
SALT LAKE CITY COUNCIL

MEMORANDUM

DATE: December 28, 2006

SUBJECT: Ordinance confirming the modified and equalized assessment rolls and levying an assessment against certain properties in the 2004 Sidewalk Concrete Replacement Special Improvement District (SID) No. 102112; and Quayle Avenue Reconstruction SID No. 102113.

AFFECTED COUNCIL DISTRICTS: 2, 5, 6 and 7

STAFF REPORT BY: Jan Aramaki, Constituent Liaison/Policy Analyst

ADMINISTRATIVE DEPT.
AND CONTACT PERSON: Karen Carruthers

NOTICE REQUIREMENTS: N/A

CC: Cindy Gust-Jenson, Sam Guevara, Rocky Fluhart, Rick Graham, Max Peterson, Marge Harvey, Barry Esham, Michael Stott, Janne Nielson, Sylvia Richards, Diana Karrenberg, Dan Mulé, Tim Harpst, Chris Bramhall, Karen Carruthers, Garth Limburg, and Gary Mumford

FILE LOCATIONS: Public Services/2004 Sidewalk Concrete Replacement SID 102112; and Quayle Avenue Reconstruction SID 102113

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance confirming the modified and equalized assessment rolls and levying an assessment against certain properties in the Salt Lake City, Utah 2004 Sidewalk Replacement Special Improvement District 102112 and Quayle Avenue Reconstruction Special Improvement District 102113 (for the purpose of paying the costs of the installation of concrete sidewalks, sidewalk access ramps, driveways, roadway pavement, curb, gutter and drainage facilities and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; (collectively, the "improvements"); establishing the effective date of this ordinance; and related matters.

NEW INFORMATION:

The 2004 Sidewalk Replacement Special Improvement District 102112 involves the replacement of deteriorated concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, and drainage facilities and covers the area of 1100 East to 1500 East streets; Sunnyside Drive to 1300 South, and along both sides of 1300 East from 1300 South to 2100 South streets. The Quayle Avenue Reconstruction SID 102113 is from 900 West to Pearl Street (1000 West).

The next step for the City Council is to adopt the attached ordinance confirming the modified and equalized assessment rolls and levying an assessment against certain properties within the 2004 Concrete Replacement Special Improvement District No. 102112 and Quayle Avenue Reconstruction SID No. 102113 for the purpose of paying the costs to construct the improvements.

Breakdown of costs for the improvements are as follows:

| | |
|------------------------|----------------------|
| City Portion | \$ 961,132.67 |
| Property Owners | \$ 700,129.33 |
| Total Estimated Cost | \$1,661,262.00 |

According to the Administration, within 30 days from the effective date of the ordinance, assessments for the District may be paid without interest. "Any part of the assessment not paid within the thirty day period can be payable over a period of five years from the effective date of the ordinance."

On September 12, 2006, the City Council adopted a resolution to appoint a Board of Equalization and Review and set the dates for the Board of Equalization. The Board met for three days on October 17, 18, and 19, 2006 and heard and considered objections to and made corrections of any proposed assessments which the Board deemed unequal or unjust. This was an opportunity for property owners to discuss with the Board any actual costs that are being proposed. Nineteen property owners expressed concern about their proposed assessments relating to improvement work. For the City Council's review, the Administration has attached a summary of the concerns expressed by 19 property owners regarding the proposed SID assessments along with responses and recommendations from the Board of Equalization. Based upon the Board's findings and re-evaluation of the assessments for the 19 properties, nine properties resulted in an assessment reduction; and ten property assessments remained the same. (For specifics regarding property owners' concerns and the Board's findings that determined their recommendations, please refer to the Administration's paperwork.)

| PROPERTIES THAT RECEIVED AN ASSESSMENT REDUCTION BASED UPON THE BOARD'S FINDINGS AND RE-EVALUATION | |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Property Owner | Assessment Reduction Amount |
| 1. Constance Crompton 1473 E 900 S 16-09-152-023-000 | \$919.70 to \$890.44 |
| 2. Nick Norton 1208 E. Harvard Avenue 16-08-430-018-0000 | \$207.90 to zero balance |
| 3. Sean Toomey 1467 E Yale Avenue 16-09-304-025-0000 | \$2,765.12 to \$2,334.77 |
| 4. Rick Allis 1410 E. Princeton Avenue 16-09-353-011-0000 | \$232.54 to \$198.66 |
| 5. Uziel Montiel 1936 S 1300 E 16-17-479-030-0000 | \$522.10 to \$472.10 |
| 6. Ken Jones 1241 E Gilmer Drive 16-08-281-002-0000 | \$773.92 to \$382.56 |
| 7. Carol & John Huffman 1147 E Herbert Avenue 16-08-409-021-0000 | \$101.64 to zero balance |
| 8. Highland Park Plaza 1955 S 1300 E 16-17-480-001-0000 1969 S 1300 E 16-17-481-026-0000 | \$1,222 to zero balance \$2,310to \$308 |
| 9. Mark Glissmeyer 1360 E Princeton Avenue 16-09-353-003-0000 | \$689.92 to \$554.40 |

| ASSESSMENTS ON PROPERTIES THAT REMAINED THE SAME BASED UPON THE BOARD'S FINDINGS AND RE-EVALUATION | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Property Owner | Assessment Amount Remains the Same |
| 1. Ann Berman 1323 E. Princeton 16-09-351-009-0000 | \$672.08 |
| 2. Blair Sorenson 1306 E Harrison Avenue 16-17-232-001-0000 1129 E Princeton Avenue 16-08-430-023-0000 | \$1826.44 \$564.59 |
| 3. Linda Doron 878 S Amanda Avenue 16-09-152-025-0000 | \$392.70 |
| 4. Glen & Eli Walton/Represented by Dana Walton 945 S 1300 E 16-08-282-006-0000 | \$2920.30 |
| 5. John Crompton 1474 E Laird Avenue 16-09-354-024-0000 | \$793.42 |
| 6. Bronson Sulser 1147 S 1300 E 16-08-434-006-0000 | \$1740.80 |
| 7. Kathaleen Short 961 W Quayle Avenue 15-14-406-002-0000 | \$5,505.50 |
| 8. James Herron 871 S 1400 E 16-09-152-0003-0000 | \$531.30 |
| 9. Julie Herrick 1474 E 900 S 16-09-153-021-0000 | \$2,594.29 |
| 10. Evan & Margrethe Hurst 1523 E 900 S 16-09-176-020-0000 | \$1,468.22 |

