

TOOELE COUNTY BOARD OF COUNTY COMMISSIONERS

Filed by
CALLEEN B. PESHELL, Recorder
Tooele County Corporation

ORDINANCE NO. 2008-21

For: TOOELE COUNTY COMMISSIONERS

AN ORDINANCE ADOPTING THE NORTH STANSBURY RETAIL COMMUNITY DEVELOPMENT PROJECT AREA PLAN, AS APPROVED BY THE REDEVELOPMENT AGENCY OF TOOELE COUNTY BOARD, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE NORTH STANSBURY RETAIL COMMUNITY DEVELOPMENT PROJECT AREA, AND DIRECTING THAT THE NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS the Redevelopment Agency of Tooele County (the "Agency"), having prepared a Draft Community Development Project Area Plan (the "Draft Plan") for the North Stansbury Retail Community Development Project Area, the legal description of which is attached hereto as **EXHIBIT A**, pursuant to Utah Code Annotated ("UCA") §§ 17C-4-102 & -103, and having held the required public hearing on the Draft Plan on October 21, 2008, pursuant to UCA § 17C-4-102(1)(d), adopted the Draft Plan as the Official Community Development Project Area Plan for the North Stansbury Retail Community Development Project Area (see Agency Resolution No. 2008-05); and

WHEREAS the Utah Community Development and Renewal Agencies Act (the "Act") mandates that, before a community development project area plan approved by a redevelopment agency under UCA § 17C-4-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-4-105(1); and

WHEREAS the Act also requires certain notice to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-106.

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

1. The Tooele County Board of County Commissioners hereby adopts the North Stansbury Retail Community Development Project Area Plan, as approved by the Agency Board (see Agency Resolution No. 2008-06), as the Official Community Development Project Area Plan for the North Stansbury Retail Community Development Project Area (the "Official Plan").
2. The City Staff is hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106(1)(a)(i), substantially in the form attached hereto as **EXHIBIT B**, whereupon the Official Plan shall become effective pursuant to UCA § 17C-4-106(2)(a).
3. Pursuant to UCA § 17C-4-106(4), the Agency may proceed to carry out the Official Plan as soon as it becomes effective.

4. This ordinance shall take effect immediately upon publication and recording.

APPROVED AND ADOPTED this 21ST day of October, 2008.

ATTEST:

TOOELE COUNTY COMMISSION:

Marilyn K. Gillette
MARILYN K. GILLETTE, Clerk

Colleen S. Johnson
COLLEEN S. JOHNSON, Chairman



Commissioner Johnson voted YES
Commissioner Clegg voted YES
Commissioner Hurst voted YES

APPROVED AS TO FORM:

Doug Hogan
DOUG HOGAN
Tooele County Attorney

EXHIBIT A

[Legal Description of the North Stansbury Retail Community Development Project Area]

EXHIBIT B

Notice of Adoption of Ordinance 2008-21 by the Tooele County Board of County Commissioners

Pursuant to Section 17C-4-106(1), Utah Code, the Tooele County Board of County Commissioners (the "County Commission") is providing this notice with respect to Ordinance 2008-21 which was passed by the County Commission on October 21, 2008, adopting the North Stansbury Retail Community Development Project Area Plan, as approved by the Board of the Redevelopment Agency of Tooele County (the "Agency"), as the Official Community Development Project Area Plan for the North Stansbury Retail Community Development Project Area (the "Official Plan"), and directing that the notice of adoption be given as required by law. Ordinance 2008-21 and the Official Plan shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Official Plan. The Official Plan is available for general public inspection at the office of the Tooele County Clerk located at 47 S. Main St., Tooele, Utah, during regular office hours of 8:00 am to 5:00 pm, Monday through Friday.

For a period of 30 days after the Effective Date of the Official Plan (the "30-Day Period"), any person in interest may contest the Official Plan or the procedure used to adopt it if the Official Plan or procedure fails to comply with applicable statutory requirements. After the 30-Day Period, no person may contest the Official Plan or procedure used to adopt it for any cause.

Published: October 23, 2008.

