

DEC 16 2004

RICHARD GRAHAM
PUBLIC SERVICES DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC SERVICES

ROSS C. "ROCKY" ANDERSON
MAYOR

DATE: December 8, 2004

TO: Rocky Fluhart
Chief Administrative Officer

SUBJECT: Notice of Intention for the 900 South, Main Street to 900 West,
Reconstruction Special Improvement District, Job No. 1102004.

FUNDING: Monies are provided from the Salt Lake City Capital Improvement budget, Redevelopment Agency, Public Utility Department and property owner assessments through the Special Improvement District.

BACKGROUND AND DISCUSSION: The 900 South project involves the reconstruction of the roadway. The improvements include 84 foot wide asphalt pavement, curb and gutters, sidewalks, street lighting, park strip landscaping and upgraded traffic signals at Main Street, 300 West and 900 West. The project extends from Main Street to 900 West. The project is being coordinated with Public Utilities storm improvement project presently being installed.

Construction of the projects is scheduled to start in the Spring of 2005 with completion by late Fall.

Attached is an information sheet, draft of a letter to abutting property owners, draft of the Notice of Intention and a schedule of hearings and meetings.

CONTACT PERSON: John Naser, P.E., 535-6240

SUBMITTED BY: Rick Graham, Director
Public Services Department

cc: Vault

January 18, 2005

Reference: 900 South, Main St. to 900 West Special Improvement District
Project No. 102004

Dear Property Owner:

We wish to inform you of the reconstruction of 900 South from Main Street to 900 West. Your property abuts the proposed street improvements and is included in the proposed special improvement district. The purpose of this project is to replace the deteriorated roadway pavements, concrete curbs and sidewalks; install new curb and gutter, sidewalk and driveway approaches where not present; install new decorative street lights; improve the traffic signal at Main St, 300 West and 900 West; provide additional on street parking; improve street drainage; and in locations requested by property owners landscaping of the park strips

The project will widen 900 West to 84 feet and provide either parallel or 45 degree angle parking. Traffic will utilize two travel lanes in each direction from Main to 300 West and a single lane from 300 West to 900 West. A continuous left turn lane will be provided throughout. Parallel parking will be provided east of 300 West and angle parking to the west. From Main to 300 West paved cutback angle parking will be installed in areas where it presently exists. Where feasible, cutback parking could be installed where it presently does not exist if the abutting property owner agrees to pay for this improvement.

An additional option for the property owners is to have the project install the landscaping in the new park strips. This would involve sod, trees and an irrigation system connected to your water supply. Costs of this landscaping would be included in the special improvement district assessments. At the City's cost the new park strips will be graded level with topsoil for the owner to do their own landscaping.

The project will be constructed using City General and Class "C" road funds, Public Utilities storm drainage funds, Redevelopment Agency funds and property owner assessments through the Special Improvement District. Information concerning the Special Improvement District is included with this letter. The cost of the reconstruction is divided between the City and property owners with the property owner share including new curb and gutters, sidewalks and driveway approaches where the don't presently exist and optional cutback angle parking and landscaping. The City's portion includes all pavement costs, drainage facilities, street lighting, traffic signals, replacement of deteriorated curbs and sidewalks, ADA sidewalk ramps and miscellaneous work.

The following attachments to this letter are for your information and use:

1. The Notice of Intention describes how a Special Improvement District is created and operates. The notice outlines the costs for the work and describes how you may protest the project if you disagree with it.
2. The preliminary estimate of the quantity of work and anticipated assessment for your property.

As the property owner of record, you have the right to file a written protest against the creation of the 900 West Reconstruction Special Improvement District, Job No. 102004 or make any other objections relating thereto. Protests shall describe or otherwise identify the property being protested. Protests shall be filed with the City Recorder of Salt Lake City, Utah on or before 5:00 p.m. on the 7th day of February, 2005. The City Council will meet on the 8th of February, 2005 at 7:00 p.m. in a public meeting at the City Council Chamber to consider all protests so filed and hear all objections related to the proposed Improvement District.

The protest rate shall be determined by totaling the assessable front footage of property owners filing written protest divided by the total assessable front footage of properties included in the special improvement district. After the written protest rate has been determined, the City Council may, at its discretion, delete areas from the District. The City Council will rescind its intention to create the District if the total proposed estimated assessments against properties to be improved within the modified District boundaries represent more than fifty percent (50%) of the total assessment value of property remaining in the District.