COUNCIL TRANSMITTAL

TO: Sam Guevara *Sam* **DATE:** December 15, 2006
Chief of Staff

FROM: Rick Graham, Director *RJ*
Public Services Department

SUBJECT: Assessment Ordinance for 2004 Concrete Replacement Special Improvement District, Job No. 102112 and Quayle Avenue Reconstruction Special Improvements District, Job No. 102113

STAFF CONTACT: Karen Carruthers 535-6355
Engineering

DOCUMENT TYPE: Ordinance

RECOMMENDATION: That the Council adopt the Assessment Ordinance levying an assessment upon each property identified in the assessment list for the purpose of paying the costs to construct the improvements in special Improvement District No.'s 102112 and 102113.

| | | |
|-----------------------|----------------------|---------------------|
| BUDGET IMPACT: | City Portion | \$961,132.67 |
| | Property Owners | <u>\$700,129.33</u> |
| | Total Estimated Cost | \$1,661,262.00 |

BACKGROUND/DISCUSSION: The 2004 Concrete Replacement Special Improvement District, Job No. 102112 involves the installation of concrete sidewalks, sidewalk access ramps, driveways, curb, gutter and drainage systems. The District is located within 1100 to 1500 East and Sunnyside Drive to 1300 South; and includes 1300 East from 1300 to 2100 South. The Quayle Avenue Reconstruction Special Improvement District, Job No. 102113 is from 900 West to Pearl Street (1100 West). The assessments to be levied are for the purpose of paying for the improvements necessary to complete the district. Assessments for the district may be paid without interest within thirty days after this ordinance becomes effective. Any part of the assessment not paid within the thirty-day period can be payable over a period of five years from the effective date of the ordinance.

PUBLIC PROCESS: The Board of Equalization hearings were held on October 17, 18 and 19, 2006.

January 2, 2007

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on Tuesday, the 2nd day of January, 2007, 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

| | |
|---------------------|---------------|
| David L. Buhler | Chair |
| Van Blair Turner | Vice Chair |
| Carlton Christensen | Councilmember |
| Søren Dahl Simonsen | Councilmember |
| Nancy Saxton | Councilmember |
| Jill Remington Love | Councilmember |
| K. Eric Jergensen | Councilmember |

Also present:

| | |
|--------------------|----------------------|
| Ross C. Anderson | Mayor |
| Edwin P. Rutan, II | City Attorney |
| | Deputy City Recorder |

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this ordinance had been discussed, the Deputy City Recorder presented to the City Council a Certificate of Compliance With Open Meeting Law with respect to this January 2, 2007, meeting, a copy of which is attached hereto as Exhibit A.

The Board of Equalization and Review (the "Board") for Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District (the "District") presented to the City Council its report and stated that it had reviewed statements, comments and complaints on each property in the District as listed in the minutes of the hearings of the Board held on October 17, 18, and 19, 2006.

The following Findings, Recommendations, and Decisions were then presented to the City Council by the Board:

FINDINGS

It is the finding of the Board that each piece of property within the District will be benefited in an amount not less than the assessment to be levied against said property. No piece of property listed in the adjusted assessment list will bear more than its proportionate share of the costs of such improvements.

RECOMMENDATION AND DECISION

It is the decision of the Board that the proposed assessment list, as adjusted, is equitable and that the improvements being financed thereby constitute a benefit to the properties to be assessed. The assessment list is approved subject to the following modifications:

See Exhibit C

The Board respectfully recommends that the City Council approve and confirm the assessment list as adjusted and adopt an ordinance levying the assessment set out in the adjusted assessment list.

Motion was then made by Councilmember _____ and seconded by Councilmember _____ that the City Council accept the Recommendation and Decision of the Board regarding the proposed assessments to be levied within the District. The motion carried unanimously.

The Deputy City Recorder then noted that the City Council is now convened in this meeting for the purpose, among other things, to adopt an Assessment Ordinance (the "Ordinance") for the District. The following Ordinance was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____ adopted by the following vote:

AYE:

NAY:

The ordinance was then signed by the Chair, presented to and approved by the Mayor and recorded by the Deputy City Recorder in the official records of Salt Lake City, Utah. The ordinance is as follows:

ORDINANCE NO. ___ of 2007

AN ORDINANCE CONFIRMING THE MODIFIED AND EQUALIZED ASSESSMENT ROLLS AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE SALT LAKE CITY, UTAH 2004 SIDEWALK REPLACEMENT AND QUAYLE AVENUE RECONSTRUCTION SPECIAL IMPROVEMENT DISTRICT (THE "DISTRICT"), FOR THE PURPOSE OF PAYING THE COSTS OF THE INSTALLATION OF CONCRETE SIDEWALKS, SIDEWALK ACCESS RAMPS, DRIVEWAYS, ROADWAY PAVEMENT, CURB, GUTTER AND DRAINAGE FACILITIES AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; (COLLECTIVELY, THE "IMPROVEMENTS"); ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE; AND RELATED MATTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF SALT LAKE CITY, SALT LAKE COUNTY, UTAH:

Section 1. Determination of Costs. All costs and expenses for the making of the Improvements within the District, together with related costs, have been determined.

Section 2. Approval of Assessment List; Findings. The City Council (the "Council") of Salt Lake City, Utah (the "City"), hereby accepts and adopts the Findings and Recommendation of the Board of Equalization and Review. The Council confirms and adopts the equalized and adjusted assessment roll for the District, a copy of which is attached hereto as Exhibit B and incorporated herein by reference (the "Assessment List"). The Council has determined that the Assessment List, as adjusted and equalized, is just and equitable; that each piece of property to be assessed within the District will be benefited in an amount not less than the assessment to be levied against said property; and that no piece of property listed in the assessment list will bear more than its proportionate share of the cost of Improvements.

Section 3. Levy of Assessments. The Council hereby levies an assessment upon the real property identified in the Assessment List. The assessments levied upon each parcel of property therein described shall be in the amount set forth in the Assessment List.

The assessments hereby levied are for the purpose of paying the costs of constructing the Improvements in a proper and workmanlike manner.

The assessments are hereby levied and assessed upon each of the parcels of real property described in the Assessment List according to the extent that they are specially benefited by the Improvements acquired or constructed within the District. The assessments are levied upon the parcels of land in the District at equal and uniform rates.

