



\*W3182536\*

EH 3182536 PG 1 OF 63  
LEANN H KILTS, WEBER COUNTY RECORDER  
09-SEP-21 202 PM FEE \$4.00 DEP TN  
REC FOR: OGDEN CITY

**ORDINANCE NO. 2021-44**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OGDEN, STATE OF UTAH, TERMINATING AND DISSOLVING CERTAIN REDEVELOPMENT PROJECT AREAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF OGDEN CITY AS FOLLOWS:**

This Ordinance pertaining to the **“Termination and Dissolution of Certain Redevelopment Project Areas”**, is hereby enacted to read as follows:

**WHEREAS**, pursuant to Utah Code Ann. 17C-1-702, a project area remains in existence until a resolution dissolving the project area is adopted by the Redevelopment Agency of Ogden City (the “Agency”) and an ordinance is adopted by the community legislative body; and

**WHEREAS**, the Ogden City Council has determined that it is in the best interest of Ogden City to dissolve the project areas listed in Exhibit “A”; and

**WHEREAS**, any further tax increment from the project areas referenced in Exhibit “A” shall not be collected, excepting the Ogden-Hinckley Airport Redevelopment Project Area whose final distribution of increment will be in March of 2022 for property tax increment collected in calendar year 2021.

**WHEREAS**, any outstanding funds or obligations pertaining to any of the project areas listed in Exhibit “A” will be subject to the terms and conditions of that project area’s plan;

**NOW THEREFORE**, the Ogden City Council hereby approves and authorizes the dissolution of the project areas listed in Exhibit “A” covering the property described on the exhibits attached hereto and made a part hereof.

**PASSED, ADOPTED AND ORDERED PUBLISHED** by the City Council of Ogden City,

Utah this 17th day of August, 2021

*Bart E Blair*  
Bart E Blair (Sep 9, 2021 11:57 MDT)

**BART BLAIR, COUNCIL CHAIR**

ATTEST:

*Tracy Hansen*

CITY RECORDER

TRANSMITTED TO THE MAYOR ON: 9/9/21



MAYOR'S ACTION  APPROVED  VETOED

Michael P Caldwell  
Michael P Caldwell (Sep 9, 2021 14:02 EDT)

MAYOR

ATTEST:

Tracy Hansen

CITY RECORDER



POSTING DATE: 9/9/21

EFFECTIVE DATE: 9/9/21

APPROVED AS TO FORM: James Tanner (Sep 9, 2021 10:25 MDT)  
LEGAL

Sep 9, 2021  
DATE

# Exhibit A

<b><u>Project Area Name</u></b>	<b><u>Recorded</u></b>	<b><u>Entry Number</u></b>
25 <sup>th</sup> Street Redevelopment Project	August 16, 1985	944952
Washington Boulevard Redevelopment Project	September 23, 1983	890917
Golden Links Redevelopment Project Area	September 19, 1986	982844
Lester Park Redevelopment Area	September 19, 1986	982845
Park Boulevard Redevelopment Area	October 17, 1986	985959
Defense Depot Ogden Economic Development Project Area	February 8, 1999	1611676
Iomega Economic Development Project Area	November 23, 1999	1675441
American Can Redevelopment Project Area	December 21, 1999	1680527
Wall Avenue Redevelopment Plan	December 19, 2000	1742826
West 12 <sup>th</sup> Street Economic Development Plan	May 30, 2001	1773356
Hinckley Drive Economic Development Plan	October 31, 2001	1805031
Ogden-Hinckley Airport Redevelopment Project Area	January 10, 1990	1098900

944952

PLATED  
ENTERED  VERIFIED  
 MICROFILMED

DOUG HIGGINS  
WEBER COUNTY RECORDER  
DEPUTY *Wendy Riechert*

AUG 16 9 40 AM '85

FILED AND RECORDED FOR  
*Ogden City*

OF 63

254 51

101-017-0023 TO 0040  
101-018-0017 TO 0024  
101-019-0001 TO 0012  
101-020-0002 TO 0006  
101-021-0021 TO 0023  
101-021-0041 TO 0043  
101-021-0079 TO 0082  
101-029-0001 TO 0002  
101-074-0001 TO 0018  
0026, 0027, 0028, 0032, 0033, 0035, 0036  
0013, 0015 TO 0018, 0020  
0027 TO 0030, 0032, 0034, 0063  
0006, 0008 TO 0013, 0015 TO 0018, 0020  
0027 TO 0030, 0032, 0034, 0063  
0059, 0062, 0064, 0066, 0067  
0003, 0004, 0005, 0006, 0007  
0001 TO 0002, 0003, 0004, 0005, 0006, 0007

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03-004-0007

When recorded, please mail to:

Mr. Robert O. Scott  
Ogden City Neighborhood Development Agency  
252 - 25th Street  
Ogden, Utah 84401

NOTICE OF ADOPTION OF REDEVELOPMENT PLAN ENTITLED "25TH STREET REDEVELOPMENT PROJECT" AND DATED 4-26-79

Pursuant to Section 11-19-32.1, Utah Code Annotated, 1953, as amended, the following information is recorded in the Office of the Recorder of Weber County:

(1) A Description of the Land Within the Project Area.

All of Blocks 19, 20, 23, 24, 25 and 33, Plat "A" and part of Block 2, Five Acre Plat A in Ogden City, Weber County, Utah; together with the dedicated streets abutting and adjacent to said blocks.

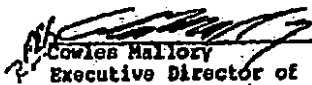
Beginning at the Northeast corner of Block 24 in said Plat A; and running thence North 0° 58' East 400.22 feet along the west line of Grant Avenue; thence North 89° 06' 12" West 165 feet; thence South 0° 58' West 35.2 feet; thence North 89° 06' 12" West 601 feet to a point on the West line of Lincoln Avenue; thence South 0° 58' West 897.04 feet along the West line of said Lincoln Avenue to where it intersects with the South line of Depot Alley; thence along the South line of said Depot Alley as follows: North 89° 03' 24" West 382.10 feet; thence South 0° 58' West 12 feet; thence North 89° 03' 24" West 333.4 feet along the South line and the extension of the South line of said Depot Alley to where it intersects with the centerline of Wall Avenue; thence North 89° 02' West 300 feet; thence South 0° 58' West 376.39 feet parallel to the centerline of Wall Avenue; thence South 89° 02' East 553.5 feet; thence South 0° 58' West 8.17 feet; thence South 89° 02' East 345 feet; thence North 0° 58' East 64 feet; thence South 89° 02' East 116 feet to a point on the West line of Lincoln Avenue; thence South 0° 58'

- 2 -

West 31.68 feet along the West line of said Lincoln Avenue; thence South 89° 02' East 865 feet to a point on the East line of Grant Avenue; thence North 0° 58' East 631.292 feet; thence South 89° 06' 12" East 663.3 feet to a point on the West line of Washington Boulevard; thence South 89° 02' East 132 feet to a point on the East line of Washington Boulevard; thence North 0° 58' East 267.078 feet along the East line of said Washington Boulevard to where it intersects with the South line of 24th Street; thence along the South line of said 24th Street as follows North 89° 02' West 66 feet; thence North 89° 09' West 828.30 feet to the point of beginning. Containing 38.035 acres, more or less.

(2) A Statement that the Redevelopment Plan for the Project Area has been Approved. The City Council of Ogden City has adopted a redevelopment plan entitled "25th Street Redevelopment Project" dated 4-26-79 by Ordinance No. 15-79 dated 4-26-79.

(3) The Date of Approval. The Redevelopment Plan was approved on the 26th day of April at the time the Ordinance was adopted and became effective on the 22nd day of May, 19 79 twenty days following the date that the Ordinance was first published.

  
Cowles Mallory  
Executive Director of the  
Ogden City Neighborhood  
Development Agency

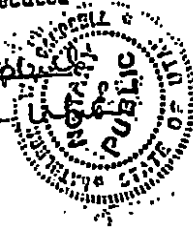
BOOK 1473 PAGE 1265

STATE OF UTAH  
COUNTY OF WEBER

1  
188.  
1

On this 15 day of August, 1985, personally appeared before me, Cowles Mallory, the signer of the within instrument, who duly acknowledged to me that he executed the same.

*Kathleen W. Campbell*  
Notary Public  
Residing at: *Ogden*



My Commission expires:

10-29-86

BOOK 1473 PAGE 1266

Call  
6318

ORDINANCE NO. 30-83

BY: Robert E. Haggins

AN ORDINANCE OF OGDEN CITY ADOPTING A REDEVELOPMENT PLAN AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT AREA DESCRIBED AS FOLLOWS:

All of H. D. Wise Subdivision of Lot 2 and all of Blocks 17 and 26, and a part of Blocks 12 and 25, Plat A, in Ogden, City, Weber County, Utah.

