

CITY OF LOGAN
RESOLUTION NO. 15-23

Ent 1138414 8k 1876 Pg 744
Date: 10-Dec-2015 12:19 PM Fee \$.00
Cache County, UT
Michael Gleed, Rec. - Filed By GC
For LOGAN CITY

**A RESOLUTION DESIGNATING THE 350 SOUTH CURB AND
GUTTER ASSESSMENT AREA NO. 3**

WHEREAS, it is proposed to establish an Assessment Area pursuant to U.C.A. §11-42-101 et seq, for the purposes of funding curb, gutter and related improvements on 350 South between 1200 West and 1350 West; and

WHEREAS, the Logan Municipal Council gave notice and held a public hearing on July 7, 2015 to hear all objections and comments regarding the proposed Assessment Area; and

WHEREAS, the 60 day protest period has expired and no protests were filed to the proposed Assessment Area; and

WHEREAS, the Logan Municipal Council now deems it appropriate to designate the Assessment Area as set forth in the Notice of a Proposed Assessment Area

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

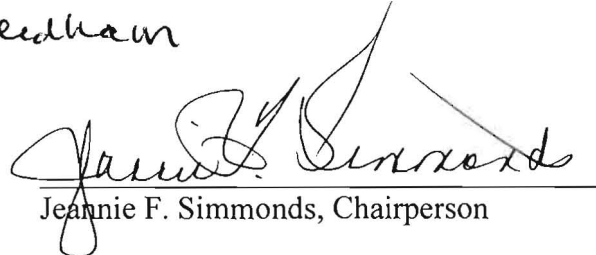
1. The Municipal Council of the City of Logan, Cache County, Utah, finds and determines that it is in the best interest of said city to improve 350 South by installing curb and gutter, approaches, storm drainage, and other appurtenant improvements and hereby designates an assessment area formally known as Assessment Area No. 3 of the City of Logan to accomplish said purpose.
2. The area to be benefited, the improvements, manner of assessment, and other required information for Assessment Area No.3 is more particularly described in the Notice of Proposed Assessment Area Designation which is attached and incorporated by reference as part of this resolution.
3. A portion of the cost and expenses of Assessment Area No. 3 shall be paid by an assessment to be levied against the property within the assessment area benefited by the improvements. Such assessment shall be levied on the basis of street frontage of each parcel in the Assessment Area as set forth in the Notice of Proposed Assessment Area Designation and shall be for a period of five years.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 6 DAY OF October, 2015.

AYES: Daines, Ward, Simmonds, Needham

NAYS: None

ABSENT: Olson


Jeannie F. Simmonds, Chairperson

ATTEST:


Teresa Harris, Recorder

2236

NOTICE OF PROPOSED ASSESSMENT AREA DESIGNATION

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Notice of a Proposed ASSESSMENT AREA Designation

Public Notice is hereby given that the Logan Municipal Council proposes to designate ASSESSMENT AREA No. 03 (ASSESSMENT AREA), in the City of Logan, Cache County, Utah, for the purpose of installing curb and gutter and appurtenant improvements and to pay some or all of the costs of the improvements by an assessment as provided in Chapter 11, Title 42, UCA, 1953, as amended, on the property within said ASSESSMENT AREA for the benefit of the property being assessed.

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The proposed ASSESSMENT AREA is shown in Attachment A. The general description of the ASSESSMENT AREA includes all properties located on the frontage of 350 South between the addresses of 1203 West to 1337 West. The improvements proposed will include the following:

- Install curb, gutter, and approaches along 350 South between 1200 West and 1337 West.
- Install storm drainage as needed to manage storm water runoff.
- Improve existing corners to meet ADA requirements.
- Revegetate areas that are disturbed behind the curb and gutter.

The City of Logan proposes to levy an assessment on benefitted property within the ASSESSMENT AREA to pay some or all of the costs of the improvements according to the estimated benefits to the property from the improvements. Attachment B provides a figure identifying the locations of the proposed improvements. If this is mailed notice to a specific owner of property to be assessed within the proposed ASSESSMENT AREA, the estimated total assessment specific to the benefitted property for which this notice is mailed is provided in Attachment C. The estimated costs for the project have been estimated by a project engineer and are based on recent prices of construction in Logan. The specific items that are included in the proposed ASSESSMENT AREA are included in the cost estimate provided in Attachment D. The estimated total costs for the project improvements are \$120,708 and will be paid by an assessment to be levied against the properties abounding, abutting upon or adjacent to the roadway area which will be benefitted by said improvements. Assessment shall be levied on the basis of linear feet of frontage immediately adjacent to 350 South. The estimated cost of \$37.50 per foot of frontage of the real property adjacent to said improvements is the basis of assessment for each parcel and is according to the estimated benefits to the property from the improvements. If the actual construction costs for the improvements are less than the estimate, then the estimated cost per foot of frontage will be reduced accordingly.