Section 4. Cost of Improvements; Amount of Total Assessments. The total cost of the Improvements in the District is \$1,661,262.00 including allowable related expenses. Of this total cost, the City's portion is \$961,132.67. The City's portion for the District includes that part of the overhead costs for which an assessment cannot be levied, if any, and the cost of making the Improvements for the benefit of property against which an assessment may not be levied, if any. The amount to be assessed against property affected or benefited by the Improvements in the District is \$700,129.33. These amounts do not exceed in the aggregate the sum of: (a) the total contract price or prices for the Improvements under contract duly let to the lowest and best responsible bidder therefor and a portion of the costs of engineering, designing and inspection; (b) the reasonable cost of utility services, maintenance, labor, materials or equipment supplied by the City, if any; (c) the property price, if any; (d) connection fees, if any; (e) the interest on any interim warrants issued against the District; and (f) overhead costs not to exceed fifteen percent (15%) of the sum of (a), (b), (c) and (d).

Section 5. Method and Rate. The total assessment for the District is levied in accordance with the method set out in the Notice of Intention pertaining to the District. The applicable rate for each property was determined based on costs as set out in the preceding Section.

Section 6. Payment of Assessments.

(a) The whole or any part of the assessments for the District may be paid without interest within thirty (30) days after this Ordinance becomes effective. Any part of the assessment not paid within such thirty (30)-day period shall be payable over a period of five (5) years from the effective date of this Ordinance in five (5) substantially equal annual principal installments, plus interest accruing thereon. Interest on the unpaid balance of the assessment shall accrue at the rate of four and two-tenths percent (4.2%) per annum until and unless special assessment bonds (the "Bonds") are issued for the District. After issuance of the Bonds the interest rate on unpaid assessment balances (unless delinquent rates apply) shall be the same rate as the net effective interest rate of the Bonds anticipated to be issued by the City. The first assessment installment payment date shall be on or about May 1, 2007, and on each anniversary date of the first assessment installment payment date thereafter until paid in full. Interest shall accrue from the effective date of this Ordinance. Each assessment installment shall include one year's interest on the unpaid assessment amount.

(b) After the above-referenced thirty (30)-day period, all unpaid installments of an assessment levied against any piece of property may be paid prior to the dates on which they become due, but any such prepayment must include an additional amount equal to the interest which would accrue on the assessment to the next succeeding date on which interest is payable on the Bonds issued in anticipation of the collection of the assessments plus such additional amount as, in the opinion of the City Treasurer, is necessary to assure the availability of money to pay interest on the Bonds as interest becomes due and payable plus any premiums which may be charged and become payable on

redeemable Bonds which may be called in order to utilize the assessments paid in advance.

Section 7. Default in Payment. If a default occurs in the payment of any installment of principal or interest, when due, the City may accelerate payment of the total unpaid balance of the assessment and declare the whole of the unpaid principal and interest then due to be immediately due and payable. Additional interest shall accrue and be paid on all amounts declared to be delinquent or accelerated and immediately due and payable at the same rate as is applied to delinquent real property taxes for the year in which the assessment installment becomes delinquent (the "Delinquent Rate"). In addition to interest charges at the Delinquent Rate, costs of collection, including attorneys fees and court costs ("Collection Costs"), as determined by the City Treasurer or required by law shall be charged and paid on all amounts declared to be delinquent or accelerated and immediately due and payable. In lieu of accelerating the total assessment balance when one or more assessment installments become delinquent, the City may elect to bring an action to collect only the delinquent portion of the assessment plus interest at the Delinquent Rate and Collection Costs.

Upon any default, the City Treasurer shall give notice in writing of the default to the owner of the property in default as shown by the last available equalized assessment rolls. Notice shall be effective upon deposit of the notice in the U.S. Mail, postage prepaid, and addressed to the owner as shown on the last equalized assessment rolls for the City or on the official ownership records of the City. The notice shall provide for a period of thirty (30) days in which the owner shall pay the installments then due and owing together with accrued interest at the regular rate plus costs as determined by the City Treasurer. If the City elects to use the enforcement remedy involving acceleration, the Notice shall also declare that after the thirty (30) day period the City shall accelerate the then unpaid balance of the principal of the assessment to be immediately due and payable together with Collection Costs and interest on the entire unpaid balance to accrue from the date of delinquency at the Delinquent Rate. Thereafter, the City may commence foreclosure proceedings in the manner provided for actions to foreclose mortgage liens or trust deeds. If the City elects to utilize the trust deed enforcement remedy, the City Attorney shall designate a trust deed trustee for purposes of the enforcement action. If at the sale no person or entity shall bid and pay the City the amount due on the assessment plus interest and costs, the property shall be deemed sold to the City for these amounts. The City shall be permitted to bid at the sale.

The remedies provided herein for the collection of assessments and the enforcement of liens shall be deemed and construed to be cumulative and the use of any one method or means of collection or enforcement shall not deprive the City of the use of any other method or means. The amounts of accrued interest and all costs of collection shall be added to the amount of the assessment up to the date of foreclosure sale.

Section 8. Remedy of Default. If prior to the final date payment may be legally made under a final sale or foreclosure of property to collect delinquent assessment installments, the property owner pays the full amount of all unpaid installments which are past due and delinquent with interest at the Delinquent Rate, plus all approved or required

costs, the assessment of said owner shall be restored so that the owner will have the right to make the payments in installments as if the default had not occurred.

Section 9. Lien of Assessment. An assessment or any part or installment of it, any interest accruing and the penalties and costs of collection shall constitute a lien against the property upon which the assessment is levied on the effective date of this Ordinance. Said lien shall be superior to the lien of any trust deed, mortgage, mechanic's or materialman's lien, or other encumbrance and shall be equal to and on a parity with the lien for general property taxes. The lien shall continue until the assessment and any interest, penalties and costs on it are paid, notwithstanding any sale of the property for or on account of a delinquent general property tax, special tax or other assessment or the issuance of a tax deed, an assignment of interest by the governing entity or a sheriff's certificate of sale or deed.

Section 10. Contestability. No assessment shall be declared void or set aside in whole or in part in consequence of any error or irregularity which does not go to the equity or justice of the assessment or proceeding. Any party who has not waived his objections to same as provided by statute may commence a civil action against the City to enjoin the levy or collection of the assessment or to set aside and declare unlawful this Ordinance.

Such action must be commenced and summons must be served on the City not later than 30 days after the effective date of this Ordinance. This action shall be the exclusive remedy of any aggrieved party. No court shall entertain any complaint which the party was authorized to make by statute but did not timely make or any complaint that does not go to the equity or justice of the assessment or proceeding.