"Informal Public Meetings" are scheduled to review this project with interested abutting property owners according to the following schedule:

February 2, 2005 3:00 p.m. to 4:00 p.m.
 5:00 p.m. to 6:00 p.m.
 Sunday Anderson Center
 900 West and 900 South
 Salt Lake City, Utah

Members of the Engineering Division staff will be present and available to answer any specific questions property owners have relative to assessment costs and proposed work. Please note attendance at this meeting does not take the place of written protests. Those wishing to protest must follow the procedures outlined in the "Notice of Intention".

If you have any questions concerning this project and are unable to attend the meeting, please feel free to contact Mr. John J. Naser, P.E. at 535-6240 or Pat Peterson at 535-7236 in the City Engineering Office at 349 South 200 East, Suite 100, Salt Lake City, Utah 84111.

Sincerely

Max G. Peterson, P.E.
City Engineer

INFORMATION SHEET
900 SOUTH, MAIN STREET TO 900 WEST
SPECIAL IMPROVEMENT DISTRICT
JOB NO. 102004

DESCRIPTION OF IMPROVEMENTS:

The 900 South Special Improvement District involves the reconstruction of the roadway from Main Street to 900 West. The project includes 84 feet wide asphalt pavement, curb and gutter, sidewalks, driveway approaches, cutback angle parking, park strip landscaping, street lighting and traffic signal upgrades. The roadway width allows for two travel lanes each way and parallel parking from Main to 300 West then one lane each direction with angle parking to 900 West. The project is closely coordinated with Public Utilities storm drain project presently under construction.

The project is scheduled to start in April with completion by October 2005. The construction will be phased so disruption and inconvenience to the property owners, pedestrians and traffic will be minimal.

AVAILABILITY OF FUNDS

Funding for the project is available from the General Fund, Class "C" road funds, the Redevelopment Agency, Public Utilities storm drainage fees and property owner assessments through the Special Improvement District.

**CALENDAR OF EVENTS
SALT LAKE CITY
SPECIAL IMPROVEMENT DISTRICT
900 South, Main Street to 900 West SID
Job # 102004**

Construction Phase

<u>Date</u>	<u>Event</u>
Dec 21, 2004	Engineering sends Municipal Council (the "Council") action letter to adopt Notice of Intention.
Dec 21, 2004	Description of improvements and areas to be improved furnished by City Engineer to Ballard Spahr Andrews & Ingersoll ("Bond Counsel").
Dec 28, 2004	Legal documents transmitted from Bond Counsel to Salt Lake City (the "City") and the "Financial Advisor"). RE: Notice of Intention.
Jan 4, 2005	Council adopts Notice of Intention to create District and authorizes advertisement for bids.
Jan 11, 2005	First publication of Notice of Intention.
Jan 18, 2005	Second publication of Notice of Intention.
Jan 18, 2005	Mailing (within 10 days from the first publication) of the Notice of Intention to (1) each owner within the Special Improvement District and (2) each street address, post office box, rural route or other mailing address to "Owner".
Jan 24, 2005	Third publication of Notice of Intention.
Jan 31, 2005	Fourth publication of Notice of Intention.
, 2005	Informal information meeting. (This may be scheduled earlier; it is not a statutory requirement).

<u>Date</u>	<u>Event</u>
Feb 7, 2005	Deadline for filing written protests.
Feb 8, 2005	Protest hearing council date.
Feb 15, 2005	Tabulation of protests furnished to Ballard Spahr Andrews & Ingersoll.
Feb 15, 2005	Council sent action letter to create District.
Feb 22, 2005	Publication of the Notice to Contractors calling for bids.
Feb 15, 2005	Protests and creation of District transmitted from Ballard Spahr Andrews & Ingersoll to the City and First Security Bank.
Feb 11, 2005	Legal documents prepared by Bond Counsel. RE: Bid Opening Summary.
Mar 1, 2005	Council adopts a resolution creating the Special Improvement District.
Mar 2, 2005	Bids opened, tabulated and reported.
Mar 2, 2005	Award of construction contract and provisions for interim financing transmitted from Bond Counsel to the City and the Financial Advisor.
Mar 9, 2005	Council adopts a resolution awarding the contract to the best bidder.
Mar 4, 2005	File a copy of the Notice of intention and the Resolution creating the Special Improvement District and proposed Assessment List with the County Recorder.
	Construction begins.
	Council adopts a resolution amending the Special Improvement District to include new property.
	Interim payments made to contractor.

