32-027	LOT 27, BUTTERCUP MOBILE HOME ESTATES
41-21-32-028	LOT 28, BUTTERCUP MOBILE HOME ESTATES
41-21-32-029	LOT 29, BUTTERCUP MOBILE HOME ESTATES
41-21-32-030	LOT 30, BUTTERCUP MOBILE HOME ESTATES
41-21-32-031	LOT 31, BUTTERCUP MOBILE HOME ESTATES
41-21-32-032	LOT 32, BUTTERCUP MOBILE HOME ESTATES
41-21-32-033	LOT 33, BUTTERCUP MOBILE HOME ESTATES
41-21-32-034	LOT 34, BUTTERCUP MOBILE HOME ESTATES
41-21-32-035	LOT 35, BUTTERCUP MOBILE HOME ESTATES
41-21-32-036	LOT 36, BUTTERCUP MOBILE HOME ESTATES
41-21-32-037	LOT 37, BUTTERCUP MOBILE HOME ESTATES
41-21-32-038	LOT 38, BUTTERCUP MOBILE HOME ESTATES

41-21-32-039	LOT 39, BUTTERCUP MOBILE HOME ESTATES
41-21-32-040	LOT 40, BUTTERCUP MOBILE HOME ESTATES
41-21-32-041	LOT 41, BUTTERCUP MOBILE HOME ESTATES
41-21-32-042	LOT 42, BUTTERCUP MOBILE HOME ESTATES
41-21-32-043	LOT 43, BUTTERCUP MOBILE HOME ESTATES
41-21-32-044	LOT 44, BUTTERCUP MOBILE HOME ESTATES
41-21-32-045	LOT 45, BUTTERCUP MOBILE HOME ESTATES
41-21-32-046	LOT 46, BUTTERCUP MOBILE HOME ESTATES
41-21-32-047	LOT 47, BUTTERCUP MOBILE HOME ESTATES
41-21-32-048	LOT 48, BUTTERCUP MOBILE HOME ESTATES
41-21-32-049	LOT 49, BUTTERCUP MOBILE HOME ESTATES
41-21-32-050	LOT 50, BUTTERCUP MOBILE HOME ESTATES
41-21-32-051	LOT 51, BUTTERCUP MOBILE HOME ESTATES
41-21-32-052	LOT 52, BUTTERCUP MOBILE HOME ESTATES
41-21-32-053	LOT 53, BUTTERCUP MOBILE HOME ESTATES
41-21-32-054	LOT 54, BUTTERCUP MOBILE HOME ESTATES
41-21-32-055	LOT 55, BUTTERCUP MOBILE HOME ESTATES
41-21-32-056	LOT 56, BUTTERCUP MOBILE HOME ESTATES
41-21-32-057	LOT 57, BUTTERCUP MOBILE HOME ESTATES
41-21-32-058	LOT 58, BUTTERCUP MOBILE HOME ESTATES
41-21-32-059	LOT 59, BUTTERCUP MOBILE HOME ESTATES
41-21-32-060	LOT 60, BUTTERCUP MOBILE HOME ESTATES
41-21-32-061	LOT 61, BUTTERCUP MOBILE HOME ESTATES
41-21-32-062	LOT 62, BUTTERCUP MOBILE HOME ESTATES
41-21-32-063	LOT 63, BUTTERCUP MOBILE HOME ESTATES
41-21-32-064	LOT 64, BUTTERCUP MOBILE HOME ESTATES
41-21-32-065	LOT 65, BUTTERCUP MOBILE HOME ESTATES
41-21-32-066	LOT 66, BUTTERCUP MOBILE HOME ESTATES
41-21-32-067	LOT 67, BUTTERCUP MOBILE HOME ESTATES
41-21-32-068	LOT 68, BUTTERCUP MOBILE HOME ESTATES
41-21-32-069	LOT 69, BUTTERCUP MOBILE HOME ESTATES
41-21-32-070	LOT 70, BUTTERCUP MOBILE HOME ESTATES
41-21-32-071	LOT 71, BUTTERCUP MOBILE HOME ESTATES
41-21-32-072	LOT 72, BUTTERCUP MOBILE HOME ESTATES
41-21-32-073	LOT 73, BUTTERCUP MOBILE HOME ESTATES
41-21-32-074	LOT 74, BUTTERCUP MOBILE HOME ESTATES
41-21-32-075	LOT 75, BUTTERCUP MOBILE HOME ESTATES
41-21-32-076	LOT 76, BUTTERCUP MOBILE HOME ESTATES
41-21-32-077	LOT 77, BUTTERCUP MOBILE HOME ESTATES
41-21-32-078	LOT 78, BUTTERCUP MOBILE HOME ESTATES
41-21-32-079	LOT 79, BUTTERCUP MOBILE HOME ESTATES
41-21-32-080	LOT 80, BUTTERCUP MOBILE HOME ESTATES
41-21-32-081	LOT 81, BUTTERCUP MOBILE HOME ESTATES
41-21-32-082	LOT 82, BUTTERCUP MOBILE HOME ESTATES
41-21-32-083	LOT 83, BUTTERCUP MOBILE HOME ESTATES
41-21-32-084	LOT 84, BUTTERCUP MOBILE HOME ESTATES