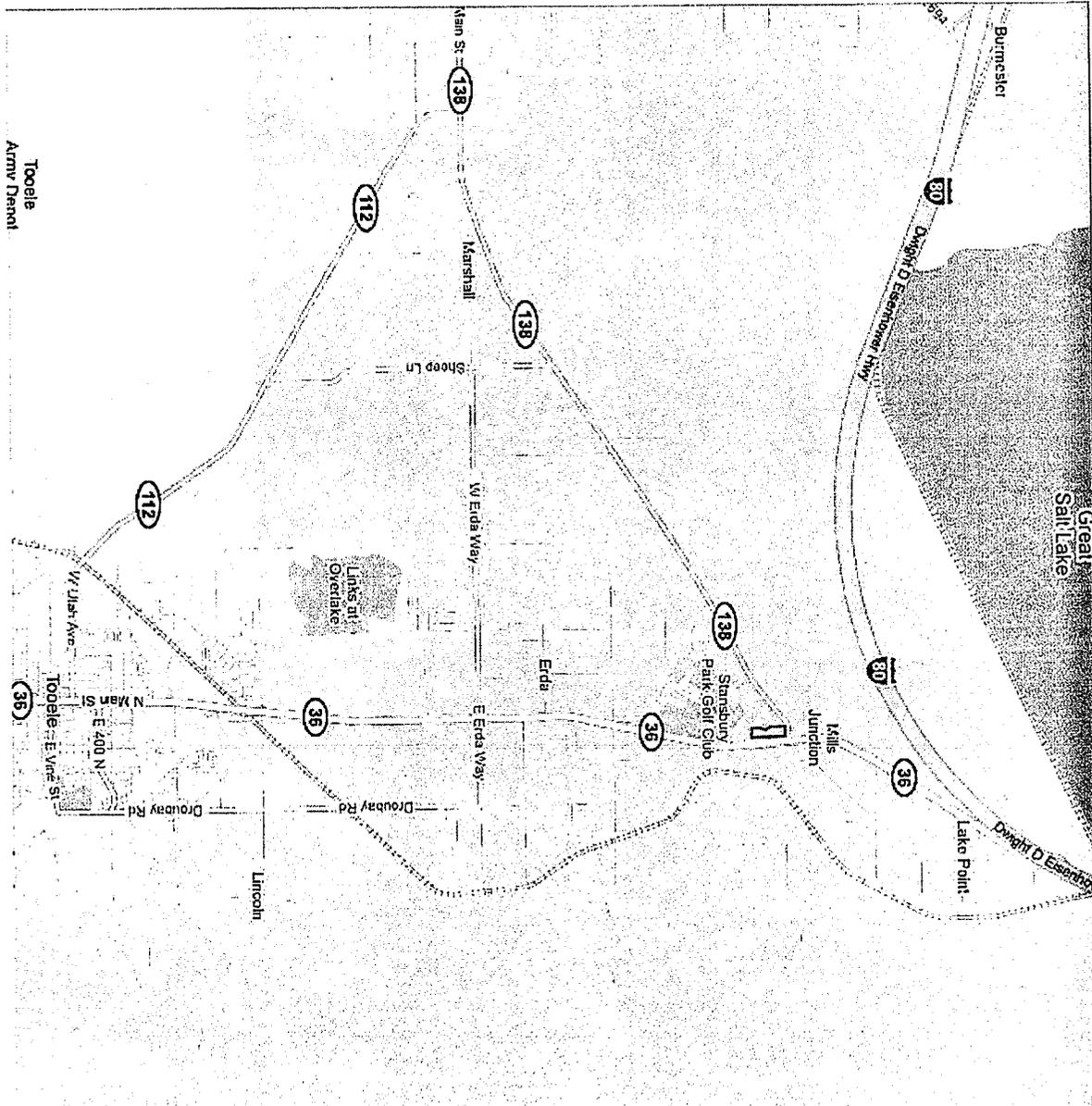
/s/ Marilyn Gillette
County Clerk

North Stansbury Retail Community Development Project Area.

