

...the annual delinquent real property tax sale, pursuant to Utah Administrative Code §R884-24F-55, and COUNTY COMMISSIONER believes it to be in the best interest of the County to regulate the annual delinquent real property tax sale. The County Legislative Body of Carbon County, Utah ordains

-s-Robert P. Pero, Carbon County Clerk/Auditor
Commissioner Krompel X For
Commissioner Milovich Voted X Against
Commissioner Breinholt Voted X
Published in the Sun Advocate May 12, 1998.

435-472-8655 or 435-472-3321.
Helper City, the right to reject any or all bids and to waive any informalities or technicalities in the bid of Helper City.
-s-Sandra G. Baird
Helper City Recorder
Published in the Sun Advocate May 7, 12 and 14, 1998.

0023

ORDINANCE NO. 262

AN ORDINANCE granting to Carbon County Recreation and Transportation Special Service District a franchise for the taking of tolls on the C Canyon Road; and related matters.
Whereas, on February 1, 1989, Carbon County, Utah (the "County") and the Carbon County Recreation and Transportation Special Service District, formerly known as the Carbon County Roads Special Service District, (the "District") entered into an Interlocal Cooperative Agreement wherein the District agreed, among other things, to repair, construct, operate and maintain certain roads within Carbon County, Utah, one of which is the C Canyon Road, the legal description of the centerline of which is attached hereto as Exhibit "A" (the "Highway"); and
Whereas, in the judgment of the Board of Commissioners (the "Commission") of the County, the expense of operating and maintaining the Highway as a free public highway, in light of its anticipated use as a major coal transportation route, is too great to justify the County in operating and maintaining it; and

WHEREAS, the Commission, pursuant to §17-5-234 and §17-5-236, Utah Code Annotated, 1953, as amended, deems it in the best interests of the County and its inhabitants thereof to grant a franchise to the District to allow the District to charge a toll on certain vehicles which are anticipated to use the Highway; and

WHEREAS, the District agrees to keep the Highway in reasonable repair throughout the term of this franchise;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CARBON COUNTY, UTAH AS FOLLOWS:

Section 1. Grant of Franchise. The County hereby grants to the District a franchise for purposes of taking tolls on the C Canyon Road, the legal description of the centerline of which is attached hereto as Exhibit "a" and incorporated herein by reference (the "Highway"), the purpose of which is to allow the District to collect sufficient tolls to pay the District's debt service obligation on its Toll Road Revenue Bonds, Series 1998 B, to be issued in the total principal amount of \$3,134,000.00 (the "Bonds"). The Bonds will be issued by the District for purposes of repairing and/or constructing portions of the Highway in such a manner as to allow the Highway to be used by vehicles having a gross weight in excess of eighteen (18) tons.

Section 2. Term. This franchise will terminate on the date on which all payment obligations of the District with respect to the Bonds have been paid. The District shall file a written acceptance of this franchise with the County within thirty (30) days after the date of this ordinance. This franchise shall go into effect only when such acceptance shall be filed.

Section 3. Indemnity. The District shall indemnify and defend the County, its Commission and officers and employees against any and all liabilities for injury or death of any person or any damage to any property caused by the District, its officers or employees in the construction, operation or maintenance of the Highway or arising out of the exercise of any right or privilege under this franchise.

Section 4. Toll Fees. The District shall be entitled to charge tolls in such amounts as will allow the District to collect moneys sufficient to pay the District's debt service obligation on the Bonds. The rates and charges fixed by the District shall not be arbitrary, unreasonable or unjustly discriminatory.

Section 5. Consideration. The County hereby determines that the expenses of operating and maintaining the Highway as a free public highway for its anticipated use is too great to justify without imposing upon the user of the Highway a toll as described herein. In consideration for the granting of this franchise, the District agrees to construct and/or repair the Highway in such a manner as will accommodate its intended use and shall keep the Highway in reasonable repair.

Section 6. Books and Records. The District shall at all times keep and maintain a full, true and correct account of all toll receipts arising out of operations under this franchise, and the books of accounts and other records shall at all reasonable times be open to inspection and examination by representatives of the County.

Section 7. Assignment of Franchise. The District shall not have the right to assign this franchise or otherwise transfer it in any manner whatsoever.

Section 8. Forfeiture. This franchise may be forfeited, at the option of the County, upon failure or refusal by the District to observe the terms and conditions set forth herein. Forfeiture may be exercised by written notice to the District of failure to observe the terms and conditions hereof followed by the District's refusal to eliminate or correct such failure or violations within sixty (60) days. In the event of any failure or violations, the County may exercise such remedy of forfeiture as shall be available to it.