The assessment 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 assessment will be collected by inclusion on a property tax notice issued in accordance with UCA 59-2-1317 and in compliance with UCA 11-42-401.

On July 7, 2015, 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 comments to the proposed improvements or to the creation of the ASSESSMENT AREA. **ANY PROTEST TO THE DESIGNATION OF THE**

**ASSESSMENT AREA OR TO BEING ASSESSED FOR THE PROPOSESED
IMPROVEMENTS, OPERATION AND MAINTENANCE COSTS MUST BE FILED IN**

WRITING. Any protests to the proposed ASSESSMENT AREA shall be in writing and signed by the owner or owners of the property that is proposed to be assessed and who does not want the property to be included in the ASSESSMENT AREA. The written protest 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 September 8, 2015. The creation of the ASSESSMENT AREA shall be abandoned if the necessary number of protests has been timely filed. The necessary number of protests means protests representing at least forty percent (40%) of the linear frontage of all the property to be assessed.

ATTACHMENT C

350 South Curb and Gutter

Address	Parcel Number	Frontage (ft)	% of Total	Owner's 50% Cost Annual cost over 5		
				Share	years	Cost per foot
1337 West 350 South	02-133-0310	90.43	5.68%	\$3,391.13	\$678.23	\$37.50
1313 West 350 South	02-133-0311	90.43	5.68%	\$3,391.13	\$678.23	\$37.50
1305 West 350 South	02-133-0312	90.43	5.68%	\$3,391.13	\$678.23	\$37.50
1293 West 350 South	02-133-0313	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1271 West 350 South	02-133-0314	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1253 West 350 South	02-133-0315	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1235 West 350 South	02-133-0316	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1211 West 350 South	02-133-0317	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1203 West 350 South	02-133-0318	70.64	4.44%	\$2,649.00	\$529.80	\$37.50
1204 West 350 South	02-133-0301	70.66	4.44%	\$2,649.75	\$529.95	\$37.50
1210 West 350 South	02-133-0302	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1234 West 350 South	02-133-0303	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1254 West 350 South	02-133-0304	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1276 West 350 South	02-133-0305	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1292 West 350 South	02-133-0306	90.67	5.70%	\$3,400.13	\$680.03	\$37.50
1306 West 350 South	02-133-0307	90.48	5.69%	\$3,393.00	\$678.60	\$37.50
1312 West 350 South	02-133-0308	90.48	5.69%	\$3,393.00	\$678.60	\$37.50
1336 West 350 South	02-133-0309	90.48	5.69%	\$3,393.00	\$678.60	\$37.50
Totals		1,590.73	100.00%	59,652.38		

ATTACHMENT D

350 South, Oakwood Dr - 1400 West, Street Improvements
Project Estimate

Oakwood Dr - 1350 West (Public Cost)				ENGINEER'S ESTIMATE	
ITEM NO.	ITEM	UNIT	QUANT	UNIT PRICE	TOTAL PRICE
1	Prepare and Implement Traffic Control Plan	ls	1	\$5,000.00	\$5,000.00
2	Implement Storm Water Pollution Prevention Plan Requirements	ls	1	\$2,500.00	\$2,500.00
3	Remove and Dispose Existing Drain Pipe	ea	0	\$12.00	\$0.00
4	Remove Existing Flat Concrete	sf	2000	\$0.75	\$1,500.00
5	Remove Existing Asphalt Pavement	sf	0	\$0.30	\$0.00
6	Remove Existing Catch Basin	ea	2	\$300.00	\$600.00
7	Construct Hot Plant Asphalt Mix	ton	0	\$80.00	\$0.00
8	Construct Curb and Gutter, APWA Type A	lf	2250	\$17.00	\$38,250.00
9	Construct 4' Sidewalk	lf	350	\$25.00	\$8,750.00
10	Construct Flat Concrete	lf	0	\$4.50	\$0.00
11	Construct Flare Driveway Approach	sf	2000	\$5.00	\$10,000.00
12	Adjust Manhole	ea	0	\$450.00	\$0.00
13	Adjust Water Valve	ea	0	\$300.00	\$0.00
14	Construct ADA Ramp	ea	2	\$3,000.00	\$6,000.00
15	Roadway Excavation	cy	180	\$8.00	\$1,440.00
16	Construct Top Soil	cy	180	\$35.00	\$6,300.00
17	Construct Sod	sf	0	\$0.30	\$0.00
18	Furnish and Plant Trees	ea	0	\$250.00	\$0.00
19	Construct 15 Inch PE Drain Pipe	lf	250	\$35.00	\$8,750.00
20	Granular Borrow	cy	100	\$20.00	\$2,000.00
21	Crushed Aggregate Base	cy	125	\$28.00	\$3,500.00
22	Construct Catch Basin	ea	4	\$1,500.00	\$6,000.00
	TOTAL OF BASE BID (Public Portion)				\$100,590.00
	CONTINGENCY		20%		\$20,118.00
				TOTAL	\$120,708.00