Salt Lake City, Utah

January 4, 2005

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on Tuesday, the 4th day of January, 2005, at the hour of 7:00 p.m., at the offices of the City Council at 451 South State Street, Salt Lake City, Utah, at which meeting there were present and answering roll call the following members who constituted a quorum:

Jill Remington Love	Chair
Dale Lambert	Vice Chair
Carlton Christensen	Councilmember
K. Eric Jergensen	Councilmember
Nancy Saxton	Councilmember
Van Blair Turner	Councilmember
David L. Buhler	Councilmember

Also present:

Rocky Anderson	Mayor
Edwin P. Rutan, II	City Attorney
	Deputy City Recorder

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 Council a Certificate of Compliance with Open Meeting Law with respect to this 4th day of January, 2005, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon the following proceedings, among others, were duly had and taken:

The following resolution was introduced in writing, was read by title and Councilmember Turner moved its adoption:

RESOLUTION NO. ____ of 2005

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF SALT LAKE CITY, SALT LAKE COUNTY, UTAH, TO CONSTRUCT IMPROVEMENTS WITHIN THE CITY CONSISTING OF THE INSTALLATION OF CONCRETE SIDEWALKS, SIDEWALK ACCESS RAMPS, DRIVEWAYS, ROADWAY PAVEMENT, CURB, GUTTER, STREET LIGHTING, TRAFFIC SIGNALS, AND LANDSCAPING AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER AND WORKMANLIKE MANNER; TO CREATE THE SALT LAKE CITY, UTAH 900 SOUTH, MAIN STREET TO 900 WEST, STREET IMPROVEMENTS SPECIAL IMPROVEMENT DISTRICT NO. 102004 (THE "DISTRICT"); TO PAY THE ACQUISITION AND INSTALLATION COSTS AND EXPENSES 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, ASSESSMENTS OR THE CREATION OF THE DISTRICT; TO DECLARE ITS OFFICIAL INTENT TO REIMBURSE ITSELF FOR EXPENDITURES PAID BY IT PRIOR TO THE SALE OF BONDS; AND TO AUTHORIZE ADVERTISEMENT OF CONSTRUCTION BIDS AND RELATED MATTERS.

BE IT RESOLVED by the City Council of Salt Lake City, Salt Lake County, Utah (the "City"), as follows:

Section 1. The City Council hereby determines that it will be in the best interest of the City to install concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, roadway pavement, street lighting, traffic signals, and landscaping (collectively, the "Improvements") within the herein described district; and to complete the whole in a proper and workmanlike manner according to plans on file in the Office of the City Engineer in Salt Lake City, Utah. To finance the costs of the Improvements, the City Council proposes to create and establish a special improvement district. A description of the proposed Improvements and special improvement district is more particularly described in the Notice of Intention hereinafter set forth.

Section 2. The proposed special improvement district shall be known as "Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvements Special Improvement District No. 102004" (the "District").

Section 3. The costs 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. The costs shall be paid in not more than ten (10) annual installments with interest on the unpaid balance until due and paid.

Section 4. Written protests against the proposed Improvements, assessments or against the creation of the District must be presented and filed in the Office of the Chief Deputy City Recorder on or before 5:00 p.m. on the 7th day of February, 2005. Thereafter at 7:00 p.m. on Tuesday, the 8th day of February, 2005, at 451 South State Street, Salt Lake City, Utah, any such protests shall be heard and considered by the City Council. The City Recorder is hereby directed to give notice of the City's intention to install the proposed Improvements and to assess for the costs thereof and of the time within which protests against the proposed Improvements, the proposed assessments 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 (the "Notice of Intention") in the Deseret Morning News, a newspaper of general circulation in the City, said Notice of Intention 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 of Intention as the last day for the filing of protests. In addition, the City Recorder shall mail a copy of the Notice of Intention 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 Salt Lake County, Utah, and, in addition, a copy of the Notice of Intention shall be mailed, postage prepaid, addressed to "Owner" at the street number of each piece of improved property, if any, to be affected by the assessment, said Notice 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 of Intention. Said Notice of Intention shall be in substantially the following form:

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on the 4th day of January, 2005, the Mayor and the City Council of Salt Lake City, Utah (the "City Council"), adopted a resolution declaring the City's intention to create a special improvement district to be known as the Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvement Special Improvement District No. 102004 (the "District"). It is the intention of the City Council to install improvements within or adjacent to the District, to operate and maintain said improvements and to levy special assessments as provided in Title 17A, Chapter 3, Part 3, Utah Code Annotated 1953, as amended, on the real estate 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 proposed District will be created and improvements will be constructed within the boundaries of Salt Lake City, Utah. The District boundary includes all property fronting or abutting on both sides of 900 South Street from Main Street to 700 West Street.

