



ENT 96689:2015 PG 1 of 11
JEFFERY SMITH
UTAH COUNTY RECORDER
2015 Oct 23 3:33 PM FEE 214.00 BY SS
RECORDED FOR SARATOGA SPRINGS CITY

RESOLUTION NO. R15-16 (3-31-15)

**ADDENDUM TO RESOLUTION OF THE CITY OF
SARATOGA SPRINGS PERTAINING TO THE CITY
STREET LIGHTING SPECIAL IMPROVEMENT
DISTRICT TO INCLUDE ADDITIONAL SUBDIVISION
LOTS. (Legacy Farms Plats 1A-1D)**

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 Legacy Farms Plats 1A-1D, which Plats are more fully described in Exhibit 1 (the "Subdivision") conditioned upon all lots, except for Open Space Parcel 16 (OS 16) on Plat 1A, as more fully described in Exhibit 2, 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, except for OS 16 on Plat 1A, 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 shall be responsible for perpetual maintenance of the street lights on OS 16.

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, except for OS 16 on Plat 1A, 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 3 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, except for OS 16 on Plat 1A, be added to and included in the Lighting SID based upon the above findings and the written consent attached as Exhibit 3 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 31st day of March, 2015 on motion by

Councilor _____, seconded by Councilor _____.

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Signed: *[Signature]* 3/31/15
Mayor Date

Attest: *[Signature]* 3/31/15
Recorder Date



EXHIBIT 1 – LEGAL DESCRIPTIONS OF PROPERTY

A parcel of land situated in the Southeast Quarter of Section 26, and portions of the Northeast Quarter of Section 35, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is S00°33'28"W 563.22 feet, along the Section Line, and West 1874.08' from the East Quarter Corner of said Section 26, and running thence S00°00'08"W 273.68 feet; thence S45°01'52"E 7.07 feet; thence N89°56'07"E 245.67 feet; thence S00°03'53"E 36.00 feet; thence S00°02'50"E 87.66 feet; thence S00°03'03"E 154.00 feet; thence S02°09'32"W 10.01 feet; thence S00°00'08"W 86.32 feet; thence N89°59'52"W 14.55 feet; thence Southwesterly 83.18 feet along the arc of a 66.00 foot radius curve to the left, chord bears S53°53'45"W 77.79 feet; thence N89°59'52"W 173.15 feet; thence S00°00'08"W 203.16 feet; thence S44°59'52"E 7.07 feet; thence S89°59'52"E 5.00 feet; thence S00°00'08"W 54.00 feet; thence N89°59'52"W 5.00 feet; thence S45°00'08"W 7.07 feet; thence S00°00'08"W 834.15 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 5.00 feet; thence S00°02'01"E 74.00 feet; thence S89°57'59"W 14.05 feet; thence S44°59'04"W 7.07 feet; thence S00°00'08"W 190.00 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 15.00 feet; thence S00°02'01"E 54.00 feet; thence S89°57'59"W 28.85 feet; thence S00°02'01"E 104.99 feet to the North Line of Saratoga Springs No. 2 Planned Unit Development, as recorded in the Office of the Utah County Recorder as Entry No.40728 Map Filing 7074; thence along said North Line S89°57'59"W 727.83 feet to the Easterly Right-of-Way Line of Redwood Road; thence, along said Easterly Right-of-Way Line, the following two (2) courses: (1) Northerly 307.55 feet along the arc of a 9940.00 foot radius curve to the right, chord bears N00°15'02"W 307.54 feet, (2) N00°38'09"E 130.47 feet; thence S44°41'56"E 7.03 feet; thence N89°57'59"E 148.66 feet; thence N44°59'04"E 7.07 feet; thence N00°00'08"E 5.03 feet; thence S89°59'52"E 54.00 feet; thence S00°00'08"W 5.00 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 456.90 feet; thence N44°59'04"E 7.07 feet; thence N00°00'08"E 642.21 feet; thence N45°01'27"W 7.07 feet; thence S89°56'57"W 5.00 feet; thence N00°03'03"W 54.00 feet; thence N89°56'57"E 5.05 feet; thence N44°58'33"E 7.07 feet; thence N00°00'08"E 381.98 feet; thence N44°59'52"W 7.07 feet; thence N89°59'52"W 5.00 feet; thence N00°00'08"E 54.00 feet; thence S89°59'52"E 5.00 feet; thence N45°00'08"E 7.07 feet; thence N00°00'08"E 204.02 feet; thence N45°01'27"W 7.07 feet; thence S89°56'57"W 5.00 feet; thence N00°03'03"W 36.00 feet; thence N89°56'57"E 5.03 feet; thence N26°33'24"E 11.18 feet; thence N00°00'08"E 67.58 feet; thence N26°34'34"W 11.18 feet; thence S89°56'07"W 5.00 feet; thence N00°03'53"W 36.00 feet; thence N89°56'07"E 5.04 feet; thence N44°58'08"E 7.08 feet; thence N00°00'08"E 204.76 feet; thence N45°04'22"W 7.06 feet; thence S89°51'09"W 5.00 feet; thence N00°08'51"W 54.00 feet; thence N89°51'09"E 5.14 feet; thence N44°55'38"E 7.08 feet; thence N00°00'08"E 5.00 feet; thence S89°59'52"E 66.00 feet to the Point of Beginning.