After the expiration of the 30-day period provided in this section:

(a) The Bonds issued or to be issued against the District and the assessments levied in the District shall become incontestable as to all persons who have not commenced the action provided for in this section; and

(b) No suit to enjoin the issuance or payment of the Bonds, the levy, collection, or enforcement of the assessment, or in any other manner attacking or questioning the legality of the Bonds or assessments may be instituted in this state, and no court shall have authority to inquire into these matters.

Section 11. Notice to Property Owners. The City Treasurer is hereby authorized and directed to give notice of assessment by mail to the property owners in the District. Said notice shall, among other things, state the amount of the assessment and the terms of payment. A copy of the form of notice of assessment is available for examination upon request at the office of the City Recorder.

Section 12. All Necessary Action Approved. The officials of the City are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

Section 13. Repeal of Conflicting Provisions. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

Section 14. Publication of Ordinance. Immediately after its adoption, this Ordinance shall be signed by the Mayor and City Recorder and shall be recorded in the ordinance book kept for that purpose. This Ordinance shall be published once in the Deseret Morning News, a newspaper published and having general circulation in the City, and shall take effect immediately upon its passage and approval and publication as required by law.

PASSED AND APPROVED by the City Council of Salt Lake City, Utah, this
2nd day of January, 2007.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

The City Treasurer was thereupon authorized to mail to the property owners in the District the foregoing notice of special assessment as hereinbefore provided.

After the transaction of other business not pertinent to the foregoing matter, the meeting was on motion duly made, seconded, and carried, adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing ordinance was presented to the Mayor for his approval or disapproval on this _____ day of _____, 2007.

By: _____
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this _____ day of _____, 2007.

Ross C. Anderson
Mayor

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

I, _____, the duly appointed and qualified Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the record of proceedings had by the City Council of Salt Lake City, Salt Lake County, Utah, at its meeting held on the 2nd day of January, 2007, insofar as the same relates to or concerns the Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District (the "District") as the same appears of record in my office.

I further certify that the Ordinance levying the special assessments was recorded by me in the official records of Salt Lake City on 2nd day of January, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City this 2nd day of January, 2007.

(SEAL)

By: _____
Deputy City Recorder

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

AFFIDAVIT OF MAILING
NOTICE OF ASSESSMENT

I, Daniel Mulé, the duly appointed and qualified City Treasurer of Salt Lake City, Salt Lake County, Utah, do hereby certify that on _____, 2007, I caused to be mailed a Notice of Assessment to each property owner in the Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District (the "District") by United States Mail, postage prepaid, at the last known address of such owner.

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 _____, 2007.

By: _____
City Treasurer

PROOF OF PUBLICATION

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the said Ordinance levying the special assessments adopted by the City Council on 2nd day of January, 2007, was published one time in the Deseret Morning News.

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, _____, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, 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 2nd day of January, 2007, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the City's offices at 451 South State Street, Salt Lake City, Utah, on the 29th day of December, 2006, 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 29th day of December, 2006, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 2nd day of January, 2007.

(SEAL)

By: _____
Chief Deputy City Recorder

SCHEDULE A

NOTICE OF MEETING

EXHIBIT B

ASSESSMENT LIST

[Available for review at the offices of the
City Recorder or City Engineer]

EXHIBIT C

MODIFICATIONS RECOMMENDED
BY BOARD OF EQUALIZATION AND REVIEW

**REPORT OF THE BOARD OF EQUALIZATION
SPECIAL IMPROVEMENT DISTRICT
Sidewalk Replacement SID 2004/2005 & Quayle Avenue Reconstruction
Job # 102112 & 102113**

The Board of Equalization Hearings for Special Improvement District No. 102112 & 102113 were held on October 17, 18, and 19, 2006 at 349 South 200 East in Suite 100 in conformance with statutes and ordinances governing special improvement districts. The Board was comprised of the following members:

| | |
|------------------|----------------------|
| Max Peterson, | City Engineer |
| Ed Rutan, | City Attorney |
| Beverly Jones, | Deputy Recorder |
| Larry Spendlove, | Senior City Attorney |
| Melanie Reif, | Senior City Attorney |

Assisting the Board were the following individuals:

| | |
|-------------------|--------------------------------|
| John Naser, | Deputy City Engineer |
| Mike Kendell, | Project Engineer |
| Garth Limburg, | Special Assessment Coordinator |
| Karen Carruthers, | City Engineering |
| Susan Finlayson, | City Engineering |

The following are issues raised by property owners concerning the Special Improvement District assessments, and recommendations of the Board of Equalization.

Tuesday, October 17, 2006

Constance Crompton
1473 East 900 South
Salt Lake City, Utah 84105-1619
16-09-152-023-0000

Ms. Crompton stated one sidewalk section was saw cut by the contractor and it appeared that only four new sidewalk sections were to be replaced. However the contractor dug up the saw cut sidewalk sections along with additional sidewalk section for replacement. Ms. Crompton doesn't think she should have to pay the full assessment because she thought the sidewalk was in good condition before the district was created. Also Ms. Crompton would like her assessment re-measured in light of her neighbor having a surveyor resurvey the property which could change the property line.

Response:

Mr. Kendell explained why horizontal saw cutting sidewalk sections doesn't always correct the defective sidewalk condition. Problems can occur after a saw cut is made because of existing sidewalk conditions. This may require additional sidewalk section to be replaced. Mr. Kendell will make arrangements with Ms. Crompton to re-measure the work that was done at the property.

Mr. Kendell visited the property and re-measured the work from fence to fence. Based on the re-measurement the assessment needs to be revised as follows:

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|----|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 242.50 Sq. ft. @ \$ 3.08 | \$ 746.90 |
|----|-------------------|--------------------------|-----------|

| | | | |
|-------|-------------------|-------------------------|-----------|
| A2 | 6" Sidewalk 50/50 | 40.00 Sq. ft. @ \$ 4.32 | \$ 172.80 |
| Total | | | \$ 919.70 |

Revised Assessment

| | | | |
|-------|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 233.00 Sq. ft. @ \$ 3.08 | \$ 717.64 |
| A2 | 6" Sidewalk 50/50 | 40.00 Sq. ft. @ \$ 4.32 | \$ 172.80 |
| Total | | | \$ 890.44 |

Ann Berman
1323 East Princeton Avenue
Salt Lake City, Utah 84101-1920
16-09-351-009-0000

Ms. Berman stated that a pipe was coming out of the ground. Ms. Berman was also concerned that since the sidewalk was replaced the tree causing the problem should be removed. Ms. Berman also wanted to know what the purpose of the Board meetings is and what the Board's responsibilities are.