41-21-32-085	LOT 85,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-086	LOT 86,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-087	LOT 87,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-088	LOT 88,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-089	LOT 89,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-090	LOT 90,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-091	LOT 91,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-092	LOT 92,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-093	LOT 93,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-094	LOT 94,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-095	LOT 95,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-096	LOT 96,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-097	LOT 97,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-098	LOT 98,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-099	LOT 99,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-100	LOT 100,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-101	LOT 101,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-102	LOT 102,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-103	LOT 103,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-104	LOT 104,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-105	LOT 105,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-106	LOT 106,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-107	LOT 107,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-108	LOT 108,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-109	LOT 109,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-110	LOT 110,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-111	LOT 111,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-112	LOT 112,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-113	LOT 113,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-114	LOT 114,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-115	LOT 115,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-116	LOT 116,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-117	LOT 117,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-118	LOT 118,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-119	LOT 119,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-120	LOT 120,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-121	LOT 121,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-122	LOT 122,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-123	LOT 123,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-124	LOT 124,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-125	LOT 125,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-126	LOT 126,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-127	LOT 127,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-128	LOT 128,	BUTTERCUP MOBILE HOME ESTATES
41-21-32-129	LOT 129,	BUTTERCUP MOBILE HOME ESTATE
41-21-32-130	LOT 130,	BUTTERCUP MOBILE HOME ESTATES

41-21-32-131

LOT 131, BUTTERCUP MOBILE HOME ESTATES

41-21-32-132

OPEN SPACE BUTTERCUP MOBILE HOME ESTATES LESS 0.06 AC DESCRIBED AS FOLLOWS: A PART OF THE SW/4 SEC 21, T14N, R5E, SLB&M, DESCRIBED AS FOLLOWS: BEG AT A PT LOCATED N 06*00'00" W 64.236 FT & S 88*55'00" W 40.148 FT OF A PT DESCRIBED OF RECORD AS BEING LOCATED N 00*55'27" E 518.00 FT & N 88*55'00" E 463.115 FT FROM THE SW COR OF SEC 21, & RN TH S 88*55'00" W 47.452 FT; TH N 00*00'00" E 54.150 FT; TH N 88*55'00" E 47.452 FT; TH S 00*00'00" W 54.150 FT TO THE POB.

41-29-01-001	LOT 1, BUTTERCUP ESTATES SUB
41-29-01-002	LOT 2, BUTTERCUP ESTATES SUB
41-29-01-003	LOT 3, BUTTERCUP ESTATES SUB
41-29-01-004	LOT 4, BUTTERCUP ESTATES SUB
41-29-01-005	LOT 5, BUTTERCUP ESTATES SUB
41-29-01-006	LOT 6, BUTTERCUP ESTATES SUB
41-29-01-007	LOT 7, BUTTERCUP ESTATES SUB
41-29-01-008	LOT 8, BUTTERCUP ESTATES SUB
41-29-01-009	LOT 9, BUTTERCUP ESTATES SUB
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41-29-01-012	LOT 12, BUTTERCUP ESTATES SUB
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41-29-01-022	LOT 22, BUTTERCUP ESTATES SUB
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41-29-01-024	LOT 24, BUTTERCUP ESTATES SUB
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41-29-01-026	LOT 26, BUTTERCUP ESTATES SUB
41-29-01-027	LOT 27, BUTTERCUP ESTATES SUB
41-29-01-028	LOT 28, BUTTERCUP ESTATES SUB
	LOT 29
41-29-01-030	LOT 30, BUTTERCUP ESTATES SUB