The boundaries of the Project Area are described as follows:

Lot 3-Phase: 3 Gateway Neighborhood PUD amended

Beginning at a point which lies north $89^{\circ}57'10''$ east along the north line of the northwest quarter of section 15, Township 2 south, range 4 west, Salt Lake Base And Meridian, a distance of 1584.94 feet and north $00^{\circ}02'50''$ west, a distance of 146.82 feet from the northwest corner of said section 15, said point being the intersection of the westerly' right-of-way line of State Route 36 and the southerly right-of-way line of State Route 138; and running thence south $05^{\circ}12'08''$ east along said westerly right-of-way line. A distance of 1,846.55 feet; thence south $84^{\circ}46'10''$ west, a distance of 165.99 feet; thence south $05^{\circ}12'08''$ east, a distance of 93.00 feet; thence south $84^{\circ}46'10''$ west, a distance of 160.00 feet; thence south $05^{\circ}12'08''$ east, a distance of 260.00 feet to the northerly right-of-way line of Stansbury Parkway; thence south $84^{\circ}46'10''$ west along said northerly right-of-way line. A distance of 253.32 feet; thence north $04^{\circ}37'32''$ west, a distance of 288.40 feet to a point of curve to the right having a radius of 370.00 feet and a central angle of $32^{\circ}32'40''$; thence northerly along the arc of said curve a distance of 210.16 feet; thence north $27^{\circ}55'08''$ east, a distance of 208.17 feet; thence north $62^{\circ}04'52''$ west, a distance of 60.00 feet to the point of curve of a non tangent curve to the left. Of which the radius point lies south $76^{\circ}34'57''$ west, a radial distance of 660.02 feet; thence northwesterly along the arc of said curve, through a central angle of $25^{\circ}09'05''$, a distance of 289.73 feet; thence north $38^{\circ}34'04''$ west, a distance of 14.09 feet to a point of curve to the right having a radius of 470.00 feet and a central angle of $33^{\circ}22'00''$; thence northerly along the arc of said curve a distance of 273.71 feet; thence north $05^{\circ}12'08''$ west. A distance of 966.92 feet to the southerly right-of-way line of State Route 138; thence north $84^{\circ}47'52''$ east along said southerly right-of-way line, a distance of 640.05 feet to the point of beginning. Contains 1,187,765.91 square feet or 27.267 acres more or less.



TOOELE COUNTY BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2008-21

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WHEREAS the Act also requires certain notice to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-106.

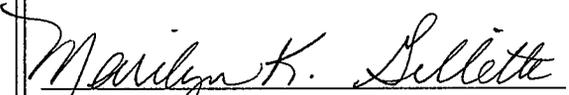
NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

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2. The City Staff is hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106(1)(a)(i), substantially in the form attached hereto as **EXHIBIT B**, whereupon the Official Plan shall become effective pursuant to UCA § 17C-4-106(2)(a).
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4. This ordinance shall take effect immediately upon publication and recording.

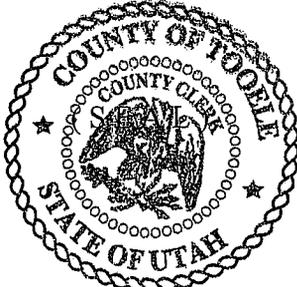
APPROVED AND ADOPTED this 21ST day of October, 2008.

ATTEST:


Marilyn K. Gillette, Clerk

TOOELE COUNTY COMMISSION:


Colleen S. Johnson, Chairman



Commissioner Johnson voted yes
Commissioner Clegg voted yes
Commissioner Hurst voted yes

APPROVED AS TO FORM:


Doug Hogan
Tooele County Attorney

EXHIBIT A

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North Stansbury Retail Community Development Project Area.