Section 9. Effect of Invalidity. This franchise is granted pursuant to the laws of the State of Utah. If any article, section, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions. The invalidity of any portion of this ordinance shall not abate, reduce or otherwise affect any consideration or other obligation required of the District.

Section 10. Effective Date. Immediately after its adoption this ordinance shall be signed by the Chairman and the County Clerk and shall be recorded in the ordinance book kept for that purpose. Said ordinance as adopted shall be published once in the Sun Advocate, a newspaper published and having general circulation in Carbon County, Utah and shall take effect immediately upon publication as required by law.

PASSED AND APPROVED THIS 6th day of May, 1998.

ATTEST:
-s-Robert P. Pero, County Clerk
Published in the Sun Advocate May 12, 1998.

Copy from Ann - Dana
(Dana)
ADVERTISEMENT FOR BID
PRICE MUNICIPAL CORPORATION #2

Sealed Bid Proposals for SEWER PIPELINE VIDEO INSPECTION SYSTEM identified as Project No. 8E-98, will be received by Price Municipal Corporation (owner) at the office of the City Recorder, Price City Hall, 185 East Main Street, P.O. Box 893, Price, Utah 84501, until 5:30 P.M. on Wednesday, May 27, 1998. Sealed bids will be opened and read aloud at 5:30 P.M. on Wednesday, May 27, 1998 in the City Council Chambers of the Price Municipal Building, City Hall, 185 East Main Street, P.O. Box 893, Price, Utah 84501.

The specifications and contract documents can be obtained at the Office of the Public Works Director, Public Works Complex, 432 West 600 South, Price, Utah 84501.

Price Municipal Corporation, hereby notifies all bidders that it will affirmatively ensure that the contract entered into pursuant to this advertisement will be awarded to the lowest, complete, responsible bidder without discrimination on the grounds of race, color, religion, sex, or national origin. Price City is an equal opportunity employer.

OWNER'S RIGHTS RESERVED: The undersigned understands that the OWNER reserves the right to reject any or all bids or to waive any informality or technicality in any Bid in the interest of the OWNER.
Dated: April 23, 1998

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder on the 5th day of June, 1998 at 9:00 A.M. at the front door of the CARBON COUNTY Courthouse at 120 East Main, Price, Utah in the County of Carbon by PROFESSIONAL TITLE SERVICES as Trustee under the Deed of Trust made by LARRY DEAN PETERSON as Trustors, and recorded April 16, 1990 as Entry No. 26858 in Book 296 at pages 167 of the Official Records of CARBON COUNTY, Utah, given to secure an indebtedness in favor of JOHN C. SWENSON and JO ELL SWENSON, husband and wife by reason of the breach of certain obligations secure thereby.

Notice of Default was recorded November 24, 1997 as Entry No. 63008 in Book 398 at page 576 of said Official Records. Trustee will sell at public auction to the highest bidder for cash, payable in lawful money of the United States at the time of sale, without warranty as to title, possession or encumbrances, the following described property at Scofield, County of Carbon, State of Utah:

Lot 11, SCOFIELD MOUNTAIN HOME SUBDIVISION, ADDITION #2, according to the official plat thereof on file in the office of the Recorder of Carbon County, Utah.

For the purpose of paying obligations secured by said Deed of Trust including fees, charges and expenses of Trustee, advances, if any, under the terms of said Deed, interest thereon and the unpaid principal of the Note secured by said Deed of Trust with interest thereon as in said Note and by law provided.
Dated: April 20, 1998

PROFESSIONAL TITLE SERVICES Trustee
By: Clay G. Holbrook, President
Published in the Sun Advocate May 5, 12 and 19, 1998.

**NOTICE OF HEARING
DOCKET NO. 98-008
CAUSE NO. 241-2**

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF ANADARKO PETROLEUM CORPORATION FOR AN AMENDMENT TO THE WELL SPACING ORDER IN CAUSE NO. 241-1 TO ESTABLISH SIMILAR 160-ACRE DRILLING AND SPACING UNITS FOR THE PRODUCTION OF GAS (INCLUDING COALBED METHANE) FROM THE FERRON FORMATION IN CERTAIN ADJACENT LANDS IN T13S, R10E, AND T14S, R10E, SLM, CARBON COUNTY, UTAH.