- 41-29-01-031 LOT 31, BUTTERCUP ESTATES SUB
41-29-01-032 LOT 32, BUTTERCUP ESTATES SUB
41-29-01-033 LOT 33, BUTTERCUP ESTATES SUB
41-29-01-034 LOT 34, BUTTERCUP ESTATES SUB
41-29-01-035 LOT 35, BUTTERCUP ESTATES SUB
~~LOTS 36-41~~
- 41-29-01-042 LOT 42, BUTTERCUP ESTATES SUB
41-29-01-043 LOT 43, BUTTERCUP ESTATES SUB
41-29-01-044 LOT 44, BUTTERCUP ESTATES SUB
41-29-01-045 LOT 45, BUTTERCUP ESTATES SUB
41-29-01-046 LOT 46, BUTTERCUP ESTATES SUB
41-29-01-047 LOT 47, BUTTERCUP ESTATES SUB
41-29-01-048 LOT 48, BUTTERCUP ESTATES SUB
41-29-01-049 LOT 49, BUTTERCUP ESTATES SUB
41-29-01-050 LOT 50, BUTTERCUP ESTATES SUB
41-29-01-051 LOT 51, BUTTERCUP ESTATES SUB
41-29-01-052 LOT 52, BUTTERCUP ESTATES SUB
41-29-01-053 LOT 53, BUTTERCUP ESTATES SUB
41-29-01-054 LOT 54, BUTTERCUP ESTATES SUB
41-29-01-055 LOT 55, BUTTERCUP ESTATES SUB
41-29-01-056 LOT 56, BUTTERCUP ESTATES SUB
41-29-01-057 LOT 57, BUTTERCUP ESTATES SUB
41-29-01-058 LOT 58, BUTTERCUP ESTATES SUB
41-29-01-059 LOT 59, BUTTERCUP ESTATES SUB
41-29-01-060 LOT 60, BUTTERCUP ESTATES SUB
41-29-01-061 OPEN SPACE – BUTTERCUP ESTATES SUB
- 41-29-00-002 PART OF THE N/2 NE/4 NE/4, SEC 29, T14N, R5E, SLB&M,
DESCRIBED AS FOLLOWS: BEG AT THE NE COR OF SD SEC 29 &
RN TH N 88*48'35" W ALG THE N LN OF SD SEC, 798.391 FT TO
THE E LN OF LT 41, BUTTERCUP ESTATES SUB; TH S 17*05'35" E
IN SE LN & ITS EXTENSION 373.660 FT TO THE N R/W LN OF
BUTTERCUP LN; TH E'LY FOLLOWING THE N LN OF SD LANE
IN TWO COURSES: 1) FOLLOWING THE ARC OF A 229.180 FT
RADIUS CURVE TO THE RIGHT 85.800 FT; 2) TH E 599.250 FT TO
SD SEC LN; TH N BY RECORD (N 0*51'27" E 324.540 FT BY
SURVEY) TO THE PT OF BEG.
- 41-28-05-004 THAT PORTION OF 'REMAINDER PARCEL', LAKESIDE
SUBDIVISION LYING INSIDE THE BEAR LAKE SPECIAL
SERVICE DISTRICT
- 41-28-05-005 PORTION OF 'REMAINDER PARCEL', LAKESIDE SUBDIVISION
LYING OUTSIDE THE BEAR LAKE SPECIAL SERVICE DISTRICT

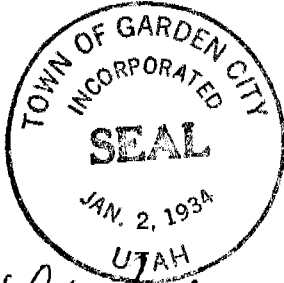
41-28-00-075

PART OF THE NW/4 OF SEC 28, T14N, R5E, SLB&M, BEG AT A PT S 0°51'27" W 384.55 FT ALG THE W LINE OF THE SEC FROM THE NW COR OF SD SEC, RN THE E 84.57 FT, TH NE'LY ALG THE ARC OF A 637.26 FT RADIUS CURVE TO THE LEFT 308.64 FT, TH N 62°15'E 212.84 FT, TH S 0°51'27"W 507.83 FT, TH N 89°03'40"W 567.00 FT TO THE W LINE OF THE SEC, TH N 0°51'27"E 326.13 FT TO THE POB.

After conduct of other business not pertinent to the above, it was moved, seconded and carried that the meeting adjourn.

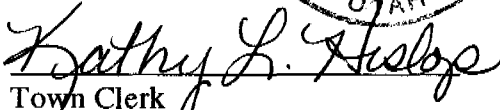


Mayor



[SEAL]

ATTEST:

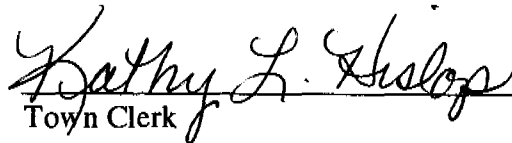


Town Clerk

STATE OF UTAH)
)
COUNTY OF RICH)

I, the undersigned, the duly qualified and acting Town Clerk of the Town of Garden City, Rich County, Utah (the "*Town*"), do hereby certify that the foregoing is a full, true and correct copy of excerpts from the minutes of a regular public meeting of the Town Council of the Town (the "*Town Council*") held at 145 West Center in Garden City, Utah, on August 11, 2005, including a resolution adopted at the meeting, as recorded in the regular official book of minutes of the proceedings of the Town Council kept in my office, that all members of the Town Council were given due, legal and timely notice of the meeting, that the meeting therein shown was in all respects called, held and conducted in accordance with law and in full conformity therewith and that the persons therein named were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Garden City, Rich County, Utah, this 11th day of August, 2005.


Town Clerk

[SEAL]

EXHIBIT "A"

PUBLIC NOTICE

The Garden City Town Council will hold their regular scheduled meeting on Thursday, August 11, 2005, at 7:00 p.m. at the Garden City Office, located at 145 West Center, (Logan Road).

AMENDED AGENDA

1. **Roll Call**
2. **Public Hearing:** 7:00 p.m.
Public Hearing regarding the creation of the Garden City, Utah Buttercup Project Special Improvement District and resolution to create the District and authorize the Town Officials to proceed to make improvements as set forth in the Notice of Intention to create the District.

REGULAR SESSION

3. **Resolution Discussion**
 - A. Resolution #R05-07, a resolution to create the Garden City, Utah Buttercup Project Improvement District and authorize the Town Officials to proceed to make improvements as set forth in the Notice of Intention to create the District.
4. **Conditional Use Permit Discussion/Approval**
 - A. Amendment to Conditional Use Permit, Aromas Brassiere, M Shaka's, Inc. To include off premise catering along with the restaurant at Harbor Village Resort.
5. **Business License Discussion/Approval**
 - A. Amendment to Business License, Aromas Brassiere, M Shaka's, Inc. To include off premise catering along with the restaurant at Harbor Village Resort.
 - B. Beary Clean, Mary Cook and Leslie Harris, request to do cleaning and maintenance for private residences and rental property.
 - C. Framing Memories, Gwenda Hansen, Clarification of Business License to do photography outside her home and book work at her home. 399 N Bear Lake Blvd.
 - D. Business License Discussion for Harbor Village Realty, Owner Dorene Watts, Jack McPhie
6. **Annexation Discussion**
 - A. Petition to annex property approximately 69.18 acres and is within the area west of 100 west and south and east of Logan Canyon Highway. Parcel numbers included are 41-20-00-042, 41-20-00-041, 41-21-40-096, 41-21-40-116, 41-20-00-031, 41-20-00-035, 41-20-00-017, 41-21-40-100, 41-21-40-107 and the Garden City Cemetery. All property is owned by A/A Storage, LLC, Ned & Tammy Calder, LaRue Calder, Scott Calder, Sandra Carlson, Jerry Watson, Ken & Jill Davis, Sandra Pulsipher, Jennifer Pope, Lacy Critchlow, Kimberly Watson, Melissa Watson, Darin Pugmire, Terry & Jeannie Willis and the Garden City Cemetery
 - B. Discussion regarding remaining parcels not annexed which are south and east of Logan Road and west of 100 west along with properties adjacent to 300 west.

7. **Resolution Discussion**

- A. Resolution #R05-09, Resolution to annex island property which is approximately 69.18 acres and is within the area west of 100 west and south and east of Logan Canyon Highway. Parcel numbers included are 41-20-00-042, 41-20-00-041, 41-21-40-096, 41-21-40-116, 41-20-00-031, 41-20-00-035, 41-20-00-017, 41-21-40-100, 41-21-40-107 and the Garden City Cemetery. All property is owned by A/A Storage, LLC, Ned & Tammy Calder, LaRue Calder, Scott Calder, Sandra Carlson, Jerry Watson, Ken & Jill Davis, Sandra Pulsipher, Jennifer Pope, Lacy Critchlow, Kimberly Watson, Melissa Watson, Darin Pugmire, Terry & Jeannie Willis and the Garden City Cemetery.
- B. Resolution #R05-08, resolution that sets rates for water inspection fees and water impact fees outside the town limits.

8. **Request to connect to Garden City Water System Outside the Town Limits,**

Approximately 1318 N. Bear Lake Blvd., Kathy Coover

9. **Encumbrance Agreement and Covenant to Run with the Land,** Drew Stayner

Lot 1 and Lot 20 Mar Vista Subdivision, request to encumber to build a garage on lot 20.

10. **Spinnaker Point Subdivision,** Questions regarding common area and CC&R',

David Dollof and David Longfellow

11. **Lockwood at Bear Lake Marina,** Jay Christopherson, Discussion regarding what they are doing with 3rd west and their project. They are requesting approval regarding 3rd west and their project.

12. **Cherimoya Subdivision, Final Discussion/Approval for Phase II,** Norm Mecham,

Phase II has 20 lots and is located at approximately 200 West Hodges Canyon Road.

13. **Grant Discussion**

A. Community Development Block Grant, New Town Library.

B. Rural Community Assistance Grant for trail signs along the bike path.

C. Transient Room Tax Grant from Rich County

14. **Swan Spring Culinary Water Project Update**

15. **Miscellaneous Items**

A. Beautification Committee letter requesting enforcement of the Abatement Ordinance

B. Appointment of New Planning & Zoning Member (2)

C. Appointment of New Board of Adjustments Member (1)

D. Certified Citizens Planner

16. **Building Inspector Report**

17. **Council Member Reports**

A. Updates: Sharlotte Wride

1. 3rd West

2. Lockwood Project

3. Beach Access

4. Hodges Canyon

5. Signs

6. Bike Path Extension

7. Mapping

8. State Legislators Tour

B. New Items: Sharlotte Wride

1. 89/30 Intersection/Pedestrian Safety

2. Flat Rate Sales Tax

3. Constable

4. Ordinances/Specific Penalties

5. Bike Path Ordinance

6. BLRC

7. Town Entrance Monument Sign **1910**

18. **Approval of Minutes**
19. **Payment Vouchers**
20. **Adjournment**

NOTE: The order of this agenda may be altered by those present if necessary.

NOTE: The Town Council may vote to go into executive session pursuant to Utah Code 52-4-5.

In compliance with the Americans with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and services) during this meeting should notify the Garden City Office at (435) 946-2901 on Monday through Friday, at least 3 working days before the meeting. The office hours are 9:00 a.m. to 5:00 p.m.

Posted this 5th day of August , 2005