Response:

Mr. Kendell stated the pipe coming out of the ground was an abandoned water service and removed by the City's Public Utilities Department. Mr. Peterson explained the purpose of the Board meetings to Ms. Berman and also that the city tree is a benefit to the neighborhood and cannot be removed.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 160.00 Sq. ft. @ \$ 3.08 | \$ 492.80 |
| A2 | 6" Sidewalk 50/50 | 41.50 Sq. ft. @ \$ 4.32 | \$ 179.28 |
| Total | | | \$ 672.08 |

Blair Sorenson
P.O. Box 526136
Salt Lake City, Utah 84152-6136

1306 East Harrison Avenue
Salt Lake City, Utah 84105-2610
16-17-232-001-0000

1129 East Princeton Avenue
Salt Lake City, Utah 84105-1911
16-08-430-023-0000

Mr. Sorenson was not able to attend any of the board meetings due to a conflict. He met with John Naser and Mike Kendell on October 5, 2006 at 10:00 a.m. Mr. Sorenson stated he disagrees with the assessment and agreed to meet with Mr. Kendell for a re-measurement at his properties. Mr. Sorenson stated the sprinkler system on 1300 East still needs to be repaired and the wall that had the footing removed is falling over. Mr. Sorenson asked about a payment deferral program and was given the information needed.

Response:

Mr. Kendell met Mr. Sorenson and re-measured both properties and determined the measurement was accurate; an assessment adjustment is not needed. The sprinkler system on 1300 East was repaired by the contractor during construction of the project. The replacement of the sidewalk did not affect the footing of the rock retaining wall.

Recommendation of the Board:

The assessment for this property will not change.

**1306 East Harrison Avenue
Salt Lake City, Utah 84105-2610
16-17-232-001-0000**

Assessment

| | | | |
|-------|---------------------------|--------------------------|-------------|
| A1 | 4" Sidewalk 50/50 | 855.00 Sq.Ft. @ \$ 3.08 | \$ 2,633.40 |
| A1a | Corner Property Exemption | -370.00 Sq.Ft. @ \$ 3.08 | \$-1,139.60 |
| A2 | 6" Sidewalk 50/50 | 77.00 Sq.Ft. @ \$ 4.32 | \$ 332.64 |
| Total | | | \$ 1,826.44 |

**1129 East Princeton Avenue
Salt Lake City, Utah 84105-1911
16-08-430-023-0000**

Assessment

| | | | |
|-------|-------------------|-------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 124.40 Sq.Ft. @ \$ 3.08 | \$ 383.15 |
| A2 | 6" Sidewalk 50/50 | 42.00 Sq.Ft. @ \$ 4.32 | \$ 181.44 |
| Total | | | \$ 564.59 |

**Nick Norton
1208 East Harvard Avenue
Salt Lake City, Utah 84105-1906
16-08-430-018-0000**

Mr. Norton stated that the sidewalk, driveway and curb in front of his property was replaced four years ago and is in perfect condition. Mr. Norton paid for this work to be done before the district was created. The section he is being assessed for is in front of his neighbor's property.

Response:

Mr. Kendell met with Mr. Norton to determine the correct property frontage and the sidewalk work that was done at his property. It was determined that no sidewalk work was done in front of Mr. Norton's property. An error was made in the initial measuring of the district.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|-------|-------------------|-------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 67.50 Sq. ft. @ \$ 3.08 | \$ 207.90 |
| Total | | | \$ 207.90 |

Revised Assessment

| | | | |
|-------|-------------------|------------------------|---------|
| A1 | 4" Sidewalk 50/50 | 0.00 Sq. ft. @ \$ 3.08 | \$ 0.00 |
| Total | | | \$ 0.00 |

Wednesday, October 18, 2006

Linda Doron
878 South Amanda Avenue
Salt Lake City, Utah 84105-1626
16-09-152-025-0000

Ms. Doron stated that she is on a fixed income and wasn't aware of any work being done at her property. Ms. Doron was inquiring about the process for payment.

Response:

Mr. Peterson told Ms. Doron that this district has a five year period to pay the assessment and she could pay one fifth of the assessment amount each year with interest on the unpaid balance.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|-------------------|--------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 127.50 Sq. ft. @ \$ 3.08 | <u>\$ 392.70</u> |
| Total | | | \$ 392.70 |

Glen & Eli Walton - Represented by Dana Walton
7669 South Avondale Drive
Cottonwood Heights, Utah 84121

945 South 1300 East
Salt Lake City, Utah 84105-1546
16-08-282-006-0000

Mr. Dana Walton represented his parents Glen & Eli Walton and inquired about the work done at their home and why the work was done. He also inquired about the repair work on the sprinklers and sod, and about getting his parents on the payment deferral program.

Response:

Mr. Kendell explained to Mr. Walton the purpose of the district and why the work was done. Mr. Kendell also explained that sod, irrigation system, and landscaping was replaced to existing conditions or better. Mr. Walton was given Garth Limburg's phone number to contact about setting up the payment deferral program for his parents.

Recommendation of the Board:

The assessment for this property will not change

Assessment

| | | | |
|-------|----------------------------------|----------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 227.50 Sq. ft. @ \$ 3.08 | \$ 700.70 |
| A1a | Corner Property Exemption | -150.00 Sq. ft. @ \$ -3.08 | \$ -462.00 |
| A2 | 6" Sidewalk 50/50 | 82.50 Sq. ft. @ \$ 4.32 | \$ 356.40 |
| B1 | 6" Residential Driveway | 217.00 Sq. ft. @ \$ 6.22 | \$1,349.74 |
| B4 | Residential C&G w/Asphalt Tie-in | 34.00 Ln. ft. @ \$ 28.69 | <u>\$ 975.46</u> |
| Total | | | \$ 2,920.30 |

John Crompton
1474 East Laird Avenue
Salt Lake City, Utah 84105-1937
16-09-354-024-0000

Mr. Crompton stated that about eight linear feet of concrete was removed unnecessarily. Mr. Kendell will meet Mr. Crompton at his home to resolve this issue. Mr. Kendell and Mr. Crompton discussed the assessment and scheduled the re-measurement of the sidewalk.