LOCATION OF IMPROVEMENTS

The District involves the reconstruction of 900 South Street from Main Street to 900 West Street. The proposed improvements (the "Improvements") include the reconstruction of the roadway pavement, installation of concrete curb and gutter, sidewalks, driveway approaches, street lighting, traffic signals, drainage facilities and landscaping from Main Street to 700 West Street and the rehabilitation of the roadway pavement and street lighting of 900 South Street from 700 West Street to 900 West Street.

The Improvements are anticipated to be located as follows:

900 South: From Main Street to West Temple

Curb and Gutter: (Rate No. 1)

Beginning from the west right-of-way line on Main Street thence west 141.00 feet, north side frontage.

Beginning at a point 316.56 feet west of the west right-of-way line of Main Street thence west 376.26 feet to the east right-of-way line of West Temple Street, south side frontage.

900 South: From West Temple to 200 West Street

Curb and Gutter: (Rate No. 1)

Beginning at a point 148.50 feet west of the west right-of-way line of West Temple Street thence west 132.00 feet to the east right-of-way line of Jefferson Street and, beginning on the west right-of-way line Jefferson Street thence west 132.00 feet to the east right-of-way line of 200 West Street, north side frontage.

Beginning at the west right-of-way line West Temple Street thence west 230.00 feet to the east right-of-way line of Jefferson Street and, beginning on the west right-of-way line Jefferson Street thence west 312.50 feet to the east right-of-way line of 200 West Street, south side frontage.

900 South: From 200 West Street to 300 West Street

Curb and Gutter: (Rate No. 1)

Beginning at a point 148.50 feet west of the west right-of-way line of 200 West thence west 132.00 feet to the east right-of-way line of Washington Street, north side frontage. Beginning at the west right-of-way line of 200 West thence west 321.74 feet to the east right-of-way line of Washington Street and, beginning at a point 91.75 feet west of the west right-of-way line of Washington Street thence west 225.12 feet to the east right-of-way line of 300 West Street, south side frontage.

900 South: From 300 West Street to 400 West Street

Curb and Gutter: (Rate No. 1)

Beginning at a point 495.00 feet from the west right-of-way line of 300 West Street thence west 165.00 feet to the east right-of-way line of 400 West Street, north side frontage.

Beginning at the west right-of-way line of 300 West Street thence west 317.46 feet to the east right-of-way line of Gale Street and, beginning at the west right-of-way line of Gale Street thence west 363.50 feet to the east right-of-way line of 400 West Street, a total of 680.96 lineal feet, south side frontage.

6' Sidewalk: (Rate 2)

Beginning at a point 495.00 feet from the west right-of-way line of 300 West Street thence west 165.00 feet to the east right-of-way line of 400 West Street, north side frontage.

Beginning at the west right-of-way line of 300 West Street thence west 144.46 feet, south side frontage.

900 South: From 400 West Street to 500 West Street

Curb and Gutter: (Rate 1)

Beginning at the west right-of-way line of 400 West Street thence west 528.83 feet to the east right-of-way line of 500 West Street, north side frontage.

Beginning at the west right-of-way line of 400 West Street hence west 311.00 feet to the east right-of-way line of Rio Grande Street and, beginning at the west right-of-way line of Rio Grande Street thence west 316.00 feet to the east right-of-way line of 500 West Street, south side frontage.

6' Sidewalk: (Rate 2)

Beginning at the west right-of-way line of 400 West Street thence west 528.83 feet to the east right-of-way line of 500 West Street, north side frontage.

Beginning at the west right-of-way line of 400 West Street hence west 311.00 feet to the east right-of-way line of Rio Grande Street and, beginning at the west right-of-way line of Rio Grande Street thence west 316.00 feet to the east right-of-way line of 500 West Street, south side frontage.