Contains 546,279 Square Feet or 12.54 Acres.

TOGETHER WITH:

Beginning at a point on the Westerly Boundary Line of Legacy Farms Plat 1-A, said point being also S00°33'28"W 1661.61 feet, along the Section Line, and West 1939.48' from the East Quarter Corner of said Section 26, and running thence, along the Westerly and Northerly Boundary Lines of said Legacy Farms Plat 1-A, the following thirteen (13) courses: (1) S00°03'03"E 54.00 feet, (2) N89°56'57"E 5.00 feet, (3) S45°01'27"E 7.07 feet, (4) S00°00'08"W 642.21 feet, (5) S44°59'04"W 7.07 feet, (6) S89°57'59"W 456.90 feet, (7) N45°00'56"W 7.07 feet, (8) N00°00'08"E 5.00 feet, (9) N89°59'52"W 54.00 feet, (10) S00°00'08"W 5.03 feet, (11) S44°59'04"W 7.07 feet, (12) S89°57'59"W 148.66 feet, (13) N44°41'56"W 7.03 feet to the Easterly Right-of-Way Line of Redwood Road; thence, along said Easterly Right-of-Way Line, N00°38'09"E 701.14 feet; thence S89°59'52"E 150.85

feet; thence N00°00'08"E 0.02 feet; thence S89°59'52"E 260.90 feet; thence N00°00'08"E 10.33 feet; thence S89°59'52"E 54.00 feet; thence S00°00'08"W 5.00 feet; thence S45°01'27"E 7.07 feet; thence N89°56'57"E 190.95 feet to the Point of Beginning.

Contains 476,453 Square Feet or 10.94 Acres.

TOGETHER WITH:

Beginning at a point on the Westerly Boundary Line of Legacy Farms Plat 1-A, said point being also S00°33'28"W 1215.60 feet, along the Section Line, and West 1943.75 feet from the East Quarter Corner of said Section 26 and running thence, along said Westerly Boundary Line, the following five (5) courses: (1) S00°00'08"W 54.00 feet, (2) S89°59'52"E 5.00 feet, (3) S44°59'52"E 7.07 feet, (4) S00°00'08"W 381.98 feet, (5) S44°58'33"W 7.07 feet to the Northerly Boundary Line of Legacy Farms Plat 1-B; thence, along said Northerly Boundary line, the following eight (8) courses: (1) S89°56'57"W 196.00 feet, (2) N45°01'27"W 7.07 feet, (3) N00°00'08"E 5.00 feet, (4) N89°59'52"W 54.00 feet, (5) S00°00'08"W 10.33 feet, (6) N89°59'52"W 260.90 feet, (7) S00°00'08"W 0.02 feet, (8) N89°59'52"W 150.85 feet to the Easterly Right-of-Way Line of Redwood Road; thence, along said Easterly Right-of-Way Line, N00°38'09"E 420.03 feet; thence S89°59'52"E 156.89 feet; thence Northeasterly 59.17 feet along the arc of a 61.00 foot radius curve to the right, chord bears N62°12'48"E 56.88 feet; thence S89°59'52"E 449.90 feet to the Point of Beginning.

Contains 293,057 Square Feet or 6.73 Acres.

TOGETHER WITH:

Beginning at a point on the Westerly Boundary Line of Legacy Farms Plat 1-A, said point being also S00°33'28"W 573.24 feet, along the Section Line, and West 1950.12 feet from the East Quarter Corner of said Section 26, and running thence, along said Westerly Boundary Line, the following seventeen (17) courses: (1) S00°08'51"E 54.00 feet, (2) N89°51'09"E 5.00 feet, (3) S45°04'22"E 7.06 feet, (4) S00°00'08"W 204.76 feet, (5) S44°58'08"W 7.08 feet, (6) S89°56'07"W 5.04 feet, (7) S00°03'53"E 36.00 feet, (8) N89°56'07"E 5.00 feet, (9) S26°34'34"E 11.18 feet, (10) S00°00'08"W 67.58 feet, (11) S26°33'24"W 11.18 feet, (12) S89°56'57"W 5.03 feet, (13) S00°03'03"E 36.00 feet, (14) N89°56'57"E 5.00 feet, (15) S45°01'27"E 7.07 feet, (16) S00°00'08"W 204.02 feet, (17) S45°00'08"W 7.07 feet to the Northerly Boundary Line of Legacy Farms Plat 1-C; thence, along said Northerly Boundary Line, the following three (3) courses: (1) N89°59'52"W 454.90 feet, (2) Southwesterly 59.17 feet along the arc of a 61.00 foot radius curve to the left, chord bears S62°12'48"W 56.88 feet, (3) N89°59'52"W 156.89 feet to the Easterly Right-of-Way Line of Redwood Road; thence, along said Easterly Right-of-Way Line, N00°38'09"E 653.18 feet; thence N89°50'18"E 126.32 feet; thence Northwesterly 20.35 feet along the arc of a 60.00 foot radius curve to the right, chord bears N09°52'47"W 20.26 feet; thence N00°09'42"W 4.00 feet; thence N89°50'18"E 54.00 feet; thence S00°09'42"E 5.00 feet; thence S45°09'16"E 7.07 feet; thence N89°51'09"E 467.88 feet to the Point of Beginning.

Contains 427,479 Square Feet or 9.81 Acres.

EXHIBIT 2 – DESCRIPTION OF EXCLUDED PROPERTY (OS 16 ON PLAT 1A)

