

TOOELE COUNTY COMMISSION

ORDINANCE NO. 2010-19

AN ORDINANCE OFFICIALLY ADOPTING THE *SALT POINTE COMMERCE CENTER COMMUNITY DEVELOPMENT PROJECT AREA PLAN*, AS APPROVED BY THE REDEVELOPMENT AGENCY OF TOOELE COUNTY, 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 Salt Pointe Commerce Center Community Development Project Area, the legal description and map 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 September 7, 2010, pursuant to UCA § 17C-4-102(1)(d), adopted the Draft Plan as the Official Community Development Project Area Plan for the Salt Pointe Commerce Center Community Development Project Area; 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 COMMISSION AS FOLLOWS:

1. The County Commission hereby adopts the Salt Pointe Commerce Center Community Development Project Area Plan, as approved by the Agency, as the Official Community Development Project Area Plan for the Salt Pointe Commerce Center Community Development Project Area (the "Official Plan").
2. The County and Agency Staff are 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 September 7, 2010.

Attest:

Marilyn K. Gillette
County Clerk

Colleen Johnson
Chair, Tooele County Commission

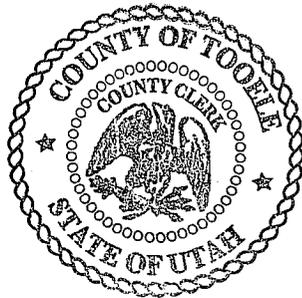


EXHIBIT A

Project Area Legal Description and Map

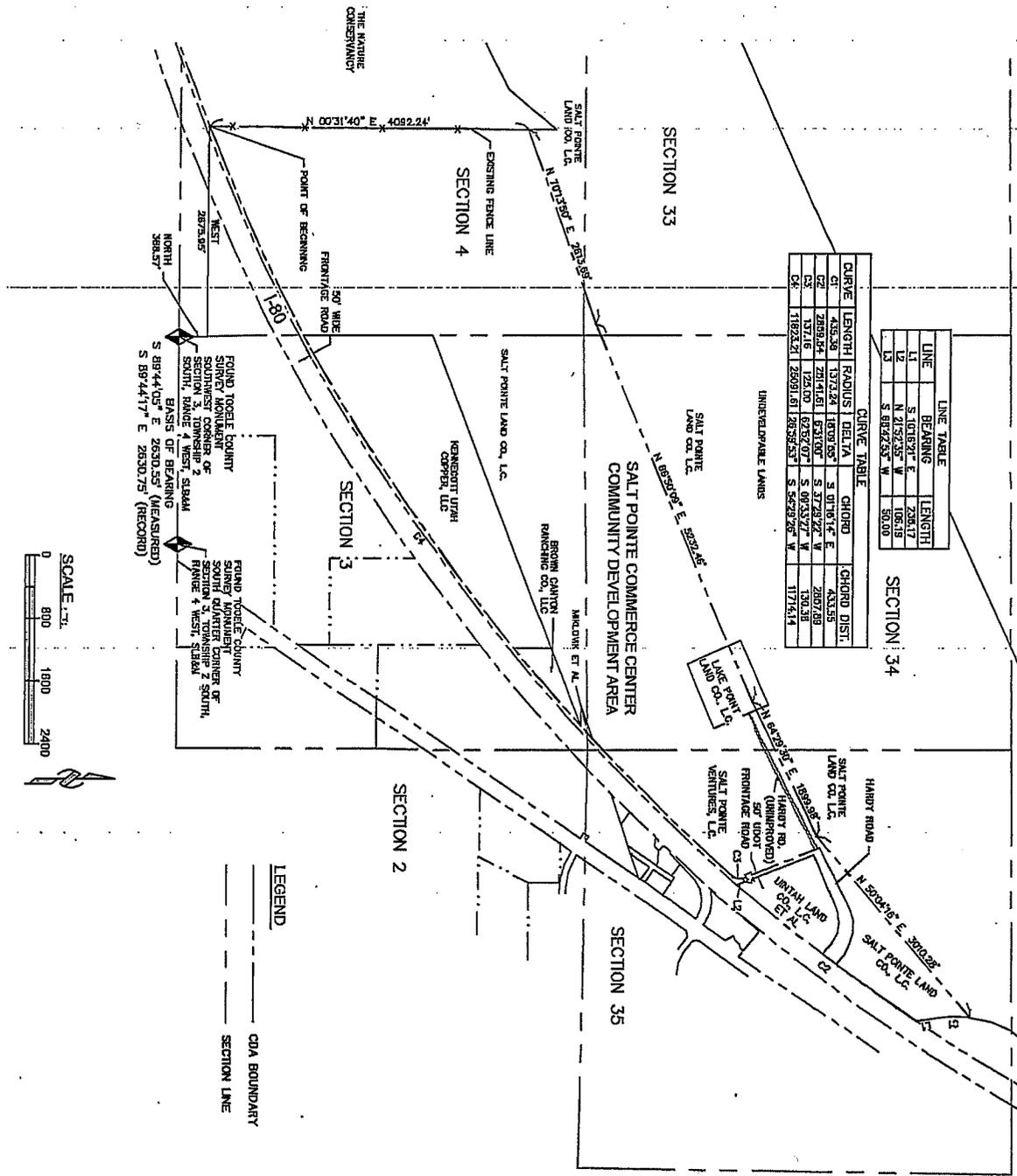
A PARCEL OF LAND LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 2 SOUTH, RANGE 4 WEST SLB&M, AND SECTIONS 33, 34 AND 35, TOWNSHIP 1 SOUTH, RANGE 4 WEST, SLB&M, TOOELE COUNTY, UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY HIGHWAY RIGHT-OF-WAY LINE OF A FIFTY FOOT (50.00') FRONTAGE ROAD TO INTERSTATE 80 (PROJECT NO. 1-80-2(3)79); SAID POINT BEING DUE NORTH 368.57 FEET AND DUE WEST 2675.95 FEET, MORE OR LESS FROM THE FOUND TOOELE COUNTY SURVEY MONUMENT REPRESENTING THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE COUNTY DEPENDENT RESURVEY OF TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, RECORDED AS ENTRY NO. 365712 IN BOOK 226 AT PAGE 93-94 IN THE OFFICE OF THE TOOELE COUNTY RECORDER AND RUNNING THENCE NORTH 00°31'40" EAST ALONG A FENCE LINE REPRESENTING THE WEST LINE OF THE EAST HALF OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, 4092.24 FEET; THENCE NORTH 70°13'50" EAST 2613.69 FEET; THENCE NORTH 66°50'09" EAST 5232.46 FEET; THENCE NORTH 64°29'30" EAST 1899.98 FEET; THENCE NORTH 50°04'16" EAST 3010.28 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE 80 AND TO A POINT ON A 1373.24 FOOT RADIUS CURVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: 1) SOUTHERLY ALONG THE ARC OF A 1373.24 FOOT RADIUS CURVE TO THE LEFT, THE LONG CHORD OF WHICH BEARS SOUTH 01°16'14" EAST 433.55 FEET; THROUGH A CENTRAL ANGLE OF 18°09'55" A DISTANCE OF 435.38 FEET; 2) SOUTH 10°16'21" EAST 235.17 FEET; AND 3) SOUTHWESTERLY ALONG THE ARC OF A 25,141.61 FOOT RADIUS CURVE TO THE RIGHT, LONG CHORD BEARS SOUTH 37°29'22" WEST 2857.89 FEET; THROUGH A CENTRAL ANGLE OF 06°31'00" A DISTANCE OF 2,859.54 FEET; THENCE NORTH 21°52'35" WEST 106.19 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHERLY FRONTAGE ROAD OF SAID INTERSTATE 80, AT STATION P.T. 130+28.15 AS CREATED BY THAT CERTAIN FRONTAGE ROAD CENTERLINE ON SHEET NUMBER 23 OF SAID PROJECT NO. 1-80-2(3)79; THENCE SOUTH 68°42'53" WEST 50.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FRONTAGE ROAD; THENCE ALONG THE WESTERLY AND NORTHERLY RIGHT-OF-WAY LINES OF SAID FRONTAGE ROAD THE FOLLOWING TWO (2) COURSES: 1) SOUTHERLY ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT THE LONG CHORD OF WHICH BEARS SOUTH 09°33'27" WEST 130.38 FEET, THROUGH A CENTRAL ANGLE OF 62°52'07" A DISTANCE OF 137.16 FEET TO A POINT OF COMPOUND CURVATURE; AND 2) SOUTHWESTERLY ALONG THE ARC OF A 25,091.61 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS SOUTH 54°29'26" WEST 11,714.14 FEET THROUGH A CENTRAL ANGLE OF 26°59'53" A DISTANCE OF 11,823.21 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINS 738.0 ACRES, MORE OR LESS.

BASIS OF BEARING FOR THIS DESCRIPTION IS SOUTH 89°44'05" EAST 2630.55 FEET (MEASURED) BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN.

UTAH DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY DRAWINGS FOR PROJECT NO. 1-80-2(3)79 WERE ROTATED COUNTER CLOCKWISE 00°09'25" TO MATCH DESCRIPTION BASIS OF BEARING.



SECTION 34

| LINE | BEARING | LENGTH |
|------|---------------|--------|
| L1 | S 10°18'27" E | 238.17 |
| L2 | N 21°52'35" W | 108.19 |
| L3 | S 81°22'55" W | 50.00 |

SECTION 35

| CURVE | LENGTH | RADIUS | DELTA | CHORD | CHORD DIST. |
|-------|---------|---------|---------|---------------|-------------|
| C1 | 428.34 | 2141.71 | 180.95° | S 01°06'14" E | 433.55 |
| C2 | 289.84 | 1449.21 | 183.09° | S 47°28'42" W | 299.789 |
| C3 | 137.16 | 124.00 | 182.07° | S 09°55'47" W | 150.419 |
| C4 | 1182.21 | 2469.61 | 183.55° | S 85°23'26" W | 1171.614 |

ROUND TOPBEL COUNTY
SUNBELT MUNICIPAL
SOUTH QUARTER CORNER OF
SECTION 3, TOWNSHIP 2
SOUTH, RANGE 4 WEST, S144M
BASIS OF BEARING
S 89°44'05" E 2630.55' (MEASURED)
S 89°44'17" E 2630.75' (RECORD)



LEGEND

--- COA BOUNDARY

--- SECTION LINE

EXHIBIT B

Notice of Adoption of Ordinance ____ by the Tooele County Commission

Pursuant to Section 17C-4-106(1), Utah Code, the Tooele County Commission (the "County Commission") is providing this notice with respect to Ordinance ____ which was passed by the County Council on September 7, 2010, adopting the Salt Pointe Commerce Center Community Development Project Area Plan, as approved by the Redevelopment Agency of Tooele County (the "Agency"), as the Official Community Development Project Area Plan for the Salt Pointe Commerce Center Community Development Project Area (the "Official Plan"), and directing that the notice of adoption be given as required by law. Ordinance ____ 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 Redevelopment Agency located at 47 South Main in Tooele, Utah, during regular office hours of 7:00 am to 6:00 pm, Monday through Thursday.

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.