Beginning at the northwest corner of Lot 4, of said Block 25, said point being North 0°58' East 449.112 feet and South 89°02' East 49.5 feet from the Ogden City Survey Monument Number 9, located at the intersection of the centerlines of 25th Street and Grant Avenue; and running thence along the north lines extended of Lots 4 and 9 of said Block 25 South 89°06'12" East 663.3 feet to a point on the west line of Washington Boulevard; thence South 89°02' East 132 feet to a point on the east line of Washington Boulevard; thence along said east line extended North 0°58' East 316.578 feet to a point on the centerline of 24th Street; thence along said 24th Street centerline South 89°02' East 710.48 feet to a point on the centerline of Adams Avenue; thence along said Adams Avenue centerline South 0°58' West 1,795.225 feet; thence North 89°02' West 181.696 feet to a point on the West line of Lot 10 of said Block 12; thence South 0°58' West 115.5 feet to the Southwest corner of said Lot 10; thence North 89°02' West 17.804 feet; thence South 0°58' West 47.33 feet; thence South 89°02' East 17.804 feet to a point on the West line of Lot 1 of said Block 12; thence South 0°58' West 25.67 feet along said West Lot line to a point 73 feet South of the North line of said Lot 1; thence South 89°02' East 181.696 feet to a point on the centerline of Adams Avenue; thence along said Adams Avenue centerline South 0°58' West 308.825 feet to a point on the centerline of 27th Street; thence along said 27th Street centerline North 89°02' West 247.892 feet; thence North 0°58' East 214.5 feet; thence North 89°02' West 66 feet to a point on the West line of Lot 2 of said Block 12; thence South 0°58' West 55 feet; thence North 89°02' West 210.392 feet to a point which is 54 feet East of the West line of Lot 4 of said Block 12; thence South 0°58' West 159.5 feet to a point on the centerline of 27th Street; thence along said 27th Street centerline North 89°02' West 252.196 feet to a point on the centerline of Washington Boulevard; thence along said Washington Boulevard centerline North 0°58' East 1,526.05 feet to a point on the centerline of 25th Street; thence along said centerline of 25th Street North 89°02' West 427.65 feet to a point on the west line extended of Kiesel Avenue; thence along said west line extended of Kiesel Avenue North 0°58' East 304.152 feet to a point which lies South 0°58' West 12 feet from the southeast corner of Lot 4, Block 25; thence North 89°04'48" West 136.65 feet; thence South 0°58' West 35.5 feet; thence North 89°04'48" West 165 feet to a point on the East line

of  
West Blvd.

BUY 1432 PAGE 1751

of Grant Avenue, said point lying South 0°58' West 47.5 feet from the southwest corner of said Lot 4; thence along said East line of Grant Avenue North 0°58' East 180.704 feet to the point of beginning.

DESCRIBING THE PURPOSES AND INTENT OF THE COUNCIL WITH RESPECT TO THE DEVELOPMENT OF THE PROJECT AREA; INCORPORATING BY REFERENCE, THE REDEVELOPMENT PLAN FOR THE WASHINGTON BOULEVARD REDEVELOPMENT PROJECT, DESIGNATING THE APPROVED PLAN AS THE OFFICIAL REDEVELOPMENT PLAN OF THE PROJECT AREA; FINDING AND DECLARING THAT A PLAN WAS ADOPTED BY THE REDEVELOPMENT AGENCY AND APPROVED, AND RECOMMENDED FOR APPROVAL BY THE OGDEN CITY PLANNING COMMISSION; THAT A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL AS REQUIRED BY LAW AFTER LEGAL NOTICE; THAT THE PROJECT AREA IS A BLIGHTED AREA, THE REDEVELOPMENT OF WHICH IS NECESSARY TO EFFECTUATE THE PUBLIC PURPOSES OF THE UTAH NEIGHBORHOOD DEVELOPMENT ACT; THAT THE REDEVELOPMENT PLAN WOULD REDEVELOP THE AREA IN CONFORMITY WITH SAID ACT; THAT THE ADOPTION AND CARRYING OUT OF THE REDEVELOPMENT PLAN IS SOUND AND REASONABLE; THAT THE REDEVELOPMENT PLAN CONFORMS TO THE MASTER PLAN OF OGDEN CITY; THAT THE CARRYING OUT OF THE REDEVELOPMENT PLAN WOULD PROMOTE THE PUBLIC PEACE, HEALTH AND WELFARE OF THE COMMUNITY; THAT THE CONDEMNATION OF REAL PROPERTY, IF ANY, PROVIDED FOR IN THE PLAN IS NECESSARY TO THE EXECUTION OF THE REDEVELOPMENT PLAN AND ADEQUATE PROVISIONS HAVE BEEN MADE FOR PAYMENT OF PROPERTY, IF ANY, TO BE ACQUIRED AS PROVIDED BY LAW; THAT THE AGENCY HAS A FEASIBLE METHOD OR PLAN FOR RELOCATING PERSONS OR FAMILIES DISPLACED FROM THE PROJECT AREA, IF ANY, DISPLACEMENTS OCCUR; THAT THERE ARE OR WILL BE PROVIDED IN OTHER AREAS, NOT GENERALLY LESS DESIRABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED PERSONS OR FAMILIES, IF ANY, ADEQUATE HOUSING; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE TWENTY (20) DAYS AFTER PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Redevelopment Plan for Washington Boulevard Redevelopment Project. The Council finds and determines that the Ogden Neighborhood Development Agency prepared and adopted a Redevelopment Plan for the development of the Washington Boulevard Redevelopment Project which was submitted to the Ogden City Council on the 30th day of June, 1983.

The Council further finds that the Redevelopment Plan was submitted to the Ogden City Planning Commission which recommended the approval of the plan.

The Council further finds that it held a public hearing on the plan at its regular council meeting on the 4th day of August, 1983 and that notice of the filing of the Redevelopment Plan and the public hearing thereon had been given as provided by law. The Council further finds that at said hearing the Council considered the report of the development agency together with the rules governing participation, and all testimony for and against the adoption of the plan.

SECTION 2. Redevelopment Plan Adopted. The Redevelopment Plan together with the report and rules governing participation, submitted by the development agency on the 30th day of June, 1983 and hereby approved and adopted as the official Redevelopment Plan of the project area, which project area is more particularly described as follows:



BLVD 1432 PAGE 1752

All of H. D. Wise Subdivision of Lot 2 and all of Blocks 17 and 26, and a part of Blocks 12 and 25, Plat A, in Ogden, City, Weber County, Utah.

Beginning at the northwest corner of Lot 4, of said Block 25, said point being North  $0^{\circ}58'$  East 449.112 feet and South  $89^{\circ}02'$  East 49.5 feet from the Ogden City Survey Monument Number 9, located at the intersection of the centerlines of 25th Street and Grant Avenue; and running thence along the north lines extended of Lots 4 and 9 of said Block 25 South  $89^{\circ}05'12''$  East 663.3 feet to a point on the west line of Washington Boulevard; thence South  $89^{\circ}02'$  East 132 feet to a point on the east line of Washington Boulevard; thence along said east line extended North  $0^{\circ}58'$  East 316.578 feet to a point on the centerline of 24th Street; thence along said 24th Street centerline South  $89^{\circ}02'$  East 710.48 feet to a point on the centerline of Adams Avenue; thence along said Adams Avenue centerline South  $0^{\circ}58'$  West 1,795.225 feet; thence North  $89^{\circ}02'$  West 181.696 feet to a point on the West line of Lot 10 of said Block 12; thence South  $0^{\circ}58'$  West 115.5 feet to the southwest corner of said Lot 10; thence North  $89^{\circ}02'$  West 17.804 feet; thence South  $0^{\circ}58'$  West 47.33 feet; thence South  $89^{\circ}02'$  East 17.804 feet to a point on the West line of Lot 1 of said Block 12; thence South  $0^{\circ}58'$  West 25.67 feet along said West Lot line to a point 73 feet South of the North line of said Lot 1; thence South  $89^{\circ}02'$  East 181.696 feet to a point on the centerline of Adams Avenue; thence along said Adams Avenue centerline South  $0^{\circ}58'$  West 308.825 feet to a point on the centerline of 27th Street; thence along said 27th Street centerline North  $89^{\circ}02'$  West 247.892 feet; thence North  $0^{\circ}58'$  East 214.5 feet; thence North  $89^{\circ}02'$  West 66 feet to a point on the West line of Lot 2 of said Block 12; thence South  $0^{\circ}58'$  West 55 feet; thence North  $89^{\circ}02'$  West 210.392 feet to a point which is 54 feet East of the West line of Lot 4 of said Block 12; thence South  $0^{\circ}58'$  West 159.5 feet to a point on the centerline of 27th Street; thence along said 27th Street centerline North  $89^{\circ}02'$  West 252.196 feet to a point on the centerline of Washington Boulevard; thence along said Washington Boulevard centerline North  $0^{\circ}58'$  East 1,526.05 feet to a point on the centerline of 25th Street; thence along said centerline of 25th Street North  $89^{\circ}02'$  West 427.65 feet to a point on the west line extended of Kiesel Avenue; thence along said west line extended of Kiesel Avenue North  $0^{\circ}58'$  East 304.152 feet to a point which lies South  $0^{\circ}58'$  West 12 feet from the southeast corner of Lot 4, Block 25; thence North  $89^{\circ}04'48''$  West 136.65 feet; thence South  $0^{\circ}58'$  West 35.5 feet; thence North  $89^{\circ}04'48''$  West 165 feet to a point on the East line of Grant Avenue, said point lying South  $0^{\circ}58'$  West 47.5 feet from the southwest corner of said Lot 4; thence along said East line of Grant Avenue North  $0^{\circ}58'$  East 180.704 feet to the point of beginning. Containing 44.04 acres.

6-11-19

**SECTION 3.** The purpose and intent of the Ogden City Council with respect to the project area is hereby determined to be the carrying out of the Redevelopment Plan hereby adopted so as to remove the blighted condition of the project area and to otherwise fully promote the public peace, health, safety and welfare of the community in general and the project area in particular.

**SECTION 4.** The Redevelopment Plan, as modified and so-adopted, is hereby made a part of the ordinances by reference, and copies thereof are available for public inspection and use in the office of the Ogden City Recorder.

**SECTION 5.** The Council hereby finds and determines, upon the facts known to it and upon the facts and testimony submitted to it at the public hearing:

(a) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Utah Neighborhood Development Act, as set forth in Utah Code Annotated, Section 11-9-1, et. seq.

(b) The Redevelopment Plan would redevelop the area in conformity with the Utah Neighborhood Development Act and in the interest of the public peace, health, safety and welfare.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

(d) The Redevelopment Plan conforms to the master plan of the community.

(e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.

(f) The condemnation of real property, as provided for in the Redevelopment Plan may be necessary to the execution of the Redevelopment Plan and adequate provisions have been made for payment of the property to be acquired, as provided by law.

(g) The agency has a feasible method and plan for the relocation of families and persons temporarily or permanently displaced from housing facilities in the project area.

(h) There are, or, are being provided in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

**SECTION 6.** The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

**SECTION 7: Declaration of Community Intent to Carry Out Plan.** The Council further ordains that it is its intent to undertake and complete all proceedings necessary to be carried out by the community under the provisions of the plan here adopted and approved.

