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When recorded return to:
South Jordan City
1600 W. Towne Center Dr.
South Jordan, UT 84095

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10/31/2008 01:33 PM \$0.00
Book - 9655 Pg - 7841-7862
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH JORDAN
1600 W TOWNE CENTER DR
SOUTH JORDAN UT 84095-8265
BY: ZJM, DEPUTY - WI 22-P 6p.

South Jordan City
Ordinance 2008-17

AN ORDINANCE ADOPTING THE DAYBREAK COMMERCE
PARK COMMUNITY DEVELOPMENT PROJECT AREA PLAN,
AS APPROVED BY THE SOUTH JORDAN CITY
REDEVELOPMENT AGENCY, AS THE OFFICIAL URBAN
RENEWAL PROJECT AREA PLAN FOR THE DAYBREAK
COMMERCE PARK COMMUNITY DEVELOPMENT PROJECT
AREA, AND DIRECTING THAT THE NOTICE OF THE
ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

CITY OF SOUTH JORDAN CITY COUNCIL

ORDINANCE NO. 2008-17

AN ORDINANCE ADOPTING THE *DAYBREAK COMMERCE PARK COMMUNITY DEVELOPMENT* PROJECT AREA PLAN, AS APPROVED BY THE SOUTH JORDAN CITY REDEVELOPMENT AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE DAYBREAK COMMERCE PARK COMMUNITY DEVELOPMENT PROJECT AREA, AND DIRECTING THAT THE NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS the South Jordan City Redevelopment Agency (the "Agency"), having prepared a Draft Community Development Project Area Plan (the "Draft Plan") for the Daybreak Commerce Park 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 7, 2008, pursuant to UCA § 17C-4-102(1)(d), adopted the Draft Plan as the Official Community Development Project Area Plan for Daybreak Commerce Park Community Development Project Area (see Agency Resolution No. RDA 2008-15); 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 CITY OF SOUTH JORDAN CITY COUNCIL AS FOLLOWS:

1. The City of South Jordan City Council hereby adopts the Daybreak Commerce Park Community Development Project Area Plan, as approved by the Agency (*see* Agency Resolution No. RDA 2008-15), as the Official Community Development Project Area Plan for the Daybreak Commerce Park 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 14th day of October, 2008.

Attest:

Anna M. West
City Recorder



Roll Call Vote:

	YES	NO	ABSTAIN	ABSENT
Brian C. Butters	<u>X</u>	___	___	___
Kathie L. Johnson	<u>X</u>	___	___	___
Larry Short	<u>X</u>	___	___	___
Aleta A. Taylor	<u>X</u>	___	___	___
Leona Winger	<u>X</u>	___	___	___

EXHIBIT A

BEGINNING at the Northwest Corner of Section 15, Township 3 South Range 2 West, Salt Lake Base and Meridian and running South 89°56'42" East along the north line of said section 15 for 2648.259 feet to the North Quarter Corner of said Section 15; thence continuing South 89°55'07" East along the north line of Section 15 for 2652.296 feet to the Northwest Corner of Section 14, Township 3 South Range 2 West, Salt Lake Base and Meridian; thence South 89°55'21" East along the north line of Section 14 for 2653.679 feet to the North Quarter corner of said Section 14; thence South 89°55'04" East along the north line of said Section 14 for 159.054 feet to a point on the easterly line of Kennecott Utah Copper Corporation as recorded in Book 9471 at Page 2335 in the office of the Salt Lake County Recorder; thence along the east line of said Kennecott Copper Corporation the following two (2) calls thence with a non-tangent curve to the right having a radius of 13,759.950 feet, whose center bears South 80°09'26" West with a central angle of 03°23'54" (chord bearing and distance of South 08°08'37" East - 816.012 feet) for an arc length of 816.132 feet; thence South 00°00'41" West for 368.027 feet to a point on the northeasterly line of lot OS1 and the southeasterly line of lot B2 of the Kennecott Daybreak Master Subdivision #1 as recorded in Book 2002P at Page 273 in the office of the Salt Lake County Recorder; thence North 55°27'50" East along the southeasterly line of said lot B2 for 49.503 feet to the northeast corner of said OS1 lot; thence South 00°02'49" West along the east line of said OS1 lot for 953.514 feet to the southeast corner of said OS1 lot; thence South 63°32'01" West along the southeasterly line of said OS1 lot for 3471.130 feet; thence with a curve to the right, having a radius of 1000.000 feet, with a central angle of 26°23'32" (chord bearing and distance of South 76°43'47" West - 456.571) for an arc length of 460.633 feet to a point on the south line of said OS1 lot; thence South 89°55'33" West along the south line of said OS1 lot for 75.200 feet to a point on the westerly boundary of the said Kennecott Daybreak Master Subdivision #1; thence along the westerly boundary of said Kennecott Daybreak Master Subdivision #1 the following nineteen (19) calls: North 00°04'27" West for 1075.580 feet; thence North 70°32'11" West for 679.750 feet; thence North 32°28'51" West for 429.340 feet; thence North 25°09'37" West for 219.480 feet; thence North 54°23'20" West for 67.210 feet; thence North 71°54'33" West for 83.160 feet; thence South 87°43'11" West for 366.060 feet; thence South 71°57'46" West for 162.800 feet; thence South 84°04'01" West for 113.990 feet; thence North 87°25'43" West for 89.260 feet; thence North 79°38'44" West for 107.140 feet; thence North 72°57'41" West for 348.270 feet; thence North 78°14'53" West for 465.783 feet; thence South 89°55'33" West for 1887.661 feet; thence North 06°31'26" West for 48.941 feet; thence North 00°48'48" West for 251.250 feet; thence North 06°31'26" West for 687.100 feet; thence with a curve to the right having a radius of 5,654.580 feet, with a central angle of 05°38'46" (chord bearing and distance of North 03°42'03" West - 556.993 feet) for an arc length of 557.221 feet; thence North 87°56'32" East for 87.075 feet to a point on the west line of said Section 15; thence North 00°16'12" West along the west line of Section 15 for 153.001 feet to the POINT OF BEGINNING.

Containing 19,644,884 sq. ft. or 450.9845 acres.

October 7, 2008

4826-3076-2242SO073-003

BK 9655 PG 7844

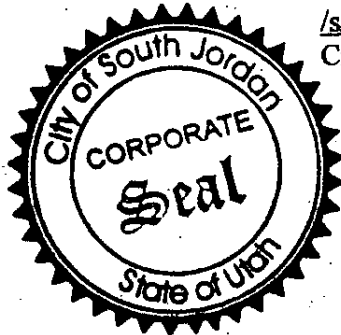
EXHIBIT B

Notice of Adoption of Ordinance 2008-17 by the City of South Jordan City Council

Pursuant to Section 17C-4-106(1), Utah Code, the City of South Jordan City Council (the "City Council") is providing this notice with respect to Ordinance 2008-17 which was passed by the City Council on October 7, 2008, adopting the Daybreak Commerce Park Community Development Project Area Plan, as approved by the South Jordan City Redevelopment Agency (the "Agency"), as the Official Community Development Project Area Plan for the Daybreak Commerce Park Community Development Project Area (the "Official Plan"), and directing that the notice of adoption be given as required by law. Ordinance 2008-17 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 City South Jordan City Recorder located at 1600W. Towne Center Drive, South Jordan, 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 31, 2008.



/s/ Anna West
City Recorder

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