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on Wednesday, May 27, 1998, at 10:00 a.m., or as soon thereafter as possible, in the *Council Chambers of the Grand County Courthouse, 125 East Center Street, Moab, Utah.*

The hearing will be conducted as a formal administrative adjudication in accordance with the Utah Code Ann. § 40-6-1 et seq., Utah Code Ann. § 63-46b-1 et seq. (1953, as amended), and the Procedural Rules of the Board.

The purpose of the proceeding will be for the Board to receive testimony and evidence regarding amending the original well spacing Order entered by the Board on January 2, 1998 in Cause No. 241-1, Docket No. 97-023, the effect of such an amendment being:

1. To provide for the establishment of 160-acre drilling and spacing units for the production of gas, including but not limited to coalbed methane, from the Ferron Formation including all coals and surrounding sands embracing the following described lands in Carbon County, Utah:

- Township 13 South, Range 10 East, SLM
Section 31: SE1/4
- Township 14 South, Range 10 East, SLM
Section 6: Lots 3-5, SE1/4NW1/4 (NW1/4); SE1/4
Section 7: NE1/4
Section 8: SW1/4

PRO/007/041 #2
West Ridge

2. To provide that each such unit shall comprise a governmental quarter section (e.g. NE1/4) or equivalent lots, and that the permit well for each such unit be located no closer than 920 feet from other wells completed and producing from the Ferron Formation and no closer than 460 feet from outer boundary of the 160-acre drilling and spacing unit, unless otherwise permitted by administrative action for topographic or geologic reasons.

3. To provide such other relief as may be just and proper under the circumstances. Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Objections to this matter should be filed with the Secretary of the Board at the above address no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. Objections filed later than the 10th day may be considered by the Board at or before the regularly scheduled meeting for good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Christine Allred at 638-5327, at least three working days prior to the hearing dates.
DATED this 1 day of May, 1998.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Dave D. Lauriski, Chairman
-s-Christine Allred
Secretary of the Board
1594 West North Temple, Suite 1210
P.O. Box 145801

...of this ordinance is derived from Title 59, Chapter 2, 53, as amended, and Utah Administrative Code Section

2. Be Sold: Redemption of Property.
Delinquent property tax sale, the parcels of interest to be sold by the tax parcel identification number, posted at the place of sale.
Parcel of property to be sold at the annual sale. A lienholder of record may redeem the property on the commencement of the sale of the parcel of property to be sold without preference.

3. Public Disclosure: Collusive Bidding Prohibited.
No person shall enter into a bid for the sale with the County Auditor by means of a registration form.
No person shall enter into a bid for the sale with the County Auditor by means of a registration form. If the bidder is more than one name, a separate registration form will be required for each name.

No person shall be connected with the tax sale may bid on or be sold for sale, directly or indirectly, except where the name of the property or the record owner of

No person shall be an employee of any county office shall participate in the tax sale, the potential of a complete written disclosure of any employee which might create any appearance of a conflict of interest.

No person shall bid in collusion with other bidders, if prohibited, the name of the individual bidder or in the name of his or her spouse, or in the name of the bidder acting as an agent as disclosed in the bid with the County Auditor.

All bids and all bids shall be subject to and in accordance with the rules of the County Auditor. No sale shall void any sale made at the annual sale. The property affected thereby shall be stricken from the records.

4. Bid Amount.
The bid shall be an amount sufficient to pay the total of all taxes, and administrative costs.
Advertising, the sale, tax deed issuance, title insurance, and other costs.
The minimum required bid amount.
The parcel together with all improvements thereon, the highest bidder and without regard to the

The withdrawal of the minimum required bid shall be paid to the County Auditor.

The bidder shall be required to execute a bid form in the amount of the bid, the name and number of the bidder represents, the name(s) in and an agreement to pay the bid amount in the bid, and acknowledging the terms and conditions of this Ordinance. Bid forms shall be provided to the County Auditor.

The form of cash or a certified or cashier's check or County Treasurer in the exact amount of the bid on the day of the sale and no later than 5:00 P.M. The County Auditor. The receipt shall be validated and issued by the County Auditor.

5. County Commission.
The bid shall be considered conditional until reviewed and approved by the County Commission acting at a regularly scheduled meeting or not the bid is contested. The County Commission may determine that a bid is unacceptable and the bid shall be deemed approved.

No action taken in conjunction with the tax sale, the subject parcel tax sale with the Carbon County Commission County Auditor within ten (10) days of the

The bid shall be returned to the County by the County Auditor. The bid shall be accepted by the County Auditor and the sale shall be deemed approved.

The bid and thereby disapproves the sale. The bid to the County will not be placed back for the highest bidder have acquired any rights to the property.