900 South from 500 West Street to Interstate Highway I-15 (650 West)

Curb and Gutter: (Rate 1)

Beginning at the west right-of-way line of 500 West Street thence west 1,007.73 feet to the east right-of-way line of I-15, north side frontage. Beginning at the west right-of-way line of 500 West thence west 631.70 feet to the east right-of-way line of I-15, south side frontage.

6' Sidewalk: (Rate 2)

Beginning at the west right-of-way line of 500 West Street thence west 1,007.13 feet to the east right-of-way line of I-15, north side frontage. Beginning at the west right-of-way line of 500 West thence west 631.70 feet to the east right-of-way line of I-15, south side frontage.

900 South from Main Street to 650 West Street (Both Sides)

Drive Approaches: (Rate 3)

At the property owner's option driveway approach will be installed between the new curb and gutter and sidewalk.

Optional Park Strip Landscaping: (Rate 4)

At the property owner's option park strip landscaping will be installed. The landscaping will include irrigation systems, street trees, sod or ground cover and connect to the property owners water supply.

Basis for Assessment

The property owners whose property will be improved will be assessed for a portion of the cost of the Improvements. Depending on the nature of the Improvements, costs will be assessed by front foot of abutting property and optional improvement costs will be assessed by square foot of improved area. For a designation of the applicable rates and methods of assessment, see "Estimated Cost of Improvements" set out hereafter.

Because of the variety of Improvements and the fluctuation in the size of areas to be improved, it is not feasible to set out the combination of assessment rates applicable solely on a front foot basis to each individual parcel to be assessed. The City Engineer's office will calculate the estimated assessment for each parcel to be assessed and that information will be provided for each property owner in a memorandum which will be mailed, together with a copy of this Notice of Intention, to each property owner. In addition, a tabulation of the assessments by individual parcel will be available together with a map of the District in the City Engineer's Office. Also available at that office will be a list of all property owners to be assessed and the preliminary plans, profiles and specifications of the Improvements.

ESTIMATED COST OF IMPROVEMENTS

The total cost of Improvements in the proposed District as estimated by the City Engineer is \$5,380,982, of which it is anticipated the City will pay approximately \$4,997,157 (the "City's Portion," including approximately \$100,000, which the Public Utilities Department of the City will pay for drainage, water and sewer improvements). The remainder of approximately \$383,825 (the "Property Owners' portion of the Improvements plus administration costs) 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. The actual commitment of the City to pay the City's portion of the cost of Improvements is subject to the availability of funds and compliance with the City's budget requirements.

The estimated property owners' costs include construction costs and a portion of engineering expenses, possibly a portion of a debt service reserve, a ten percent (10%) allowance for the interest on interim warrants issued to finance construction of the Improvements and an allowance of fifteen percent (15%) for administrative costs, a possible underwriter's discount on sale of bonds, a portion of engineering expenses, legal and other costs in connection with the issuance of bonds. The estimated cost to be assessed against the properties within the District shall be as follows:

IMPROVEMENTS AND ESTIMATED COSTS

Rate No.	Improvements	Estimated Unit Cost	Estimated Cost to Property Owners
1	Curb and gutter	\$23.93 per lineal foot	\$136,209
2	6' wide sidewalk	\$34.28 per lineal foot	\$109,284
3	Optional 8" thick concrete Driveway Approach	\$7.66 per square foot *	\$66,948
4	Optional Park Strip Landscaping	\$2.04 per square foot *	<u>\$ 71,384</u>
			\$383,825

*** Because of the variety of widths of the park strips, the estimated square foot cost applies to the area to be improved, not the front footage to be assessed. See the Section "Basis for Assessment" above.**

LEVY OF ASSESSMENTS

The proposed assessment rates shall be paid by a special assessment to be levied against the property abutting the streets to be improved and upon property which may be affected or specifically benefited by such improvements. The rates will be equal and uniform based on benefits received, but under the Salt Lake City Code, the City's portion varies depending on factors such as the use of the properties to be assessed.

The adjustment for the City's portion has been taken into account in the table above so that the estimated cost per unit represents the net estimated cost to be assessed to the property owners.

It is the intention of the City to levy assessments as provided by the laws of the State of Utah on all parcels and lots of real property within the District benefiting from the Improvements. The purpose of the assessments and levy is to pay the costs of the proposed Improvements. The method of assessment for the Improvements shall be by lineal front feet or square feet as set forth herein.