BOOK 1432 PAGE 1754

SECTION 6. Effective date. This ordinance shall become effective 20 days after publication after final passage.

PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden City, Utah, this 1st day of September, 1983.

*[Handwritten Signature]*  
MAYOR

ATTEST:

*[Handwritten Signature]*

ASSISTANT CITY RECORDER

01-010-0001 to 0006, 0009, 0010, 0025 to 0030, 0039 to 0041  
01-010-0042, 0055, 0056  
01-015-0011 to 0043, 0050, 0051, 0052, 0049, 0050, 0051  
01-022-0001 to 0030, 0031, 0032, 0033, 0034, 0035, 0036, 0037, 0038, 0039, 0040, 0041  
01-021-0001 to 0010, 0019, 0020, 0021, 0022, 0023, 0024, 0025, 0026, 0027  
01-021-0028 to 0070, 0077

MAILED *[Signature]*  
INDEXED *[Signature]*

890917

DOUGLAS S. WEBER  
CITY RECORDER  
DEPUTY *[Signature]*  
SEP 23 4 41 PM '83

FILED  
*Ogden City*

PLANNING  
ENTERED

2000-0016 2000-0017  
2000-0018 2000-0019

982844

DEPT. CITY CLERK  
DEPT. CITY CLERK

SEP 19 3 31 PM '06

FILED AND RECORDED FOR  
Ogden City

ORDINANCE NO. 26-06

BY: ROBERT E. RIGGINS

**AN ORDINANCE OF OGDEN CITY ADOPTING A REDEVELOPMENT PLAN AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT AREA DESCRIBED AS FOLLOWS:**

EH 3182536 PG

A part of Lots 2, 3, 4 and 5, Block 33, Plat "C", Ogden City Survey, Ogden City Weber County, Utah:

Beginning at a point which is West (North 89°02' West) 66.00 feet from the Southeast Corner of said Lot 4 (Point is also South 89°02' East 287.20 feet and North 0°38' East 49.70 feet from the Ogden City Monument at the intersection of Van Buren Avenue and 24th Street); running thence North (North 0°38' East) 163 feet (163.84 feet), thence West (North 89°02' West) 66.00 feet, thence North (North 0°38' East) 163 feet (163.84 feet), thence East (South 89°02' East) 132.00 feet, thence North (more or less) 33 feet, thence East (more or less) 112 feet, thence South (more or less) 33 feet, thence East (South 89°02' East) 7.30 feet, thence South (South 0°38' West) 163 feet (163.84 feet), thence West (North 89°02' West) 133.10 feet, thence South (South 0°38' West) 163 feet (163.84 feet) to the North line of 24th Street, thence West (North 89°02' West) 70.40 feet along said North Line to the point of beginning.

Contains 62,860.70 Square Feet or 1.44 Acres.

DESCRIBING THE PURPOSES AND INTENT OF THE COUNCIL WITH RESPECT TO THE DEVELOPMENT OF THE PROJECT AREA; INCORPORATING BY REFERENCE, THE REDEVELOPMENT PLAN FOR THE GOLDEN LINKS REDEVELOPMENT PROJECT AREA, DESIGNATING THE APPROVED PLAN AS THE OFFICIAL REDEVELOPMENT PLAN OF THE PROJECT AREA; FINDING AND DECLARING THAT A PLAN WAS ADOPTED BY THE REDEVELOPMENT AGENCY AND APPROVED, AND RECOMMENDED FOR APPROVAL BY THE OGDEN CITY PLANNING COMMISSION; THAT A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL AS REQUIRED BY LAW AFTER LEGAL NOTICE; THAT THE PROJECT AREA IS A BLIGHTED AREA, THE REDEVELOPMENT OF WHICH IS NECESSARY TO EFFECTUATE THE PUBLIC PURPOSES OF THE UTAH NEIGHBORHOOD DEVELOPMENT ACT; THAT THE REDEVELOPMENT PLAN WOULD REDEVELOP THE AREA IN CONFORMITY WITH SAID ACT; THAT THE ADOPTION AND CARRYING OUT OF THE REDEVELOPMENT PLAN IS SOUND AND REASONABLE; THAT THE REDEVELOPMENT PLAN CONFORMS TO THE MASTER PLAN OF OGDEN CITY; THAT THE CARRYING OUT OF THE REDEVELOPMENT PLAN WOULD PROMOTE THE PUBLIC PEACE, HEALTH AND WELFARE OF THE COMMUNITY; THAT THE CONDEMNATION OF REAL PROPERTY, IF ANY, PROVIDED FOR IN THE PLAN IS NECESSARY TO THE EXECUTION OF THE REDEVELOPMENT PLAN AND ADEQUATE PROVISIONS HAVE BEEN MADE FOR PAYMENT OF PROPERTY, IF ANY, TO BE ACQUIRED AS PROVIDED BY LAW; THAT THE AGENCY HAS A FEASIBLE METHOD OR PLAN FOR RELOCATING PERSONS OR FAMILIES DISPLACED FROM THE PROJECT AREA, IF ANY, DISPLACEMENTS OCCUR; THAT THERE ARE, OR WILL BE PROVIDED IN OTHER AREAS, NOT

6000 1493 PAGE 1091

48  
Golden Links

GENERALLY LESS DESIRABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED PERSONS OR FAMILIES, IF ANY, ADEQUATE HOUSING; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE ON FIRST PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

**SECTION 1. Redevelopment Plan for Golden Links Redevelopment Project Area.** The Council finds and determines that the Ogden Neighborhood Development Agency prepared and adopted a Redevelopment Plan for the development of the Golden Links Redevelopment Project Area which was submitted to the Ogden City Council on the 10th day of July, 1986.

The Council further finds that the Redevelopment Plan was submitted to the Ogden City Planning Commission which recommended the approval of the plan.

The Council further finds that it held a public hearing on the plan at its regular council meeting on the 16th day of August, 1986 and that notice of the filing of the Redevelopment Plan and the public hearing thereon had been given as provided by law. The Council further finds that at said hearing the Council considered the report of the development agency together with the rules governing participation, and all testimony for and against the adoption of the plan.

**SECTION 2. Redevelopment Plan Adopted.** The Redevelopment Plan together with the report and rules governing participation, submitted by the development agency on the 10th day of July, 1986 and hereby approved and adopted as the official Redevelopment Plan of the project area, which project area is more particularly described as follows:

A part of Lots 2, 3, 4 and 8, Block 35, Plat "C", Ogden City Survey; Ogden City Weber County, Utah:

Beginning at a point which is West (North 89°02' West) 66.00 feet from the Southeast Corner of said Lot 4 (Point is also South 89°02' East 247.50 feet and North 0°58' East 49.50 feet from the Ogden City Monument at the Intersection of Van Buren Avenue and 24th Street); running thence North (North 0°58' East) 163 feet (163.84 feet), thence West (North 89°02' West) 66.00 feet, thence North (North 0°58' East) 163 feet (163.84 feet), thence East (South 89°02' East) 152.00 feet, thence North (more or less) 55 feet, thence East (more or less) 112 feet, thence South (more or less) 55 feet, thence East (South 89°02' East) 7.50 feet, thence South (South 0°58' West) 163 feet (163.84 feet), thence West (North 89°02' West) 133.10 feet, thence South (South 0°58' West) 163 feet (163.84 feet) to the North line of 29th Street, thence West (North 89°02' West) 70.40 feet along said North Line to the point of beginning.

Contains 62,860.70 Square Feet or 1.44 Acres.

SHOW 1499 PAGE 1092

SECTION 7. Declaration of Community Involvement in Carry Out Plan. The Council further orders that it is its intent to undertake and complete all proceedings necessary to be carried out by the community under the provisions of the plan here adopted and approved.

SECTION 6. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

(g) There are, or, are being provided in other areas not generally desirable in regard to public utilities and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

(f) The agency has a feasible method and plan for the relocation of families and persons temporarily or permanently displaced from housing facilities in the project area.

(e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.

(d) The Redevelopment Plan conforms to the master plan of the community.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

(b) The Redevelopment Plan would redevelop the area in conformity with the Utah Neighborhood Development Act and in the interest of the public peace, health, safety and welfare.

(a) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Utah Neighborhood Development Act, as set forth in Utah Code Annotated, Section 11-9-1, et. seq.

SECTION 5. The Council hereby finds and determines, upon the facts known to it and upon the facts and testimony submitted to it at the public hearing:

SECTION 4. The Redevelopment Plan, as modified and so adopted, is hereby made a part of the ordinance by reference, and copies thereof are available for public inspection and use in the office of the Ogden City Recorder.

SECTION 3. The purpose and intent of the Ogden City Council with respect to the project area is hereby determined to be the carrying out of the Redevelopment Plan hereby adopted so as to remove the blighted condition of the project area and to otherwise fully promote the public peace, health, safety and welfare of the community in general and the project area in particular.

SECTION 2. The purpose and intent of the Ogden City Council with respect to the project area is hereby determined to be the carrying out of the Redevelopment Plan hereby adopted so as to remove the blighted condition of the project area and to otherwise fully promote the public peace, health, safety and welfare of the community in general and the project area in particular.

DIR 1499 PM 1094

ATTEST  
CITY CLERK

*R. O. ...*  
MAYOR

SECTION 2. Emergency clause. The Council of Ogden City finds and declares that this ordinance is necessary for the immediate preservation of the peace, health and safety of Ogden City.  
SECTION 3. Effective date. This ordinance shall become effective on the date of publication after that passage.  
PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden City, Utah, this 15th day of MARCH, 1964.

EH 5182536 P0

69 Lester Park

70-200  
OGDEN CITY 2536 PG  
SEWER DISTRICT RECORDS  
DEPT. *[Signature]*  
SEP 13 3 20 PM '76  
FILED AND RECORDED FOR  
*Ogden City*

PLATTED  ( ) REVIEWED   
INDEXED  ( ) MICROFILMED   
SEE LAST PAGE

ORDINANCE NO. 31-16  
BY: ROBERT E. KILGORE

**AN ORDINANCE OF OGDEN CITY ADOPTING A REDEVELOPMENT PLAN AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT AREA DESCRIBED AS FOLLOWS:**

All of Blocks 28 and 29 of Plat A, Ogden City, Weber County, Utah; all of Blocks 7, 8, and 10 of Plat B, Ogden City; and all of the public rights of way contiguous to these blocks.

Beginning at the Northeast Corner of Block 16, Plat A, Ogden City Survey; and running thence North to the Southeast Corner of Block 8; thence East to the Southwest Corner of Block 12, Plat B; thence South to the Southwest Corner of Block 9; thence East to the Southwest Corner of Block 33, Plat C; thence South to the Northwest Corner of Block 23; thence West to the point of beginning.

Comprising an area of approximately 76 acres.

DESCRIBING THE PURPOSES AND INTENT OF THE COUNCIL WITH RESPECT TO THE DEVELOPMENT OF THE PROJECT AREA; INCORPORATING BY REFERENCE, THE REDEVELOPMENT PLAN FOR THE LESTER PARK REDEVELOPMENT AREA, DESIGNATING THE APPROVED PLAN AS THE OFFICIAL REDEVELOPMENT PLAN OF THE PROJECT AREA; FINDING AND DECLARING THAT A PLAN WAS ADOPTED BY THE REDEVELOPMENT AGENCY AND APPROVED, AND RECOMMENDED FOR APPROVAL BY THE OGDEN CITY PLANNING COMMISSION; THAT A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL AS REQUIRED BY LAW AFTER LEGAL NOTICE; THAT THE PROJECT AREA IS A BLIGHTED AREA, THE REDEVELOPMENT OF WHICH IS NECESSARY TO EFFECTUATE THE PUBLIC PURPOSES OF THE UTAH NEIGHBORHOOD DEVELOPMENT ACT; THAT THE REDEVELOPMENT PLAN WOULD REDEVELOP THE AREA IN CONFORMITY WITH SAID ACT; THAT THE ADOPTION AND CARRYING OUT OF THE REDEVELOPMENT PLAN IS SOUND AND REASONABLE; THAT THE REDEVELOPMENT PLAN CONFORMS TO THE MASTER PLAN OF OGDEN CITY; THAT THE CARRYING OUT OF THE REDEVELOPMENT PLAN WOULD PROMOTE THE PUBLIC PEACE, HEALTH AND WELFARE OF THE COMMUNITY; THAT THE CONDEMNATION OF REAL PROPERTY, IF ANY, PROVIDED FOR IN THE PLAN IS NECESSARY TO THE EXECUTION OF THE REDEVELOPMENT PLAN AND ADEQUATE PROVISIONS HAVE BEEN MADE FOR PAYMENT OF PROPERTY, IF ANY, TO BE ACQUIRED AS PROVIDED BY LAW; THAT THE AGENCY HAS A FEASIBLE METHOD OR PLAN FOR RELOCATING PERSONS OR FAMILIES DISPLACED FROM THE PROJECT AREA, IF ANY, DISPLACEMENTS OCCUR; THAT THERE ARE, OR WILL BE PROVIDED IN OTHER AREAS, NOT GENERALLY LESS DESIRABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED PERSONS OR FAMILIES, IF ANY, ADEQUATE HOUSING; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE ON FIRST PUBLICATION AFTER FINAL PASSAGE.

BOOK 1499 PAGE 1095





DUM 1499 PAL1097

SECTION 1. Emergency clause. The Council of Ogden City finds and determines that this ordinance is necessary for the immediate preservation of the peace, health and safety of Ogden City.

SECTION 2. Declaration of Community Interest to Carry Out Plan. The Council further ordains that it is its intent to undertake and complete all proceedings necessary to be carried out by the community under the provisions of the plan here adopted and approved.

SECTION 3. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 4. There are, or are being provided in other areas not generally desirable in regard to public utilities and commercial facilities and all rents or profits within the financial means of the families and persons displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

(1) The acquisition of real property, as provided for in the Redevelopment Plan may be necessary to the execution of the Redevelopment Plan and adequate provisions have been made for payment of the property to be acquired, as provided by law.

(2) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.

(3) The acquisition and carrying out of the Redevelopment Plan is economically sound and feasible.

(4) The Redevelopment Plan conforms to the master plan of the community.

(5) The Redevelopment Plan would redevelop the area in conformity with the Utah Neighborhood Development Act and in the interest of the public peace, health, safety and welfare.

(6) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Utah Neighborhood Development Act, as set forth in Utah Code Annotated, Section 11-5-1, et. seq.

(7) The Redevelopment Plan may be necessary to the execution of the Redevelopment Plan and adequate provisions have been made for payment of the property to be acquired, as provided by law.

(8) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.

(9) The acquisition and carrying out of the Redevelopment Plan is economically sound and feasible.

(10) The Redevelopment Plan conforms to the master plan of the community.

EH 3182536 PB

SECTION 8. Effective date. This ordinance shall become effective on first publication after final passage.

PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden City, Utah, this 21<sup>st</sup> day of July, 1966.

R. A. Matheson  
MAYOR

ATTEST:

Donna Adams  
CITY RECORDER

01-024-0001  
01-025-0001 to 0005  
01-026-0001 to 0004  
01-027-0001 to 0004  
01-028-0001 to 0004  
01-029-0001 to 0004  
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01-031-0001 to 0004  
01-032-0001 to 0004  
01-033-0001 to 0004  
01-034-0001 to 0004  
01-035-0001 to 0004  
01-036-0001 to 0004  
01-037-0001 to 0004  
01-038-0001 to 0004  
01-039-0001 to 0004  
01-040-0001 to 0004

6106 1499 PG 1098

PLATED  VESTED

EA 3182536

985959

OWN PROPTS  
MEMBER OF THE  
DEPUTY

ORDINANCE NO. 42-86

OCT 17 4 01 PM '66

BY: Robert H. De Boer

FILED AND RECORDED FOR  
OGDEN CITY

AN ORDINANCE OF OGDEN CITY ADOPTING A REDEVELOPMENT PLAN AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT AREA DESCRIBED AS FOLLOWS:

Beginning at the Northeast corner of Block 53, Plat A of the Ogden City Survey; and running thence North 0°15' East 2,115 feet, more or less, to the Southeast corner of Lot 23, Block 7, Ogden Five Acre Plat A; thence East more or less 132 feet to the West edge of Lot 1, Riverside Addition; thence South 35 feet more or less, to the Southwest corner of Lot 1, Block 1, Riverside Addition; thence East, more or less, 582.55 feet; thence South 0°58' West 334 feet, more or less, along the East side of Adams Avenue to the intersection with the unnumbered lot; thence North 80°30' East 103.68 feet along the northern boundary of said unnumbered lot; thence South 49°15' East 68.64 feet; thence South 89°02' East 280 feet, more or less, to the easternmost point of the unnumbered lot; thence South 150 feet, more or less, to the south edge of Park Boulevard; thence South 66°57' West 200 feet, more or less; thence along the arc of a 613.73 foot-radius circle 185.31 feet; thence South 84°15' West 205.99 feet; thence South 0°58' West 174.39 feet; thence South 89°02' East 46 feet, more or less; thence South, more or less, 46 feet; thence South 89°02' East 359.88 feet; thence South 80°43' East 63.24 feet; thence South 85°55'39" East 65.23 feet; thence North 0°58' East 116 feet; thence South 89°02' East 327.15 feet; thence North 43°30' East 285.12 feet to the easternmost point of Lot 1, Block 66, Plat C; thence South 23°19' East 156.00 feet; thence South 47°17'21" West 42.96 feet; thence South 50°44'29" West 135.47 feet; thence South 16°16'42" West 92.31 feet; thence South 14°16'51" West 65.71 feet; thence South 83°18'59" West 50 feet, more or less, to the East boundary of Lot 13, Block 66, Plat C; thence South 22°15' West 340 feet, more or less; thence South 82°15' West 363.0 feet to the southernmost point of said Lot 13; thence South 81°00' West 425 feet, more or less; thence South 0°58' West 698.98 feet along the Western boundary of the Ogden City Cemetery and its extension to the South edge of 20th Street; thence North 89°02' West 632 feet, more or less, to the point of beginning.

1531 1212

20  
for Block

Contains approximately 1,898,000 Square Feet or 43.6 Acres.

DESCRIBING THE PURPOSES AND INTENT OF THE COUNCIL WITH RESPECT TO THE DEVELOPMENT OF THE PROJECT AREA; INCORPORATING BY REFERENCE, THE REDEVELOPMENT PLAN FOR THE PARK BOULEVARD REDEVELOPMENT AREA, DESIGNATING THE APPROVED PLAN AS THE OFFICIAL REDEVELOPMENT PLAN OF THE PROJECT AREA; FINDING AND DECLARING THAT A PLAN WAS ADOPTED BY THE REDEVELOPMENT AGENCY AND APPROVED, AND RECOMMENDED FOR APPROVAL BY THE OGDEN CITY PLANNING COMMISSION; THAT A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL AS REQUIRED BY LAW AFTER LEGAL NOTICE; THAT THE PROJECT AREA IS A BLIGHTED AREA, THE REDEVELOPMENT OF WHICH IS NECESSARY TO EFFECTUATE THE PUBLIC PURPOSES OF THE UTAH NEIGHBORHOOD DEVELOPMENT ACT; THAT THE REDEVELOPMENT PLAN WOULD REDEVELOP THE AREA IN CONFORMITY WITH SAID ACT; THAT THE ADOPTION AND CARRYING OUT OF THE REDEVELOPMENT PLAN IS SOUND AND REASONABLE; THAT THE REDEVELOPMENT PLAN CONFORMS TO THE MASTER PLAN OF OGDEN CITY; THAT THE CARRYING OUT OF THE REDEVELOPMENT PLAN WOULD PROMOTE THE PUBLIC PEACE, HEALTH AND WELFARE OF THE COMMUNITY; THAT THE CONDEMNATION OF REAL PROPERTY, IF ANY, PROVIDED FOR IN THE PLAN IS NECESSARY TO THE EXECUTION OF THE REDEVELOPMENT PLAN AND ADEQUATE PROVISIONS HAVE BEEN MADE FOR PAYMENT OF PROPERTY, IF ANY, TO BE ACQUIRED AS PROVIDED BY LAW; THAT THE AGENCY HAS A FEASIBLE METHOD OR PLAN FOR RELOCATING PERSONS OR FAMILIES DISPLACED FROM THE PROJECT AREA, IF ANY, DISPLACEMENTS OCCUR; THAT THERE IS, OR WILL BE PROVIDED IN OTHER AREAS, NOT GENERALLY LESS DESIRABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED PERSONS OR FAMILIES, IF ANY, ADEQUATE HOUSING; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE ON FIRST PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Redevelopment Plan for Park Boulevard Redevelopment Area. The Council finds and determines that the Ogden Neighborhood Development Agency prepared and adopted a Redevelopment Plan for the development of the Park Boulevard Redevelopment Area which was submitted to the Ogden City Council on the 28th day of August, 1986.

The Council further finds that the Redevelopment Plan was submitted to the Ogden City Planning Commission which recommended the approval of the plan.

The Council further finds that it held a public hearing on the plan at its regular council meeting on the 9th day of October, 1986, and that notice of the filing of the Redevelopment Plan and the public hearing thereon had been given as provided by law. The Council further finds that at said hearing the Council considered the report of the Development Agency together with the

ORD 1501 PAGE 1213

rules governing participation, and all testimony for and against the adoption of the plan.

**SECTION 2. Redevelopment Plan Adopted.** The Redevelopment Plan together with the report and rules governing participation, submitted by the Development Agency on the 28th day of August, 1986, and hereby approved and adopted as the official Redevelopment Plan of the project area, which project area is more particularly described as follows:

Beginning at the Northeast corner of Block 53, Plat A of the Ogden City Survey; and running thence North  $0^{\circ} 15'$  East 2115 feet, more or less, to the Southeast corner of Lot 23, Block 7, Ogden Five Acre Plat A; thence East more or less 132 feet to the West edge of Lot 1, Riverside Addition; thence South 35 feet more or less, to the Southwest corner of Lot 1, Block 1, Riverside Addition; thence East, more or less, 502.55 feet; thence South  $0^{\circ} 58'$  West 334 feet, more or less, along the East side of Adams Avenue to the intersection with the unnumbered lot; thence North  $80^{\circ} 30'$  East 103.68 feet along the northern boundary of said unnumbered lot; thence South  $49^{\circ} 15'$  East 68.64 feet; thence South  $89^{\circ} 02'$  East 280 feet, more or less, to the easternmost point of the unnumbered lot; thence South 150 feet, more or less, to the south edge of Park Boulevard; thence South  $66^{\circ} 57'$  West 200 feet, more or less; thence along the arc of a 613.73 foot-radius circle 185.31 feet; thence South  $84^{\circ} 15'$  West 205.99 feet; thence South  $0^{\circ} 58'$  West 174.39 feet; thence South  $89^{\circ} 02'$  East 46 feet, more or less; thence South, more or less, 46 feet; thence South  $89^{\circ} 02'$  East 359.88 feet; thence South  $80^{\circ} 43'$  East 63.24 feet; thence South  $85^{\circ} 55' 39''$  East 65.23 feet; thence North  $0^{\circ} 58'$  East 116 feet; thence South  $89^{\circ} 02'$  East 327.15 feet; thence North  $43^{\circ} 30'$  East 285.12 feet to the easternmost point of Lot 1, Block 66, Plat C; thence South  $23^{\circ} 19'$  East 156.00 feet; thence South  $47^{\circ} 17' 21''$  West 42.96 feet; thence South  $50^{\circ} 44' 29''$  West 135.47 feet; thence South  $16^{\circ} 16' 42''$  West 92.31 feet; thence South  $14^{\circ} 16' 51''$  West 65.71 feet; thence South  $83^{\circ} 18' 59''$  West 50 feet, more or less, to the East boundary of Lot 13, Block 66, Plat C; thence South  $22^{\circ} 15'$  West 340 feet, more or less; thence South  $92^{\circ} 15'$  West 363.0 feet to the southernmost point of said Lot 13; thence South  $81^{\circ} 00'$  West 425 feet, more or less; thence South  $0^{\circ} 58'$  West 698.98 feet along the Western boundary of the Ogden City Cemetery and its extension to the South edge of 20th Street; thence North  $89^{\circ} 02'$  West 612 feet, more or less, to the point of beginning.

Contains approximately 1,898,000 Square Feet or 43.6 Acres.

1501 PAGE 1214

**SECTION 3.** The purpose and intent of the Ogden City Council with respect to the project area is hereby determined to be the carrying out of the Redevelopment Plan hereby adopted so as to remove the blighted condition of the project area and to otherwise fully promote the public peace, health, safety and welfare of the community in general and the project area in particular.

**SECTION 4.** The Redevelopment Plan, as modified and so adopted, is hereby made a part of the ordinance by reference, and copies thereof are available for public inspection and use in the office of the Ogden City Recorder.

**SECTION 5.** The Council hereby finds and determines, upon the facts known to it and upon the facts and testimony submitted to it at the public hearing:

(a) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Utah Neighborhood Development Act, as set forth in Utah Code Annotated, Section 11-9-1, et. seq.

(b) The Redevelopment Plan would redevelop the area in conformity with the Utah Neighborhood Development Act and in the interest of the public peace, health, safety and welfare.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

(d) The Redevelopment Plan conforms to the master plan of the community.

(e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.

(f) The condemnation of real property, as provided for in the Redevelopment Plan may be necessary to the execution of the Redevelopment Plan and adequate provisions have been made for payment of the property to be acquired, as provided by law.

(g) The Agency has a feasible method and plan for the relocation of families and persons temporarily or permanently displaced from housing facilities in the project area.

(h) There are, or, are being provided in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families

1501 1216

CITY RECORDER

*Alma Stewart*

ATTEST:

MAYOR

*R. J. Maclean*

PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden City, Utah, this 9th day of October, 1986.

SECTION 9. Effective date. This ordinance shall become effective on first publication after final passage.

SECTION 8. Emergency clause. The Council of Ogden City finds and determines that this ordinance is necessary for the immediate preservation of the peace, health and safety of Ogden City.

SECTION 7. Declaration of community intent to carry out plan. The Council further ordains that it is its intent to undertake and complete all proceedings necessary to be carried out by the community under the provisions of the plan here adopted and approved.

SECTION 6. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 5. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 4. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 3. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 2. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 1. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.



OGDEN CITY COUNCIL

ORDINANCE NO. 98-19

EP 1611676 BK 1990 PG2972  
DOUG CROFTS, WEBER COUNTY RECORDER  
08-FEB-99 114 PM FEE 6.00 DEP BCT  
REC FOR: OGDEN CITY

**AN ORDINANCE ADOPTING THE ECONOMIC DEVELOPMENT PLAN FOR THE DEFENSE DEPOT  
OGDEN ECONOMIC DEVELOPMENT PROJECT AREA AS THE OFFICIAL ECONOMIC DEVELOPMENT  
PLAN FOR THE PROJECT.**

WHEREAS acting pursuant to the Utah Neighborhood Development Act, as amended (the "Act"), Title 17A, Chapter 2, Part 1200 of the Utah Code Annotated, the Ogden City Redevelopment Agency ("Agency"), in consultation with the Ogden City Planning Commission (the "Planning Commission") has prepared an Economic Development Plan for the Defense Depot Ogden Economic Development Project Area (the "Proposed Economic Development Plan"); and

WHEREAS the Agency has caused to be prepared and has approved the Agency's Report to Accompany the Redevelopment Plan for the Defense Depot Ogden Economic Development Project Area (the "Agency Report"); and

WHEREAS the City Council has considered the Agency Report, the Planning Commission Report, the matters contained in the record of the hearing, and all evidence and testimony for and against the adoption of the Proposed Economic Development Plan submitted to it at or prior to the hearing; and

WHEREAS the Agency has determined in its Report that the Defense Depot Ogden Economic Development Project Area (the "Project Area") meets the requirements of an economic development project area; and

WHEREAS the Ogden City Council ("Council") concurs in the findings that the Project Area meets the requirements of an economic development project area; and

WHEREAS the Planning Commission and the Agency have recommended the adoption of the proposed Economic Development Plan with the modifications, if any, and the Agency has submitted the same to the Council for its action; and

WHEREAS the Council has concurred in the modifications, if any, recommended by the Agency and the Planning Commission in the Proposed Economic Development Plan, has made the recommended modifications in the Proposed Redevelopment Plan, and has overruled all objections to the adoption of the Proposed Economic Development Plan received by the Council at or prior to the hearing, whether written or oral, except insofar as such objections are the basis for the modifications recommended by the Agency and subsequently made by the Council; and

WHEREAS the Council has determined that the owners of less than forty percent (40%) of the area of the property included within the Project Area proposed in the Proposed Economic Development Plan as modified (the "Official Economic Development Plan"), excluding property owned by the public agencies or dedicated to public use, made objections in writing prior to or at the hearing;

WHEREAS the Council finds and determines that the Official Economic Development Plan would develop the Project Area in conformity with the Utah Neighborhood Development Act, as amended; that it would further the interests of the public peace, health, safety and welfare; that the adoption and carrying out of the Official Economic Development Plan is economically sound and feasible; and that a number of other appropriate reasons call for the adoption and implementation of the Official Economic Development Plan for the Defense Depot Ogden Economic Development Project Area;

*99*  
*Defense Depot Area*



*19*

*11, 18<sup>th</sup> 15*

*2972*

*140*

**THEREFORE, BE IT ORDAINED BY THE OGDEN CITY COUNCIL AS FOLLOWS:**

**SECTION 1 Legal Description**

The legal description of the boundaries of the Defense Depot Ogden Economic Development Project Area (the "Project Area") are as provided in Exhibit A to this resolution, which Exhibit A is attached hereto and incorporated herein by this reference.

**SECTION 2 Purpose and Intent of the Ogden City Council**

The purpose and intent of the Ogden City Council with respect to the Project Area are as follows:

- § 2.1 To reduce and eliminate existing blighted conditions and to prevent further deterioration within the Project Area.
- § 2.2 To facilitate new development of the type and quality desired by the community, thereby creating new jobs for the City and the State.
- § 2.3 To encourage the businesses located in the Project Area to renovate and beautify the area.
- § 2.4 To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, surrounding areas) and to prevent deterioration within the Project Area.

**SECTION 3 Designation, Adoption, and Incorporation of the Plan**

- § 3.1 The Proposed Defense Depot Ogden Economic Development Project Area Plan, as modified by the Council to incorporate changes recommended by the Agency, if any, is hereby designated the Official Defense Depot Ogden Economic Development Project Area Plan (the "Official Plan").
- § 3.2 The Ogden City Council hereby officially approves of and adopts the said Official Plan for the Defense Depot Ogden Economic Development Project Area.
- § 3.3 The Official Defense Depot Ogden Economic Development Project Area Plan, incorporating those modifications to the Proposed Defense Depot Ogden Economic Development Project Area Plan recommended by the Agency and made by the Council, and the final Report to accompany the Economic Development Plan for the Project Area, including the Report and Recommendations of the Planning Commission on the proposed Economic Development Plan for the Project Area, are incorporated herein by this reference.

**SECTION 4 Findings and Determinations of the Ogden City Council**

The Council hereby makes the following findings and determinations:

**§ 4.1 Need to Effectuate a Public Purpose**

As detailed in the Agency Report, adoption of the Official Economic Development Plan is needed in order to support the variety of public purposes identified therein. In particular, adoption of the Official Economic Development Plan will help to bring about development of a business park which will promote creation of jobs for Ogden City residents and will strengthen the Ogden City tax base as well as that of other affected taxing entities.

✠ 1611676 BK1990 P62973

#### § 4.2 Assurance of Public Benefit

An analysis of the nature and scope of public benefits to be derived from adoption of the Official Economic Development Plan is set forth in Section VII of the Agency Report. The City Council hereby reaffirms the findings made in that Section. Several key types of benefits are identified there. First, current and future occupants of the proposed Defense Depot Ogden Business Park will benefit in that needed infrastructure will be upgraded and/or installed, land will be assembled, and problems currently standing in the way of development of the Project Area will be eliminated. This in turn will make it possible to help bring about the high community priorities on strengthening Ogden's tax base and creating additional jobs in Ogden. In addition to these general benefits, the Official Economic Development Plan requires that each of the items to be analyzed under Section 17A-2-1220 of the Act in terms of identifying specific public benefits and subsidies provided to a particular development (i.e., to each subpart of the overall economic development project contemplated by the Official Economic Development Plan) as well as the resulting public benefit to the community must be reanalyzed, both as to the specific development and in terms of the impact of that development on the whole Project, at any time new funds are approved by the Taxing Agency Committee and committed to the Project. See Sections 601 and 605 of the Official Economic Development Plan. Thus, each major step in the implementation of the Official Economic Development Plan may only be undertaken after ongoing benefit analysis is completed, and this process, as set forth in the Official Economic Development Plan, will provide the best possible assurance that the benefits contemplated by the Act will be achieved.

#### § 4.3 Conformity with the Utah Neighborhood Development Act and Other Public Purposes

The Official Plan will develop the Project Area in conformity with the Act and in the interests of the public peace, health, safety and welfare in that:

- § 4.31 It will enable the Agency to make financing alternatives available to parties electing to become participants in the Economic Development Project and to developers, thereby providing necessary assistance for investment, economic development, and rehabilitation of the Project Area.
- § 4.32 It will help to prevent erosion of the City's economic base.
- § 4.33 It will help attract desirable businesses to locate and expand within the Project Area and increase job opportunities for the City and State.
- § 4.34 It will facilitate revitalization of the Project Area.
- § 4.35 It will contribute in a variety of other ways to the Economic Development of the Project Area in conformity with the Act, and to the furthering of the interests of public peace, health, safety, and welfare.

#### § 4.4 Feasibility

The adoption and carrying out of the Official Economic Development Plan is economically sound and feasible in that under Section 601 of the Official Economic Development Plan, developments proposed pursuant to and in furtherance of the Official Economic Development Plan will proceed and be carried out only if and when financing becomes available, and the financing of projects is primarily based upon the willingness of public and private entities to invest and develop in the Project Area. Furthermore, as set forth in Section 605 of the Official Economic Development Plan, feasibility of specific projects and the overall feasibility of the Plan will be reanalyzed by the Taxing Agency Committee each time the commitment of additional tax increment funds is authorized by that Committee. Thus, there will be ongoing checks to assess the feasibility of the Project as a

whole and individual components of the Project, and this process, as set forth in the Official Economic Development Plan and the Agency Report, will provide the best possible assurance that the Project will be feasible as contemplated by the Act.

**§ 4.5 Conformity to Comprehensive Plan**

The Official Economic Development Plan conforms to the Ogden City Master Plan adopted in September, 1987, as more particularly shown in the Agency Report.

**§ 4.6 Effects of Carrying Out the Official Economic Development Plan**

The carrying out of the Official Economic Development Plan will promote the public peace, health, safety, and welfare of the community, and will effectuate the purpose and policy of the Act in that it will promote and facilitate:

§ 4.61 The promotion of economic development in the Project Area;

§ 4.62 Measures which will eliminate current sources of stagnation and inability to develop within the Project Area;

§ 4.63 The attraction of desirable businesses into the Project Area;

§ 4.64 The encouragement of attractive, high quality development within the Project Area;

§ 4.65 The provision of enhanced parking, traffic circulation, infrastructure, and other such improvements;

§ 4.66 Other measures which will promote the public peace, health, safety, and welfare and which would be consistent with the purposes of the Act.

**§ 4.7 Eminent Domain**

Under the requirements of the Utah Neighborhood Development Act, economic development project areas do not have the power of eminent domain. Therefore, the inclusion of the power of eminent domain will not be allowed in the plan or this project area.

**§ 4.8 Relocation**

The Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area in the event that the Economic Development Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area, in that the Economic Development Plan specifies that the Relocation Rules and Regulations for Implementation of the Utah Relocation Assistance Act for the Economic Development Project Area ("Relocation Rules") shall govern relocation of persons, businesses, and other entities displaced by any Agency action. Section 503 of the Relocation Rules specifies that "[n]o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive Director is satisfied that replacement housing is available to this person." The Executive Director's determination in this regard may be appealed to the Agency's Governing Board. That is, unless a feasible method or plan for relocation exists, execution of the Official Economic Development Plan cannot go forward. In fact, since the Agency will not be authorized to exercise eminent domain under the Official Economic Development Plan, no one will be forcibly "displaced" in the sense contemplated by the Act, and in any event, as found in the Agency Report, it is highly unlikely that involuntary relocation of any kind will be necessary.

#### **§ 4.8 Relocation Dwellings**

The Relocation Rules which govern relocation of persons displaced from the Project Area under the Official Economic Development Plan as indicated in § 4.6 hereof, also provide in Section 501 thereof that "[n]o person shall be required to move or be relocated from land used as his residence and acquired under any of the condemnation or eminent domain laws of this state until he has been offered a comparable replacement dwelling which is a safe, clean and sanitary dwelling adequate to accommodate this person, reasonably accessible to public services and places of employment, and available on the private market." Thus, there are or will be provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such families and persons as may be displaced by the Official Economic Development Plan and reasonably accessible to their places of employment.

#### **SECTION 5 Availability of Replacement Housing**

The Ogden City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area may be or are displaced, and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. Significantly, the Relocation Rules, which govern relocation and persons displaced from the Project Area under the Official Economic Development Plan as indicated in § 4.6 hereof, impose a very stringent requirement. They provide in Section 503 thereof that "[n]o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive Director is satisfied that replacement housing is available to this person." Persons may not be displaced from property pursuant to the Official Economic Development Plan unless or until this condition is met, and meeting this requirement assures (and shall be construed to require) that replacement housing be available in substantially less than three years. In all likelihood, inhabitants of the affected residential structures will voluntarily seek and find alternative housing before any action is taken by the Agency that would necessitate their moving.

#### **SECTION 8 Participation Rules**

The Official Economic Development Plan shall operate subject to the Rules Governing Participation and Preferences by Owners, Operators of Businesses, and Tenants in the Defense Depot Ogden Economic Development Project Area, as adopted by ordinance by the Ogden City Council.

#### **SECTION 9 The Agency's Governing Board**

As required by the Utah Neighborhood Development Act, as amended, and as specifically provided for in the Agency's bylaws, the governing body of the Ogden City Economic Development Agency shall be of the same individuals who constitute the legislative body of the Ogden City Council.

#### **SECTION 10 Public Hearings;**

The Agency may hold a public hearing on any proposed development within the Project Area with respect to which the Agency proposes to enter into a legally binding agreement (e.g., a participation agreement or a development agreement) that will obligate the financial resources of the Agency, including but not limited to the tax increment financing. For any public hearing the Agency may give such general public notice as the City would normally provide in connection with a hearing on a proposed zoning change by the Ogden City Planning Commission. This notice shall be provided in the same manner that individualized notice is given prior to making any zoning changes in the City.

**SECTION 11 Severability**

If any one or more provision, section, subsection, sentence, clause, phrase, or word of this Ordinance or the application thereof to any person, property or circumstance is found to be unconstitutional or otherwise contrary to law, the same is declared to be severable and the balance of this Ordinance shall remain effective. The City hereby declares that it would have passed this Ordinance and each provision, section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more provisions, section, subsection, clause, phrase, or word be declared unconstitutional or otherwise contrary to law.

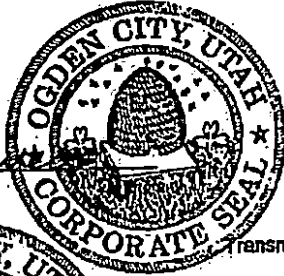
**SECTION 12 Effective Date**

This Ordinance shall become effective on the date on which a summary hereof is posted or published as required by the Utah Neighborhood Development Act.

PASSED AND ADOPTED this 24<sup>th</sup> day of February, 1998.

ATTEST:

*Alvin D. Bennett*  
CITY RECORDER



*Robert J. Alford*  
COUNCIL CHAIR

Transmitted to the Mayor on 27 February 1998

Mayor's Action:  Approved  Vetoed

*Alvin D. Bennett*  
MAYOR

ATTEST:

*Alvin D. Bennett*  
CITY RECORDER

Approved as to Form:

*M. G. [Signature]* 2/24/98  
LEGAL Date

Publication date: 3/5/98

Effective Date: 3/8/98

EH 1611676 BK1990 P62977

When recorded mail to:  
Gloria J. Berrett  
Ogden City Recorder  
2484 Washington Blvd, Suite 300  
Ogden, Utah 84401-2319

RE: Recording Statement for the Defense Depot of Ogden Economic Development Project Area

The following information is being recorded by the Ogden City Recorder on all property located within the Defense Depot of Ogden Economic Development Project Area. This is being done in accordance with Section 17A-2-1257 of the Utah Neighborhood Development Act, as amended.

1. Description of Land Within the Project Area

The description of the Defense Depot of Ogden Economic Development Project Area is as follows:

15-033-0017 15-035-0001 12-098-0024 12-094-0011  
12-094-0033 11-023-0026

All that certain land situated Sections 6, 7, 17, and 18, Township 6 North, Range 1 West, and in Sections 12 and 13, Township 6 North, Range 2 West, Salt Lake Meridian, in Weber County, State of Utah, and more particularly described as follows:

Commencing at the Ogden City Survey Monument at the intersection of the monument line on 12<sup>th</sup> Street and the West line of the Northeast Quarter of said Section 19 with the Utah State Plane Coordinates of X=1863765.56Y=332349.88 based on the Lambert Conformal Projection, Utah Coordinate System, North Zone (NAD27); thence North 88D41'21" West along the center line of 12<sup>th</sup> Street, 259.43 feet; thence North 1D18'39" East, 67.00 feet to a point on the North line of 12<sup>th</sup> Street and the true point of beginning; thence North 03D36'07" West, 1470.38 feet to a point; thence south 86D22'54" West, 550.00 feet to a point; thence North 03D37'06" West, 400.00 feet to a point; thence North 86D22'54" East, 550.00 feet to a point; thence North 03D37'08" West, 915.00 feet to a point; thence South 82.09'50" West, 897.81 feet to a point; thence South 89D54'46" West, 1264.92 feet to a point; thence North 01D50'25" West, 1237.08 feet to a point; thence South 88D20'47" West, 741.94 feet to a point on the Easterly line of 1200 West Street; thence North 00D46'09" East, 1554.42 feet to a point; thence North 00D38'09" East, 2794.92 feet to a point; thence North 02D38'09" East, 1267.81 feet to a point; thence North 02D22'39" East, 365.88 feet to a point; thence North 01D16'39" East, 1021.70 feet to a point; thence North 01D26'39"

EQ 1530354 BK 1916 PG 254  
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24-MAR-98 241 PM FEE 1.00 DEP NB  
REC FOR: OGDEN CITY

EQ 1611676 BK 1990 PG 2978

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East, 488.36 feet to a point; leaving said Easterly line of 1200 West Street thence North 86D29'24" East, 2397.89 feet to a point; thence South 03D25'43" East, 655.22 feet to a point; thence North 86D28'27" East, 1457.23 feet to a point; thence around a curve to the left through a central angle of 74D06'19" an arc distance of 763.28 feet a chord bearing of North 48D58'04" East, 711.18 feet to a point; thence North 09D13'00" East, 633.80 feet to a point on the Westerly right-of-way line of Union Pacific Railroad; thence around a curve to the right through a central angle of 09D13'56" and arc distance of 912.06 feet a chord bearing of South 12D24'37" East, 911.07 feet to a point; thence South 89D35'58" East, 5.00 feet to a point; thence South 05D39'13" East, 444.62 feet to a point, thence South 03D27'13" East, 1272.60 feet to a point; thence North 87D32'47" East, 20.02 feet to a point; thence South 03D27'13" East, 4067.37 feet to a point; thence South 21D13'28" East, 78.66 feet to a point; thence South 00D59'09" West, 2125.15 feet to a point; thence South 03D34'24" West, 88.59 feet to a point; thence South 00D59'09" West, 3140.40 feet to the intersection of said U.P.R.R. right-of-way with the North line of 12<sup>th</sup> Street; thence North 88D41'26" West along said North line of 12<sup>th</sup> Street, 1998.69 feet to the point of beginning.

Contains 48694323.4791 square feet or 1117.8678 acres more or less.

2. **Statement that the Plan for the Economic Development Project Area has been Adopted.**

The Ogden Redevelopment Agency, in conjunction with the Ogden City Planning Commission has prepared the required plan for the Defense Depot of Ogden Economic Development Project Area. The plan was adopted by ordinance by the Ogden City Council and by resolution by the Ogden Redevelopment Project Area.

3. **Date of Approval**  
The Economic Development Plan for the Defense Depot of Ogden was approved after the required public hearing was held on February 25, 1998.

~~EH 1530354 BK1916 PG255~~

EH 1611676 BK1990 PG2979



OGDEN CITY COUNCIL

ORDINANCE NO. 99-41

**AN ORDINANCE ADOPTING THE ECONOMIC DEVELOPMENT PLAN FOR THE IOMEGA ECONOMIC DEVELOPMENT PROJECT AREA AS THE OFFICIAL ECONOMIC DEVELOPMENT PLAN FOR THE PROJECT.**

WHEREAS acting pursuant to the Utah Neighborhood Development Act, as amended (the "Act"), Title 17A, Chapter 2, Part 1200 of the Utah Code Annotated, the Ogden City Redevelopment Agency ("Agency"), in consultation with the Ogden City Planning Commission (the "Planning Commission") has prepared an Economic Development Plan for the IOMEGA Economic Development Project Area (the "Proposed Economic Development Plan"); and

WHEREAS the Agency has caused to be prepared and has approved the Agency's Report to Accompany the Redevelopment Plan for the IOMEGA Economic Development Project Area (the "Agency Report"); and

WHEREAS the City Council has considered the Agency Report, the Planning Commission Report, the matters contained in the record of the hearing, and all evidence and testimony for and against the adoption of the Proposed Economic Development Plan submitted to it at or prior to the hearing; and

WHEREAS the Agency has determined in its Report that the IOMEGA Economic Development Project Area (the "Project Area") meets the requirements of an economic development project area; and

WHEREAS the Ogden City Council ("Council") concurs in the findings that the Project Area meets the requirements of an economic development project area; and

WHEREAS the Planning Commission and the Agency have recommended the adoption of the proposed Economic Development Plan with the modifications, if any, and the Agency has submitted the same to the Council for its action; and

WHEREAS the Council has concurred in the modifications, if any, recommended by the Agency and the Planning Commission in the Proposed Economic Development Plan, has made the recommended modifications in the Proposed Redevelopment Plan, and has overruled all objections to the adoption of the Proposed Economic Development Plan received by the Council at or prior to the hearing, whether written or oral, except insofar as such objections are the basis for the modifications recommended by the Agency and subsequently made by the Council; and

WHEREAS the Council has determined that the owners of less than forty percent (40%) of the area of the property included within the Project Area proposed in the Proposed Economic Development Plan as modified (the "Official Economic Development Plan"), excluding property owned by the public agencies or dedicated to public use, made objections in writing prior to or at the hearing;

WHEREAS the Council finds and determines that the Official Economic Development Plan would develop the Project Area in conformity with the Utah Neighborhood Development Act, as amended; that it would further the interests of the public peace, health, safety and welfare; that the adoption and carrying out of the Official Economic Development Plan is economically sound and feasible; and that a number of other appropriate reasons call for the adoption and implementation of the Official Economic Development Plan for the IOMEGA Economic Development Project Area;

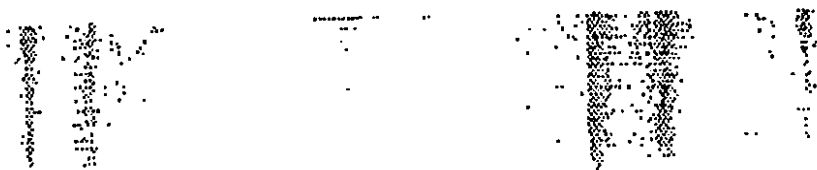
**NOW, THEREFORE, BE IT ORDAINED BY THE OGDEN CITY COUNCIL AS FOLLOWS:**

SECTION 1    Legal Description

EX 1675441 BK2045 PG788  
DOUG CROFTS, WEBER COUNTY RECORDER  
23-NOV-99 958 AM FEE 6.00 DEP JHM  
REC FOR: OGDEN.CITY

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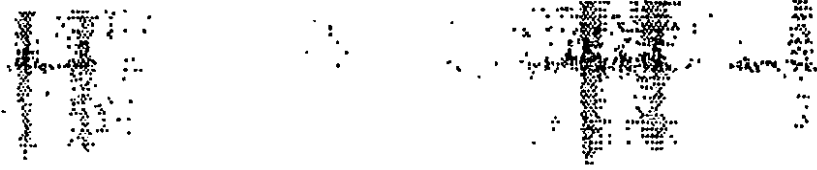


The IOMEGA Economic Development Project Area is more particularly described as Lots 89 and 90 of the Ogden City Commercial and Industrial Park, Plat F (Entry No. 1079538, Bk. 31, pg. 52, as recorded in the Weber County Recorder's Office).