CACHE VALLEY PUBLISHING
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(435) 752-2121

ORDER CONFIRMATION

Salesperson: Jaime Maw

Printed at 06/01/15 08:37 by jma13

Acct #: 180841

Ad #: 1293195

Status: N

LOGAN CITY LEGAL
290 NORTH 100 WEST
LOGAN UT 84321

Start: 06/02/2015 Stop: 06/23/2015
Times Ord: 4 Times Run: ***
LEGL 2.00 X 82.00 Words: 666
Total LEGL 164.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG Cost: 634.12
Affidavits: 1

Contact:

Phone: (435) 716-9797

Fax#: (435) 716-9797

Email: lori.mathys@loganutah.org

Agency:

Ad Descrpt: TERESSA HARRIS

Given by: *

Created: jma13 06/01/15 08:23

Last Changed: jma13 06/01/15 08:34

PUB ZONE ED TP START INS STOP SMTWTFS
HJ A 97 S 06/02,09,16,23
WEB A 97 S 06/02,09,16,23

Ent **1138414** Bk **1876** Pg **751**

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

CACHE VALLEY PUBLISHING
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(435) 752-2121

ORDER CONFIRMATION (CONTINUED)

Salesperson: Jaime Maw

Printed at 06/01/15 08:37 by jmal3

Acct #: 180841

Ad #: 1293195

Status: N

Notice of a Proposed ASSESSMENT AREA Designation

Public Notice is hereby given that the Logan Municipal Council proposes to designate ASSESSMENT AREA No. 03 (ASSESSMENT AREA), in the City of Logan, Cache County, Utah, for the purpose of installing curb and gutter and appurtenant improvements and to pay some or all of the costs of the improvements by an assessment as provided in Chapter 11, Title 42, UCA, 1953, as amended, on the property within said ASSESSMENT AREA for the benefit of the property being assessed.

The general description of the ASSESSMENT AREA includes all properties located on the frontage of 350 South between the addresses of 1203 West to 1337 West. The improvements proposed will include the following:

- Install curb, gutter, and approaches along 350 South between 1200 West and 1337 West.
- Install curb, gutter, and approaches where applicable along the west side of 1200 West for the corner parcels.
- Install storm drainage as needed to manage storm water runoff in the intersection of 1200 West and 350 South.
- Improve existing intersection corners to meet ADA requirements.
- Restore areas that are disturbed behind the curb and gutter.

The City of Logan proposes to levy an assessment on benefitted property within the ASSESSMENT AREA to pay some of the costs of the improvements according to the estimated benefits to the property from the improvements. The estimated costs for the project have been estimated by a project engineer and are based on recent prices of construction in Logan. The estimated total costs for the project improvements are \$120,708 and a portion will be paid by an assessment to be levied against the properties abounding, abutting upon or adjacent to the roadway area which will be benefitted by said improvements. Assessment shall be levied on the basis of linear feet of frontage immediately adjacent to 350 South. The City of Logan will pay 50% of the estimated total costs for the project. The estimated cost of \$37.50 per foot of frontage of the real property adjacent to said improvements is the basis of assessment for each parcel and is according to the estimated benefits to the property from the improvements. If the actual construction costs for the improvements are less than the estimate, then the estimated cost per foot of frontage will be reduced accordingly.

The assessment 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 one and one-half (1.5) percent per annum will be charged until the assessment is paid in full. The assessment will be collected by inclusion on a property tax notice issued in accordance with UCA 59-2-1317 and in compliance with UCA 11-42-401.

On July 7, 2015, 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 comments to the proposed improvements or to the creation of the ASSESSMENT AREA. **ANY PROTEST TO THE DESIGNATION OF THE ASSESSMENT AREA OR TO BEING ASSESSED FOR THE PROPOSED IMPROVEMENTS, OPERATION AND MAINTENANCE COSTS MUST BE FILED IN WRITING.** Any protests to the proposed ASSESSMENT AREA shall be in writing and signed by the owner or owners of the property that is proposed to be assessed and who does not want the property to be included in the ASSESSMENT AREA. The written protest 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 September 8, 2015. The creation of the ASSESSMENT AREA shall be abandoned if the necessary number of protests has been timely filed. The necessary number of protests means protests representing at least forty percent (40%) of the linear frontage of all the property to be assessed.

Teresa Harris, Logan City Recorder

Publication Dates: June 2, June 9, June 16 and June 23, 2015

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