Assessments may be paid by property owners in ten (10) approximately equal annual installments. In order to fund the first semiannual interest payment on assessment bonds of the District, the first payment date of an assessment installment may be less than one year from the date of adoption of the assessment ordinance. Thereafter, assessment installments will fall due on the anniversary date of the first assessment payment date. Interest will accrue on the unpaid balance at a rate or rates to be fixed by the City Treasurer. 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 owner 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.

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 and shall indicate the total front footage represented by said protest. Protests shall be filed with the City Recorder of Salt Lake City, Utah, on or before 5:00 p.m. on the 7th day of February, 2005. Thereafter at 7:00 p.m. on the 8th day of February, 2005, the City Council of Salt Lake City, Utah, will meet in public meeting at the offices of the City Council to consider all protests so filed and hear all objections relating to the proposed District.

Protests shall not have any effect on the determination of the existence of defective concrete under the Salt Lake City Code and the responsibility imposed by said Ordinance for replacement of such defective concrete.

CALCULATION OF PROTEST RATE

A protest rate shall be determined by aggregating the total of lineal feet for proposed Improvements for the assessable property of all property owners filing written protests and dividing it by the total aggregate lineal feet of Improvements of all property owners to be assessed within the proposed District. After the protest hearing, the City Council may delete properties of protesting owners from the District resulting in a modification of the District (the "Modified District"). At the time of creation of the District, the written protests of property owners in any area not included in the District will not be used in determining the protest rates. The City Council will rescind its intention to create the District if the Protest Rate exceeds fifty percent (50%) of all of the lineal feet of property to be assessed within the District or the property remaining in the Modified District.

APPROVED BY THE CITY COUNCIL OF SALT LAKE CITY, UTAH

By: _____
Deputy City Recorder

Published in the Deseret Morning News

Publication Dates: January 10, 17, 24 and 31, 2005

Section 5. The City Council reasonably expects, and hereby confirms its prior expressions of intent, to reimburse the City from proceeds of tax exempt assessment 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 \$400,000. This amount may be reduced by cash payments received by the City from property owners who elect to pay their assessment in whole or in part 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 tax exempt assessment bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Council or by any member of the same controlled group pursuant to their budget or financial policies with respect to the expenditures to be reimbursed.

Section 9. The City Engineer is hereby authorized to prepare notices which call for bids for the furnishing of materials and the acquisition and installation of Improvements contemplated to be made in the District, and the City Recorder is hereby authorized to publish such notices calling for bids as least one time in the Deseret Morning News, a newspaper of general circulation in Salt Lake City, at least fifteen (15) days before the date specified in the notice for the receipt of bids.

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

Those voting AYE:

Those voting NAY:

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

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing resolution was presented to the Mayor for his approval or disapproval on this ____ day of _____, 2005.

By: _____
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing resolution is hereby approved this ____ day of _____ 2005.

By: _____
Mayor

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, _____, the duly chosen, qualified and acting Deputy City Recorder of Salt Lake City, Salt Lake 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 regular meeting thereof held in said City on the 4th day of January, 2005, at the hour of 7:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution declaring the intention of the City Council to create the Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvement Special Improvement District No. 102004 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 the ____ day of January, 2005, has been recorded by me, and is a part of the permanent records of Salt Lake City, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said City this the 4th day of January, 2005.

(SEAL)

By: _____
Deputy City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

AFFIDAVIT OF MAILING
NOTICE OF INTENTION

I, _____, the duly chosen, qualified and acting Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify that the attached Notice of Intention was approved and adopted in the proceedings of the City Council held on Tuesday, the ____ day of January, 2005.

I further certify that on the ____ day of _____, 2005 (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 Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvement Special Improvement District No. 102004 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 Salt Lake 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 Salt Lake City, Salt Lake County, Utah, this ____ day of _____, 2005.

(SEAL)

By: _____
Deputy City Recorder

(Affidavit of proof of publication of the Notice of Intention to create the Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvement Special Improvement District No. 102004).

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, _____, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify, according to the records of the City Council 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 ____ day of January, 2005, public meeting held by the City Council as follows:

(a) By causing a Notice in the form attached hereto as Schedule A to be posted at the offices of the Salt Lake City Council on the ____ day of _____, 2005, 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 Deseret Morning News on the ____ day of _____, 2005, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2005 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 the ____ day of _____, 200_, 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 the ____ day of _____, 200_.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this the ____ day of January, 2005.

(SEAL)

By: _____
Deputy City Recorder

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE