

RESOLUTION NO. 02-02

RESOLUTION OF INTENTION

BONNEVILLE COUNTY LIGHTING DISTRICTS

Nos. 33 through 40 Inclusive

BONNEVILLE COUNTY, IDAHO

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO, as follows:

WHEREAS, the owners of properties in various subdivisions of the County have requested the County Commissioners to form lighting districts applicable to each such area and subdivision to provide security lighting for the safety, welfare, and benefit of the residents of the respective areas;

WHEREAS, Bonneville County (the "County"), through the County Commissioners, has legal authority under the Idaho statutes to impose and collect fees for services provided by the County which would otherwise be funded by ad valorem tax revenues; and

WHEREAS, fees collected pursuant to the authority of the Idaho statutes should be reasonably related to but should not exceed the actual cost of the service being rendered; and

WHEREAS, the owners of the respective areas who have requested lighting districts to be formed, constitute a majority of the ownership within each of the respective areas, or have entered into a development agreement agreeing to install a security lighting system, and that such owners have requested for each of the respective areas that the County Commission set up lighting districts for each of said distinct areas to which said owners are associated, by which they shall collect fees to defray the cost of furnishing electrical energy and power for the operation and maintenance of a security lighting system; and

WHEREAS, the owners of such areas, as owners or as developers, have or will have installed the security lighting systems pursuant to the specifications of the County engineering department; and

WHEREAS, the fees to be charged in the lighting districts will be designed to pay the operation and maintenance cost to Utah Power and Light under schedules adopted by the Idaho Public Utilities Commission to provide security lighting.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that it is the intention of the Bonneville County Commissioners to establish a Bonneville County Lighting District for each of the subdivisions and areas which have requested such security lighting and to establish such lighting districts to collect fees to pay the operation and maintenance costs of Utah Power and Light under

schedules adopted by the Idaho Public Utilities Commission for the furnishing of energy and power to operate a security lighting system. The fees and charges collected will be for the operation and maintenance on a continuing basis and will be imposed and collected for services provided by the County which would otherwise be funded by ad valorem tax revenues. The intent is to collect fees pursuant to the authority of the Idaho statutes which shall be reasonably related to but will not exceed the actual cost of the service being rendered;

FURTHER RESOLVED, that it is the intention of the Bonneville County Commissioners to establish a lighting district for each of said subdivisions, hereinafter designated.

FURTHER RESOLVED, that the Board of County Commissioners shall hold a hearing upon the notice of intention to create the following lighting districts in the subdivisions as hereinafter designated.

FURTHER RESOLVED, that notice be given to all residents and owners within each of the designated subdivisions, hereinafter named, as such names appear on the assessment roll in the County Assessor's Office for properties within each of said subdivisions and within the boundaries of each of the proposed lighting districts; that such hearing shall be held on the intention to create the lighting districts; and that such notice as appears on Exhibit A, attached hereto and made a part hereof, shall be mailed by the clerk to all residents and owners appearing upon such assessment roll for each of said subdivisions and lighting districts, and shall be published in three consecutive publications of the official newspaper of the County, with the mailing and first publication being not less than fifteen (15) days prior to the date set for such hearing.

The subdivisions for which it is the intention to establish lighting districts and for which the Board of County Commissioners of Bonneville County shall hold a hearing upon the Notice of Intention to Create Lighting Districts and for which notice shall be given to the residents and owners within such subdivisions and proposed lighting districts are designated as follows:

33. Bonneville County Lighting District No. 33
Caribou Meadow Estates, Division No. 3

Lots 12 through 19, Block 2, Lots 5 through 15, block 3, lots 3 through 8, block 4,
lots 1 through 5, block 5,
Caribou Meadow Est., Division No. 3, Bonneville County, Idaho.

The street addresses are:

Madison River Road; from 4787 East to 4919 East
Payette River Road; from 1024 North to 1202 North
Wind River Road; from 4785 East to 4918 East

34. Bonneville County Lighting District No. 34
Cottonwood Acres, Division No. 5

Lots 13 through 26, block 1, lots 14 through 37, block 2,
Cottonwood Acres, Division No. 5, Bonneville County, Idaho.

The street addresses are:

95th North; from 2518 East to 2744 East

35. Bonneville County Lighting District No. 35
Hall Acres, Division No. 1

Lots 1 through 6, block 1,
Hall Acres, Division 1, Bonneville County, Idaho.

The street addresses are:

Hall Circle; 3362 East to 3415 East

49th North; 3408 East to 3464 East

Ammon Road; 4779 North to 4859 North

36. Bonneville County Lighting District No. 36
Evolution Plaza, Division No. 1

Lots 1 through 2, block 1, lots 1 through 4, block 2, lots 1 through 2, block 3
Evolution Plaza, Division No. 1, Bonneville County, Idaho.

The street addresses are:

Discovery Road; from 2889 East to 2921 East

2900 East; from 4943 North to 5081 North

37. Bonneville County Lighting District No. 37
Crimson Valley, Division No. 1

Lots 1 through 6, block 1, lots 1 through 17, block 2, lots 1 through 24, block 3,
Crimson Valley, Division No. 1, Bonneville County, Idaho.

The street addresses are:

Crimson Drive; from 1039 North to 1223 North

Trenton Street; from 4138 East to 4229 East

Trenton Circle; from 4260 East to 4347 East

Nibley Circle; from 4155 East to 4345 East

38. Bonneville County Lighting District No. 38
Warm Springs Meadow, Division No. 2

Lots 10 through 16, block 1, lots 10 through 12, block 2, lots 1 through 4, block 3, lots 1 through 2, block 4, lots 1 through 2, block 5, lots 1, block 6, Warm Springs Meadow, Division No. 2, Bonneville County, Idaho.

The street addresses are:

Heath Lane; from 448 South to 528 South
Cordell Drive; from 3769 East to 3841 East
Emery Lane; from 496 South to 674 South

39. Bonneville County Lighting District No. 39
Cross-Roads Subdivision

Lots 1 through 10, block 1, lots 1 through 6, block 2, lots 1 through 5, block 3 (do not include well lot)
Cross-Roads Subdivision, Bonneville County, Idaho.

The street addresses are:

Daisy Lane; from 6917 South to 7109 South
Crossroads Avenue; 4524 West to 4736 West

40. Bonneville County Lighting District No. 40
River Acre Estates: 4th Amended Plat

Lots 1 through 22, block 1, lots 1 through 26, block 2, lots 1 through 12, block 3, (do not include lots 26A in block 2 and well lot in block 3)
River Acre Estates, Bonneville County, Idaho.

The street addresses are:

Riverview Drive; from 520 East to 1000 West
Pleasant Street; from 525 West to 807 West
Leonard Avenue; from 5855 North to 5971 North

FURTHER RESOLVED, that the Board of County Commissioners do hereby set Tuesday, the 23rd day of April, 2002, at 9:00 a.m. mountain daylight time o'clock, at the Hearing Room of the Bonneville County Commissioners, Bonneville County Courthouse, as the time and place at which time a protest hearing shall be held and any and all protests against said proposed lighting districts to be formed shall be heard. That all such protests shall be in writing and filed with the Office of the County Commissioners in the County Courthouse, Bonneville County, Idaho, on or before 9:00 a.m. mountain daylight time on the 23rd day of April, 2002.

DATED this 3rd day of April, 2002.

BONNEVILLE COUNTY, IDAHO
BOARD OF COUNTY COMMISSIONERS

By: Roger S. Christensen
Chairman

ATTEST:

Toni Wall

TONI WALL, Deputy Clerk
and Secretary to the Bonneville County
Commissioners

L:\WJA\2214\ResolutionInt33-40.wpd