Response:

After reviewing engineering records and the property reviewed, it was determined that the sidewalk was deteriorated and needed to be replaced and the assessment is correct.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 201.50 Sq. ft. @ \$ 3.08 | \$ 620.62 |
| A2 | 6" Sidewalk 50/50 | 40.00 Sq. ft. @ \$ 4.32 | \$ 172.80 |
| Total | | | \$ 793.42 |

Sean Toomey
1467 East Yale Avenue
Salt Lake City, Utah 84105-1614
16-09-304-025-0000

Mr. Toomey submitted pictures to the Board to show the poor quality of concrete work done at his home. Mr. Toomey doesn't want to pay the full assessment due to the poor quality of concrete work. Mr. Toomey feels that the work done looks horrible.

Response:

Mr. Naser stated that the Board will take a look at the property and a decision will be made after the Board has completed their survey of the work. Mr. Peterson and Mr. Naser reviewed the property to determine the quality of the curb and gutter work. It was agreed the connection of the roof drain through the curb could have been constructed better, as well as the curb saw cutting and work on his exposed aggregate walk. It is recommended the assessment for curb and gutter be reduced by fifteen feet to compensate for the work quality issue in lieu of the City replacing the curb.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|-------|----------------------------------|--------------------------|------------|
| A1 | 4" Sidewalk 50/50 | 157.50 Sq. ft. @ \$ 3.08 | \$ 485.10 |
| A3 | 4" Sidewalk 100 % | 100.00 Sq. ft. @ \$ 6.16 | \$ 616.00 |
| B4 | Residential C&G w/Asphalt Tie-in | 58.00 Ln. ft. @ \$ 28.69 | \$1,664.02 |
| Total | | | \$2,765.12 |

Revised Assessment

| | | | |
|-------|-----------------------------------|--------------------------|------------|
| A1 | 4" Sidewalk 50/50 | 157.50 Sq. ft. @ \$ 3.08 | \$ 485.10 |
| A3 | 4" Sidewalk 100 % | 100.00 Sq. ft. @ \$ 6.16 | \$ 616.00 |
| B4 | Residential C&G w /Asphalt Tie-in | 43.00 Ln. ft. @ \$ 28.69 | \$1,233.67 |
| Total | | | \$2,334.77 |

Bronson Sulser
506 South 1200 East
Bountiful, Utah 84010
1147 South 1300 East
Salt Lake City, Utah 84105-1924

16-08-434-006-0000

Mr. Sulser stated that he recently acquired the property and was unaware that this assessment was going to be his responsibility. Mr. Sulser stated that as a first time home owner, he thought having all this work done at his property was great. Mr. Sulser stated that water to the sprinklers was off for 40 days and the lawn died, and his tenants were unable to use the driveway for a week. Mr. Sulser stated he would like to be reimbursed for his time and money spent on getting his lawn back to the way it looked before this job had started. Mr. Sulser was upset by the treatment of the sprinkler repair crew that came to his property.

Response:

Mr. Sulser was told by Mr. Peterson to contact his title company and explain that he was not informed of the SID work when he purchased the property. The Notice of Intent was sent out to the property owners at the time of its adoption on October 4, 2004. A copy of the Notice of Intent was provided to Mr. Sulser. Mr. Sulser was requested to submit any receipts for work done to fix the sprinklers to the Board for review. A letter was received from Mr. Sulser indicating he spent money on installing new sod and having repairs made to the irrigation system. After reviewing the property and Engineering records it could not be determined where the additional sod was installed. All new sod associated with the sidewalk replacement was placed by the City's contractor. All repairs to the irrigation system associated with the sidewalk replacement were done by the City's contractor. The repairs indicated in Mr. Sulser's letter were for control valve repairs and other correction and maintenance to his irrigation system that was not affected by the City's sidewalk replacement work at his property.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|------------------------------|--------------------------|-------------|
| A1 | 4" Sidewalk 50/50 | 745.00 Sq.Ft. @ \$ 3.08 | \$ 2,294.60 |
| A1a | Corner Property Exemption | -285.00 Sq.Ft. @ \$ 3.08 | \$ -877.80 |
| A2 | 6" Sidewalk 50/50 | 130.00 Sq.Ft. @ \$ 4.32 | \$ 561.60 |
| A2a | 6" Corner Property Exemption | -55.00 Sq. ft. @ \$ 4.32 | \$ -237.60 |
| Total | | | \$ 1,740.80 |

Rick Allis

**1410 E Princeton Avenue
Salt Lake City, Utah 84105-1923
16-09-353-011-0000**

Mr. Allis stated that 50 square feet would be generous for the amount of work done at his property. Mr. Allis would like to have a re-measurement of the work done at his property.

Response:

Mr. Kendell met with Mr. Allis to re-measure the amount of sidewalk replaced and found an error in the assessment.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|-------|-------------------|-------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 75.50 Sq. ft. @ \$ 3.08 | \$ 232.54 |
| Total | | | \$ 232.54 |

Revised Assessment

| | | | |
|----|-------------------|-------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 64.50 Sq. ft. @ \$ 3.08 | \$ 198.66 |
|----|-------------------|-------------------------|-----------|

Total

\$ 198.66

Thursday, October 19, 2006

Kathaleen Short
3096 South 8950 West
Magna, Utah 84044-1127

961 West Quayle Avenue
Salt Lake City, Utah 84105-2215
15-14-406-002-0000

Ms. Short stated she didn't want the improvements to her parcel and doesn't think she should have to pay for the new curb and gutter and concrete pavement. Ms. Short stated this parcel is vacant and does not benefit from the improvements like the other properties. Ms. Short stated she doesn't feel that she should pay for a concrete road when asphalt is cheaper. John Naser explained that the concrete street is not more expensive than asphalt when you look at the total pavement life cycle costs. Ms Short stated that her vacant lot should have a reduced assessment. She also stated she had water and sewer lines installed at her expense before the street was paved.

Response:

The improvements made to the street benefit Ms. Short's vacant lot and will increase the value of the property by having these improvements in place when the property does develop. It was explained that the concrete street was very close to the cost of an asphalt street especially with the amount of large trucks using Quayle Avenue. The payment options for the improvement district were explained to Ms. Short.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|------------------------------|-------------------------|-------------|
| C | Curb, Sidewalk, 10' Pavement | 50.00 Ln. Ft @ \$110.11 | \$ 5,505.50 |
| Total | | | \$ 5,505.50 |

James Herron
871 South 1400 East
Salt Lake City, Utah 84105-1636
16-09-152-003-0000

Mr. Herron stated his estimate was \$100.00 and wants to know why there was an increase to \$530.00. He wanted to know why more work needed to be done without an explanation prior to the work being accomplished. Mr. Herron stated that he would like the board to consider reducing his assessment due to no one contacting him about the increase in sidewalk work.

