

CITY OF LOGAN  
RESOLUTION NO. 14-72

NOTICE OF INTENT FOR 350 SOUTH CURB AND GUTTER  
SPECIAL ASSESSMENT AREA

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH THAT:

WHEREAS, the City of Logan, owns the 350 South right-of-way between Oakwood Drive and 1350 West for installation of curb and gutter; and

WHEREAS, some residents in the area have indicated their interest in setting up a special improvement district,

NOW THEREFORE, BE IT RESOLVED by the Logan Municipal Council that:

1. The Municipal Council of the City of Logan, Cache County, Utah, hereby finds and determines that it is in the best interest of said city to improve 350 South by installing curb and gutter, approaches, storm drainage, and other appurtenant improvements. The said improvement shall be according to plans, profiles and specifications defined by the Engineering Division of the City of Logan, Utah, 290 North 100 West. The area to be improved and the boundaries of the proposed special assessment area are more particularly described in the Notice of Intent to designate a Special Assessment Area (SAA) included as Attachment A.
2. The proposed SAA shall be known as Special Assessment Area No. \_\_ of the City of Logan.
3. A portion of the cost and expense of making the curb and gutter improvements together with other incidental appurtenant improvements shall be paid by a special tax and assessment to be levied against the property within said district adjacent to the areas to be so improved and especially affected or benefited by such improvements, such tax to be paid in not more than five (5) equal annual installments.

Such tax shall be levied on the basis of the frontage of each property owner fronting 350 South which is especially affected or benefited by such improvements.

4. Written protests against improving said 350 South by installing curb and gutter and appurtenant and incidental improvements must be presented and filed in the Office of the City Recorder on or before 5 pm on December 8, 2014. The Logan Municipal Council will hold a public hearing on October 7, 2014 where any such protests shall be heard and considered. The City Recorder is authorized to begin the public notices and preparations for the public hearing necessary to designate the SAA.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Karl B. Ward, Chairman

ATTEST:

\_\_\_\_\_  
Teresa Harris, Recorder

## Notice of a Proposed Assessment Area Designation

Public Notice is hereby given that the Logan Municipal Council proposes to designate Special Assessment Area (SAA) No. \_\_\_\_, City of Logan, Cache County, Utah, for the purpose of installing curb and gutter and appurtenant improvements and to levy special taxes and assessments as provided in Chapter 11, Title 42, UCA, 1953, as amended, on the property within said SAA for the benefit of which such taxes are to be expended to pay a portion of the costs of the curb and gutter improvements on 350 South.

The proposed assessment area is shown in Attachment A. The general description of the SAA includes all properties located on the frontage of 350 South between the addresses of 1030 West to 1337 West. The improvements proposed will include the following:

- Install curb, gutter, and approaches along 350 South between Oakwood Drive and 1337 West.
- Install storm drainage as needed to manage stormwater runoff.
- Improve existing corners to meet ADA requirements.
- Revegetate areas that are disturbed behind the curb and gutter.

[Show description of the general location of the improvements]

The estimated costs for the project have been estimated based on recent prices of construction in Logan. The total project includes significantly more work than the curb and gutter portion of the project. The specific items that are included in the proposed SAA are highlighted in the cost estimate provided in Attachment B. The levy for the curb and gutter portion of the project is \$\_\_\_\_\_ and all of said cost will be paid by a special tax to be levied against the property abounding, abutting upon or adjacent to the roadway area which may be affected by or specially benefitted by any of such improvements. Assessment shall be levied on the basis of linear feet of frontage immediately adjacent to 350 South. The estimated cost of \$\_\_\_\_ per foot of frontage of the real property adjacent to said improvements within the district and benefitted by the same provides the basis of assessment for each parcel. If the actual construction costs for the curb and gutter are less than the estimate, then the estimated cost per foot of frontage will be reduced accordingly.

The special taxes or assessments may be paid by the abutting property owners in five (5) equal annual installments. If after five (5) years a balance still remains to be paid, an interest rate of ten (10) percent per annum will be charged until the assessment is paid in full. The special taxes or assessments will be collected by inclusion on a property tax notice issued in accordance with UCA 59-2-1317.

On October 7, 2014, the Municipal Council and Mayor will meet at the Municipal Council Chambers located at 290 North 100 West, Logan, Utah to hear and consider any such objections to the proposed improvements or to the creation of the SAA. Any objections to the proposed special improvements or to the creation of the SAA shall be in writing, signed by the owner or owners of the property abutting upon or adjacent to the area to be developed as shown by the last assessment rolls and shall contain a description of the owners' property (lot, block, address, etc.) and shall be filed with the City Recorder, Logan City Offices, 290 North 100 West, Logan, Utah on or before 5:00 pm on December 8, 2014. The creation of the SAA shall be abandoned if the necessary number of protests has been timely filed. The necessary number of protests means protests representing at least one-half (½) of the linear frontage of the property to be assessed.