LEGACY FARMS PLAT 1-A, OS 16

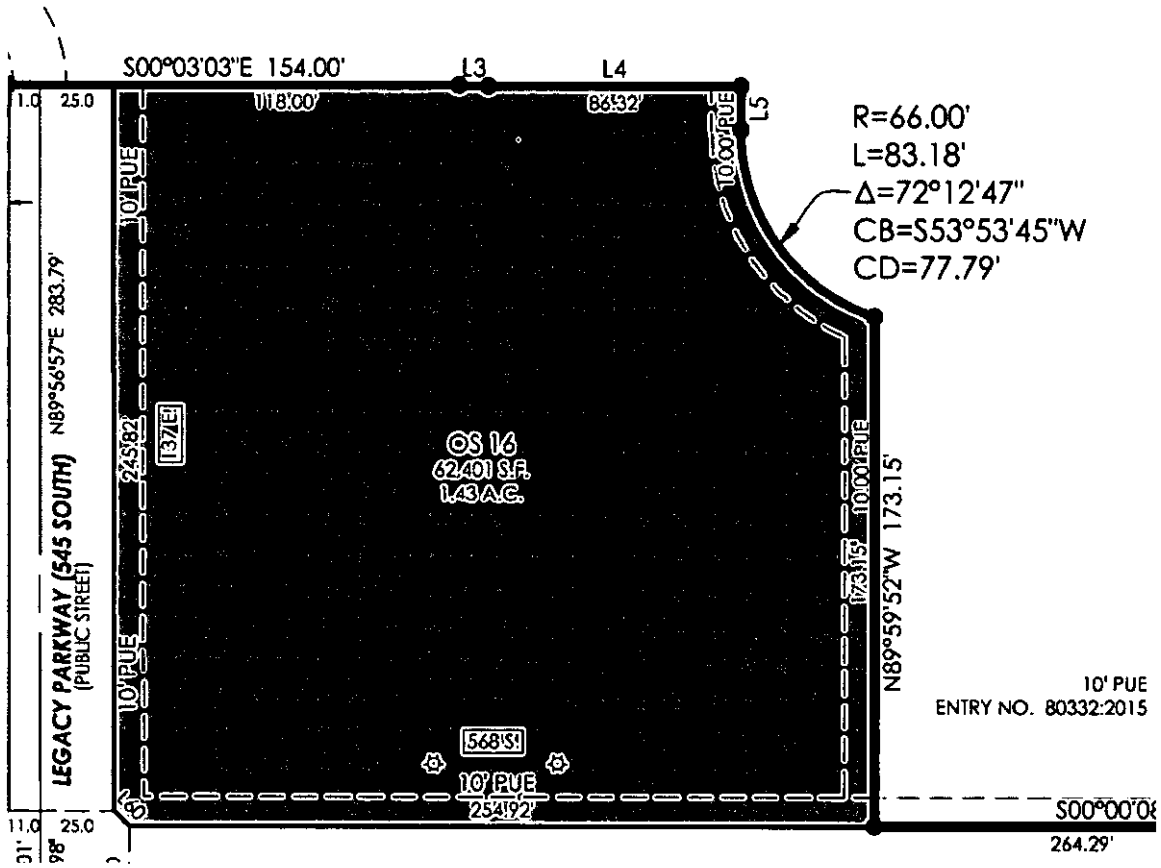


EXHIBIT 3 – OWNERS' CONSENT

CONSENT OF OWNER OF PROPERTY
TO BE INCLUDED IN STREET LIGHTING SPECIAL IMPROVEMENT DISTRICT

WHEREAS the City of Saratoga Springs (the "City"), by and through its City Council, 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 Legacy Farms Plats 1A-1D Subdivision (the "Subdivision"), which property is more fully described in Exhibit A, 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 except for Open Space Parcel 16 on Plat 1A ("OS 16"). 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, except for OS 16 on Plat 1A as more fully described in Exhibit B, included within the Lighting SID. The legal description and the tax identification number(s) of the property covered by the Subdivision are set out in Exhibit A attached to this Consent.

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 23 day of September, 2015.

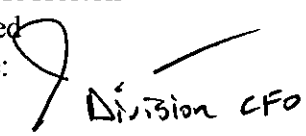
DEVELOPER:

Name: DR Horton

Authorized

Signature:

Its:



Division CFO

2001273

EXHIBIT A – LEGAL DESCRIPTIONS AND TAX IDENTIFICATION #S

A parcel of land situated in the Southeast Quarter of Section 26, and portions of the Northeast Quarter of Section 35, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is S00°33'28"W 563.22 feet, along the Section Line, and West 1874.08' from the East Quarter Corner of said Section 26, and running thence S00°00'08"W 273.68 feet; thence S45°01'52"E 7.07 feet; thence N89°56'07"E 245.67 feet; thence S00°03'53"E 36.00 feet; thence S00°02'50"E 87.66 feet; thence S00°03'03"E 154.00 feet; thence S02°09'32"W 10.01 feet; thence S00°00'08"W 86.32 feet; thence N89°59'52"W 14.55 feet; thence Southwesterly 83.18 feet along the arc of a 66.00 foot radius curve to the left, chord bears S53°53'45"W 77.79 feet; thence N89°59'52"W 173.15 feet; thence S00°00'08"W 203.16 feet; thence S44°59'52"E 7.07 feet; thence S89°59'52"E 5.00 feet; thence S00°00'08"W 54.00 feet; thence N89°59'52"W 5.00 feet; thence S45°00'08"W 7.07 feet; thence S00°00'08"W 834.15 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 5.00 feet; thence S00°02'01"E 74.00 feet; thence S89°57'59"W 14.05 feet; thence S44°59'04"W 7.07 feet; thence S00°00'08"W 190.00 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 15.00 feet; thence S00°02'01"E 54.00 feet; thence S89°57'59"W 28.85 feet; thence S00°02'01"E 104.99 feet to the North Line of Saratoga Springs No. 2 Planned Unit Development, as recorded in the Office of the Utah County Recorder as Entry No.40728 Map Filing 7074; thence along said North Line S89°57'59"W 727.83 feet to the Easterly Right-of-Way Line of Redwood Road; thence, along said Easterly Right-of-Way Line, the following two (2) courses: (1) Northerly 307.55 feet along the arc of a 9940.00 foot radius curve to the right, chord bears N00°15'02"W 307.54 feet, (2) N00°38'09"E 130.47 feet; thence S44°41'56"E 7.03 feet; thence N89°57'59"E 148.66 feet; thence N44°59'04"E 7.07 feet; thence N00°00'08"E 5.03 feet; thence S89°59'52"E 54.00 feet; thence S00°00'08"W 5.00 feet; thence S45°00'56"E 7.07 feet; thence N89°57'59"E 456.90 feet; thence N44°59'04"E 7.07 feet; thence N00°00'08"E 642.21 feet; thence N45°01'27"W 7.07 feet; thence S89°56'57"W 5.00 feet; thence N00°03'03"W 54.00 feet; thence N89°56'57"E 5.05 feet; thence N44°58'33"E 7.07 feet; thence N00°00'08"E 381.98 feet; thence N44°59'52"W 7.07 feet; thence N89°59'52"W 5.00 feet; thence N00°00'08"E 54.00 feet; thence S89°59'52"E 5.00 feet; thence N45°00'08"E 7.07 feet; thence N00°00'08"E 204.02 feet; thence N45°01'27"W 7.07 feet; thence S89°56'57"W 5.00 feet; thence N00°03'03"W 36.00 feet; thence N89°56'57"E 5.03 feet; thence N26°33'24"E 11.18 feet; thence N00°00'08"E 67.58 feet; thence N26°34'34"W 11.18 feet; thence S89°56'07"W 5.00 feet; thence N00°03'53"W 36.00 feet; thence N89°56'07"E 5.04 feet; thence N44°58'08"E 7.08 feet; thence N00°00'08"E 204.76 feet; thence N45°04'22"W 7.06 feet; thence S89°51'09"W 5.00 feet; thence N00°08'51"W 54.00 feet; thence N89°51'09"E 5.14 feet; thence N44°55'38"E 7.08 feet; thence N00°00'08"E 5.00 feet; thence S89°59'52"E 66.00 feet to the Point of Beginning.

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Contains 427,479 Square Feet or 9.81 Acres.

EXHIBIT B – OS 16 (EXCLUDED PROPERTY)

LEGACY FARMS PLAT 1-A, OS 16