Response:

Mr. Kendell explained that a lot of the sidewalk was going to be initially saw cut but had deteriorated more than expected. Mr. Kendell also explained that the engineer's estimate had more saw cutting to be done and he tried to save as much sidewalk as possible, however because of the amount of horizontal saw cutting needed, the integrity of the remaining concrete was lost. Weekly construction notices were placed at the doorways of properties being affected by the work. Contacts were given in that notice to the property owners having questions or concerns.

Recommendation of the Board:

The assessment for this property will not change.

| Assessment | | | |
|-------------------|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 172.50 Sq. ft. @ \$ 3.08 | \$ 531.30 |
| Total | | | \$ 531.30 |

Uziel Montiel
1936 South 1300 East
Salt Lake City, Utah 84105-3612
16-17-479-030-0000

Mr. Montiel stated that the contractor broke some of the bricks his wife used in the park strip but never fixed or replaced them.

Response:

Mr. Peterson, Mr. Naser and Mr. Kendell met with Mr. Montiel to inspect the bricks in the park strip. It appeared two of the brick pavers were missing. It was agreed to reduce his assessment by \$50.00 so he could purchase replacement brick pavers.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|-------|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 162.50 Sq. ft. @ \$ 3.08 | \$ 500.50 |
| A2 | 6" Sidewalk 50/50 | 5.00 Sq. ft. @ \$ 4.32 | \$ 21.60 |
| Total | | | \$ 522.10 |

Revised Assessment

| | | | |
|-------|--------------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 162.50 Sq. ft. @ \$ 3.08 | \$ 500.50 |
| A2 | 6" Sidewalk 50/50 | 5.00 Sq. ft. @ \$ 4.32 | \$ 21.60 |
| R | Brick Pavers Replacement | 1 Each | \$ -50.00 |
| Total | | | \$ 472.10 |

Ken Jones
1241 East Gilmer Drive
Salt Lake City, Utah 84105-1509
16-08-281-002-0000

Mr. Jones stated his driveway was in perfect condition but the driveway was ripped out. Mr. Jones believes it was ripped out due to either his neighbor's bad sidewalk or some damage caused to his sidewalk when the ones next to it were removed. Mr. Jones stated that there is a bad edge and it is crumbling on one of the replaced sidewalk sections. Mr. Kendell explained that this sidewalk section is on the punch list to be replaced by the contractor.

Response:

The Contractor will replace the crumbling sidewalk section. The amount of work done was re-measured and determined that the assessment needs to be adjusted.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|----|-------------------|--------------------------|-----------|
| A1 | 4" Sidewalk 50/50 | 104.00 Sq. ft. @ \$ 3.08 | \$ 320.32 |
|----|-------------------|--------------------------|-----------|

| | | | |
|-------|-------------------|--------------------------|------------------|
| A2 | 6" Sidewalk 50/50 | 105.00 Sq. ft. @ \$ 4.32 | <u>\$ 453.60</u> |
| Total | | | \$ 773.92 |

Revised Assessment

| | | | |
|-------|-------------------|-------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 12.00 Sq. ft. @ \$ 3.08 | \$ 36.96 |
| A2 | 6" Sidewalk 50/50 | 80.00 Sq. ft. @ \$ 4.32 | <u>\$ 345.60</u> |
| Total | | | \$ 382.56 |

Carol & John Huffman
1147 E Herbert Avenue
Salt Lake City, Utah 84105-1510
16-08-409-021-0000

Mrs. Huffman stated that the sidewalk replaced at their property was broken by the Forestry Department when a tree was removed at this location. Mrs. Huffman stated that she shouldn't have to pay this assessment.

Response:

Mr. Kendell contacted Chris Rohr at Urban Forestry who confirmed the sidewalk was broken during the removal of a tree and that the City Concrete Crew was going to fix the sidewalk but didn't get there before the special improvement district contractor. The assessment on this property will be removed.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

| | | | |
|-------|-------------------|-------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 33.00 Sq. ft. @ \$ 3.08 | <u>\$ 101.64</u> |
| Total | | | \$ 101.64 |

Revised Assessment

| | | | |
|-------|-------------------|------------------------|-----------------|
| A1 | 4" Sidewalk 50/50 | 0.00 Sq. ft. @ \$ 3.08 | <u>\$ 00.00</u> |
| Total | | | \$ 00.00 |

Highland Park Plaza
Common Area Mastercard 1st Amd
1955 South 1300 East
Salt Lake City, Utah 84105-3638
16-17-480-001-0000

Highland Park Plaza
1969 South 1300 East
Salt Lake City, Utah 84105-3611
16-17-481-026-0000

Ms. Hinderaker representing Highland Park Plaza Condominiums stated that previous to this district coming through to fix sidewalks; Highland Park Plaza had Workman Construction replace defective sidewalks at parcel # 16-17-481-026-0000 and 16-17-480-001-0000. She stated that they reviewed this work with Workman Construction; and believes the assessment is wrong.

Response:

Mr. Kendell met with Ms. Hinderaker and Workman Construction, they reviewed the assessment amount and work previously done by Workman Construction. It was determined that Workman Construction had previously done sidewalk replacement work at the properties and the assessment needs to be changed. The City payment for this sidewalk will be removed from the contractor's final billing.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Highland Park Plaza
1955 South 1300 East
Salt Lake City, Utah 84105-3638
16-17-480-001-0000

| | | | |
|---------------------------|-------------------|--------------------------|-------------------|
| Current Assessment | | | |
| A3 | 4" Sidewalk 100 % | 150.00 Sq. ft. @ \$ 6.16 | \$ 924.00 |
| A4 | 8" Sidewalk 100 % | 25.00 Sq. ft. @ \$ 11.92 | \$ 298.00 |
| Total | | | <u>\$1,222.00</u> |
| Revised Assessment | | | |
| A3 | 4" Sidewalk 100 % | 00.00 Sq. ft. @ \$ 6.16 | \$ 00.00 |
| A4 | 8" Sidewalk 100 % | 00.00 Sq. ft. @ \$ 11.92 | \$ 00.00 |
| Total | | | <u>\$ 00.00</u> |