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EXHIBIT B

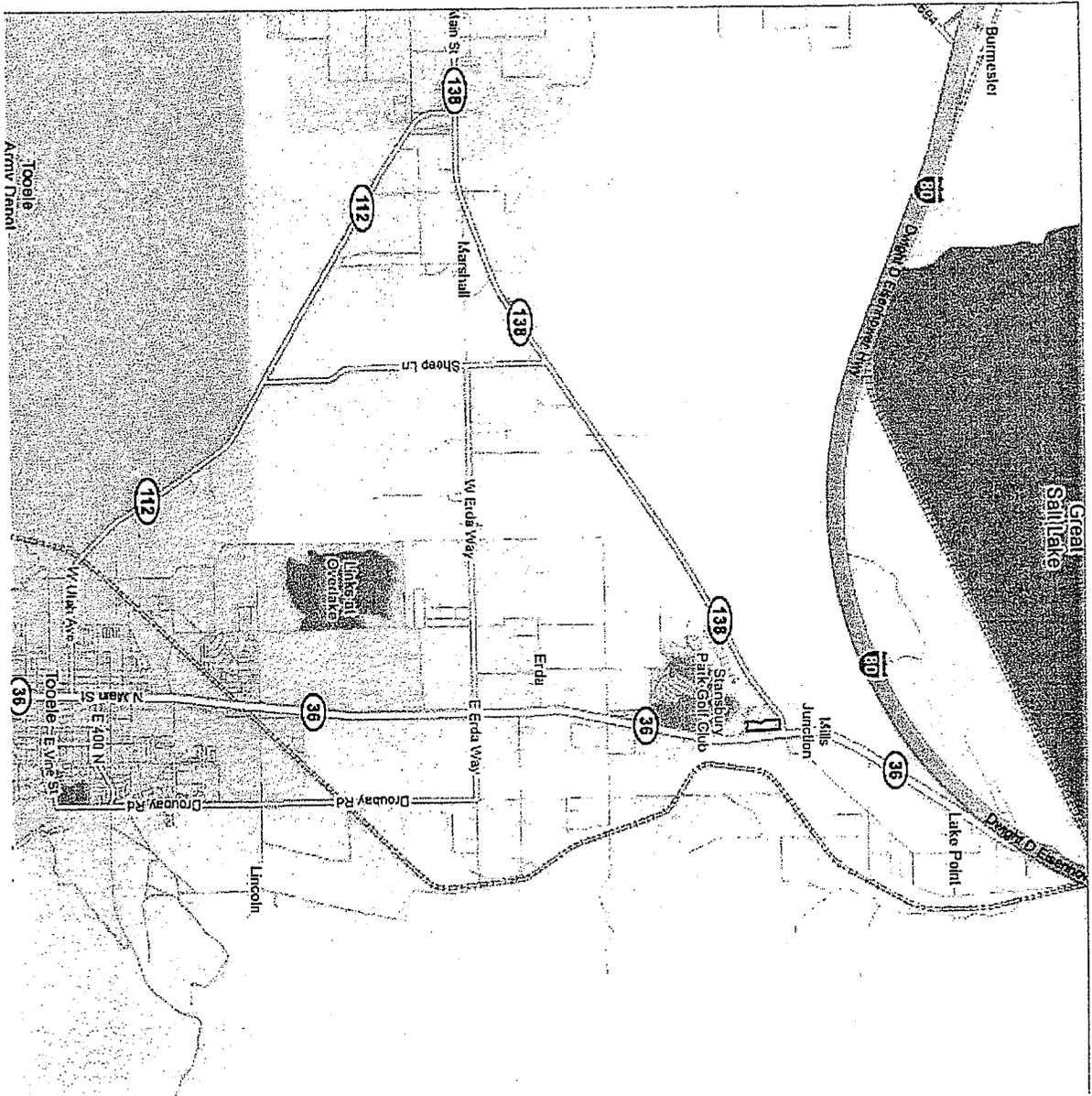
Notice of Adoption of Ordinance 2008-21 by the Tooele County Board of County Commissioners

Pursuant to Section 17C-4-106(1), Utah Code, the Tooele County Board of County Commissioners (the "County Commission") is providing this notice with respect to Ordinance 2008-20 which was passed by the County Commission on October 21, 2008, adopting the North Stansbury Retail Community Development Project Area Plan, as approved by the Board of the Redevelopment Agency of Tooele County (the "Agency"), as the Official Community Development Project Area Plan for the North Stansbury Retail Community Development Project Area (the "Official Plan"), and directing that the notice of adoption be given as required by law. Ordinance 2008-21 and the Official Plan shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Official Plan. The Official Plan is available for general public inspection at the office of the Tooele County Clerk located at 47 S. Main St., Tooele, Utah, during regular office hours of 8:00 am to 5:00 pm, Monday through Friday.

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Published: October 23, 2008.

/s/ Marilyn Gillette
County Clerk



Toobla Army Barracks

Lincoln

Stangbury Park Golf Club

Great Salt Lake

Lake Point

Dwyer D. Erda

Burmeslei

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