Highland Park Plaza
1969 South 1300 East
Salt Lake City, Utah 84105-3611
16-17-481-026-0000

| | | | |
|---------------------------|-------------------|--------------------------|--------------------|
| Current Assessment | | | |
| A3 | 4" Sidewalk 100 % | 375.00 Sq. ft. @ \$ 6.16 | \$ 2,310.00 |
| Total | | | <u>\$ 2,310.00</u> |
| Revised Assessment | | | |
| A3 | 4" Sidewalk 100 % | 50.00 Sq. ft. @ \$ 6.16 | \$ 308.00 |
| Total | | | <u>\$ 308.00</u> |

Julie Herrick
2636 East Nottingham Way
Salt Lake City, Utah 84108-2454

1474 East 900 South
Salt Lake City, Utah 84105-1620
16-09-153-021-0000

Ms. Herrick stated her concerns about the ramp installed at her property. Ms. Herrick indicated her sprinkler system was broken and removed when the work was done at her property. She said that she turned off the sprinkler system in October and the contractor replaced the sprinkling system. Ms. Herrick also stated that she is not sure if the sprinkling system was tested or not. She also stated that in May when the system was turned on the sprinkler system would not work. Mr. Kendell explained that the contractor had repaired any damage to the sprinkling system the previous fall.

Mrs. Herrick stated that the water bills from October to May were outrageous . Ms. Herrick turned the sprinkler system off due to the huge water bills during the months of October through May. She also noted that water was coming out of the area where the sprinkler system exists. Ms. Herrick would like a reduction in her assessment because of the high water bills.

Response:

Mr. Kendell did check the sprinkler system on a few visits to make sure the system was in working order. All indications are the irrigation system was in full working order when the contractor completed the work in this area. Damage to the system most likely occurred when as Mrs. Herrick indicated a car drove on the park strip. It cannot be determined if the irrigation system is damaged or not.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|----------------------------------|--------------------------|------------|
| A1 | 4" Sidewalk 50/50 | 322.50 Sq. ft. @ \$ 3.08 | \$ 993.30 |
| A2 | 6" Sidewalk 50/50 | 95.00 Sq. ft. @ \$ 4.32 | \$ 410.40 |
| B1 | 6" Residential Driveway | 113.00 Sq. ft. @ \$ 6.22 | \$ 702.86 |
| B4 | Residential C&G w/Asphalt Tie-in | 17.00 Ln. ft. @ \$ 28.69 | \$ 487.73 |
| Total | | | \$2,594.29 |

Evan & Margrethe Hurst
1523 East 900 South
Salt Lake City, Utah 84105-1621
16-09-176-020-0000

Mr. Hurst stated that the driveway installed is not a pipe driveway and he would like to be assessed for an open driveway. Mr. Hurst was concerned that he was being assessed for the full driveway. Mr. Kendell explained that a radius portion of the driveway was included in the total cost for the transition to the curb and gutter.

Response:

Mr. Kendell checked his notes to find that initially the Hurst's wanted a pipe driveway then changed his mind and decided to have the open driveway. Mr. Hurst was assessed for a pipe driveway which saves Mr. Hurst \$30.23 off the assessment due to the way the contractor bid his prices. Mr. Kendell met with the Hurst's and their neighbor to explain the assessment's to them.

Recommendation of the Board:

The assessment for this property will not change.

Assessment

| | | | |
|-------|----------------------------------|--------------------------|------------|
| A1 | 4" Sidewalk 50/50 | 340.00 Sq. ft. @ \$ 3.08 | \$1,047.20 |
| A2 | 6" Sidewalk 50/50 | 20.00 Sq. ft. @ \$ 4.32 | \$ 86.40 |
| B2 | 6" Residential Pipe Driveway | 7.50 Sq. ft. @ \$33.14 | \$ 248.55 |
| B4 | Residential C&G w/Asphalt Tie-in | 3.00 Ln. ft. @ \$28.69 | \$ 86.07 |
| Total | | | \$1,468.22 |

Mark Glissmeyer
1360 East Princeton Avenue
Salt Lake City, Utah 84105-1921
16-09-353-003-0000

Mr. Glissmeyer stated that the contractor tore up more concrete than he expected. Mr. Kendall spoke with Mr. Glissmeyer prior to construction and estimated 20 square feet of sidewalk was going to be replaced. A few weeks later the contractor came through and removed 45 square feet. The Glissmeyer's do not want to pay for sidewalk that was removed above the 20 square feet.

Response:

Mr. Kendall verified whether the contractor pulled up the concrete on his own. It could not be determined why additional concrete was removed. It is recommended the assessment be revised to the original estimate.

Recommendation of the Board:

The Board recommends the assessment be revised as follows:

Current Assessment

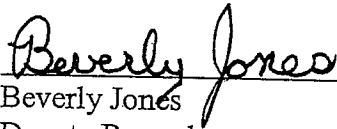
| | | | |
|-------|-------------------|--------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 224.00 Sq. ft. @ \$ 3.08 | <u>\$ 689.92</u> |
| Total | | | <u>\$ 689.92</u> |

Revised Assessment

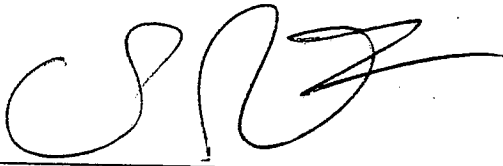
| | | | |
|-------|-------------------|--------------------------|------------------|
| A1 | 4" Sidewalk 50/50 | 180.00 Sq. ft. @ \$ 3.08 | <u>\$ 554.40</u> |
| Total | | | <u>\$ 554.40</u> |



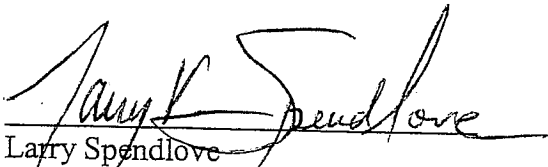
Max Peterson
City Engineer



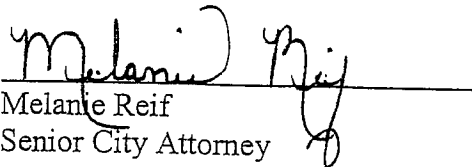
Beverly Jones
Deputy Recorder



Ed Rutan
City Attorney



Larry Spandlove
Senior City Attorney



Melanie Reif
Senior City Attorney