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**SECTION 2 Purpose and Intent of the Ogden City Council**

The purpose and intent of the Ogden City Council with respect to the Project Area are as follows:

- § 2.1 To facilitate new development of the type and quality desired by the community, thereby creating new jobs for the City and the State.
- § 2.2 To encourage the renovation and beautification of the Project Area.
- § 2.3 To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, surrounding areas) and to prevent deterioration within the Project Area.

**SECTION 3 Designation, Adoption, and Incorporation of the Plan**

- § 3.1 The Proposed IOMEGA Economic Development Project Area Plan, as modified by the Council to incorporate changes recommended by the Agency, if any, is hereby designated the Official IOMEGA Economic Development Project Area Plan (the "Official Plan").
- § 3.2 The Ogden City Council hereby officially approves of and adopts the said Official Plan for the IOMEGA Economic Development Project Area.
- § 3.3 The Official IOMEGA Economic Development Project Area Plan, incorporating those modifications to the Proposed IOMEGA Economic Development Project Area Plan recommended by the Agency and made by the Council, and the final Report to accompany the Economic Development Plan for the Project Area, including the Report and Recommendations of the Planning Commission on the proposed Economic Development Plan for the Project Area, are incorporated herein by this reference.

**SECTION 4 Findings and Determinations of the Ogden City Council**

The Council hereby makes the following findings and determinations:

**§ 4.1 Need to Effectuate a Public Purpose**

As detailed in the Agency Report, adoption of the Official Economic Development Plan is needed in order to support the variety of public purposes identified therein. In particular, adoption of the Official Economic Development Plan will promote the creation of jobs for Ogden City residents and will strengthen the Ogden City tax base as well as that of other affected taxing entities.

**§ 4.2 Assurance of Public Benefit**

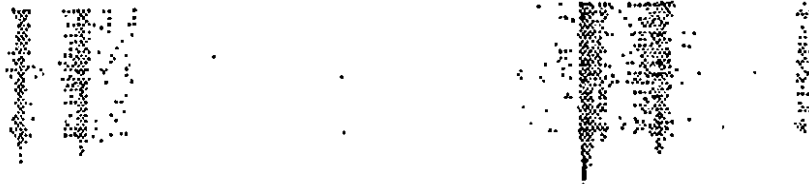
An analysis of the nature and scope of public benefits to be derived from adoption of the Official Economic Development Plan is set forth in Part VI of the Agency Report. The City Council hereby reaffirms the findings made in that Section. Several key types of benefits are identified there. First, the area within the Project Area will benefit by renovation and installation of needed infrastructure. Moreover, the location of the IOMEGA facility in Ogden City will make it possible to help bring about the high community priorities on strengthening Ogden's tax base and creating additional jobs within the municipality.

**§ 4.3 Conformity with the Utah Neighborhood Development Act and Other Public Purposes**

The Official Plan will develop the Project Area in conformity with the Act and in the

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Interests of the public peace, health, safety and welfare in that

- § 4.31 It enables the Agency to make financing alternatives available to IOMEGA, thereby providing necessary assistance for investment, economic development, and rehabilitation of the Project Area.
- § 4.32 It prevents erosion of the City's economic base.
- § 4.33 It will help attract desirable businesses to locate and expand within the Project Area and increase job opportunities for the City and State.
- § 4.35 It will contribute in a variety of other ways to the Economic Development of the Project Area in conformity with the Act, and to the furthering of the interests of public peace, health, safety, and welfare.

§ 4.4 Feasibility

The adoption and carrying out of the Official Economic Development Plan is economically sound and feasible in that under Sections 601 through 604 of the Official Economic Development Plan, all actions and disbursements proposed pursuant to and in furtherance of the Official Economic Development Plan will proceed and be carried out only if and when financing becomes available. There will be ongoing checks to assess the feasibility of the Project as a whole and individual components of the Project, and this process, as set forth in the Official Economic Development Plan and the Agency Report, will provide the best possible assurance that the Project will be feasible as contemplated by the Act.

§ 4.5 Conformity to Comprehensive Plan

The Official Economic Development Plan conforms to the Ogden City General Plan, as noted in the *Report and Recommendations of the Ogden City Planning Commission on the Proposed Iomega Economic Development Project Area Plan* (attached as Exhibit E to the Agency Report).

§ 4.6 Effects of Carrying Out the Official Economic Development Plan

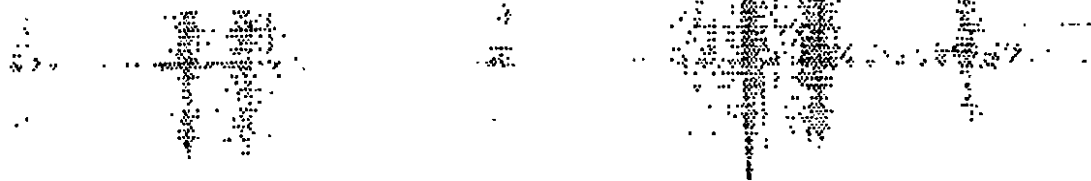
The carrying out of the Official Economic Development Plan will promote the public peace, health, safety, and welfare of the community, and will effectuate the purpose and policy of the Act in that it will promote and facilitate:

- § 4.61 The promotion of economic development in the Project Area;
- § 4.62 The attraction of desirable businesses into the Project Area;
- § 4.63 The encouragement of attractive, high quality development within the Project Area;
- § 4.64 The provision of enhanced parking, traffic circulation, infrastructure, and other such improvements;
- § 4.65 Other measures which will promote the public peace, health, safety, and welfare and which would be consistent with the purposes of the Act.

§ 4.7 Eminent Domain

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Under the requirements of the Utah Neighborhood Development Act, economic development project areas do not have the power of eminent domain. Therefore, the inclusion of the power of eminent domain will not be allowed in the plan or this project area.

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**§ 4.8 Relocation**

The Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area in the event that the Economic Development Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area, in that the Economic Development Plan specifies that the Relocation Rules and Regulations for Implementation of the Utah Relocation Assistance Act for the Economic Development Project Area ("Relocation Rules") shall govern relocation of persons, businesses, and other entities displaced by any Agency action. Section 503 of the Relocation Rules specifies that "[n]o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive Director is satisfied that replacement housing is available to this person." The Executive Director's determination in this regard may be appealed to the Agency's Governing Board. That is, unless a feasible method or plan for relocation exists, execution of the Official Economic Development Plan cannot go forward.

The Relocation Rules which govern relocation of persons displaced from the Project Area under the Official Economic Development Plan as indicated in § 4.8 hereof, also provide in Section 501 thereof that "[n]o person shall be required to move or be relocated from land used as his residence and acquired under any of the condemnation or eminent domain laws of this state until he has been offered a comparable replacement dwelling which is a safe, clean and sanitary dwelling adequate to accommodate this person, reasonably accessible to public services and places of employment, and available on the private market." Thus, there are or will be provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such families and persons as may be displaced by the Official Economic Development Plan and reasonably accessible to their places of employment.

This point is academic, however, in that no residences exist within the Project Area and the Agency will not be authorized to exercise eminent domain under the Official Economic Development Plan.

**SECTION 5 Availability of Replacement Housing**

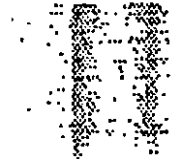
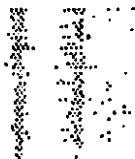
The Ogden City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area may be or are displaced, and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. Significantly, the Relocation Rules, which govern relocation and persons displaced from the Project Area under the Official Economic Development Plan as indicated in § 4.8 hereof, impose a very stringent requirement. They provide in Section 503 thereof that "[n]o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive Director is satisfied that replacement housing is available to this person." Persons may not be displaced from property pursuant to the Official Economic Development Plan unless or until this condition is met, and meeting this requirement assures (and shall be construed to require) that replacement housing be available in substantially less than three years. In all likelihood, inhabitants of the affected residential structures will voluntarily seek and find alternative housing before any action is taken by the Agency that would necessitate their moving.

**SECTION 8 Participation Rules**

The Official Economic Development Plan shall operate subject to the Rules Governing Participation and Preferences by Owners, Operators of Businesses, and Tenants in the IOMEGA Economic Development Project Area, as adopted by ordinance by the Ogden City Council.

EH 167544 1 BK2045 PG793

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**SECTION 9 The Agency's Governing Board**

As required by the Utah Neighborhood Development Act, as amended, and as specifically provided for in the Agency's bylaws, the governing body of the Ogden City Economic Development Agency shall be of the same individuals who constitute the legislative body of the Ogden City Council.

**SECTION 10 Public Hearings:**

The Agency may hold a public hearing on any proposed development within the Project Area with respect to which the Agency proposes to enter into a legally binding agreement (e.g., a participation agreement or a development agreement) that will obligate the financial resources of the Agency, including but not limited to the tax increment financing. For any public hearing the Agency may give such general public notice as the City would normally provide in connection with a hearing on a proposed zoning change by the Ogden City Planning Commission. This notice shall be provided in the same manner that individualized notice is given prior to making any zoning changes in the City.

**SECTION 11 Severability**

If any one or more provision, section, subsection, sentence, clause, phrase, or word of this Ordinance or the application thereof to any person, property or circumstance is found to be unconstitutional or otherwise contrary to law, the same is declared to be severable and the balance of this Ordinance shall remain effective. The City hereby declares that it would have passed this Ordinance and each provision, section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more provisions, section, subsection, clause, phrase, or word be declared unconstitutional or otherwise contrary to law.

**SECTION 12 Effective Date**

This Ordinance shall become effective on the date on which a summary hereof is posted or published as required by the Utah Neighborhood Development Act.

APPROVED AND ADOPTED this 26<sup>th</sup> day of October, 1999.

ATTEST:

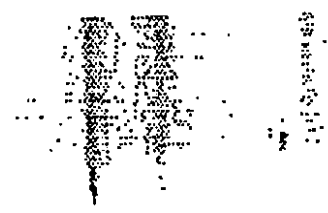
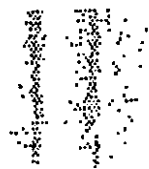
*Maria Bennett*  
City Recorder



*Richard J. [Signature]*  
Chair, Ogden City Council

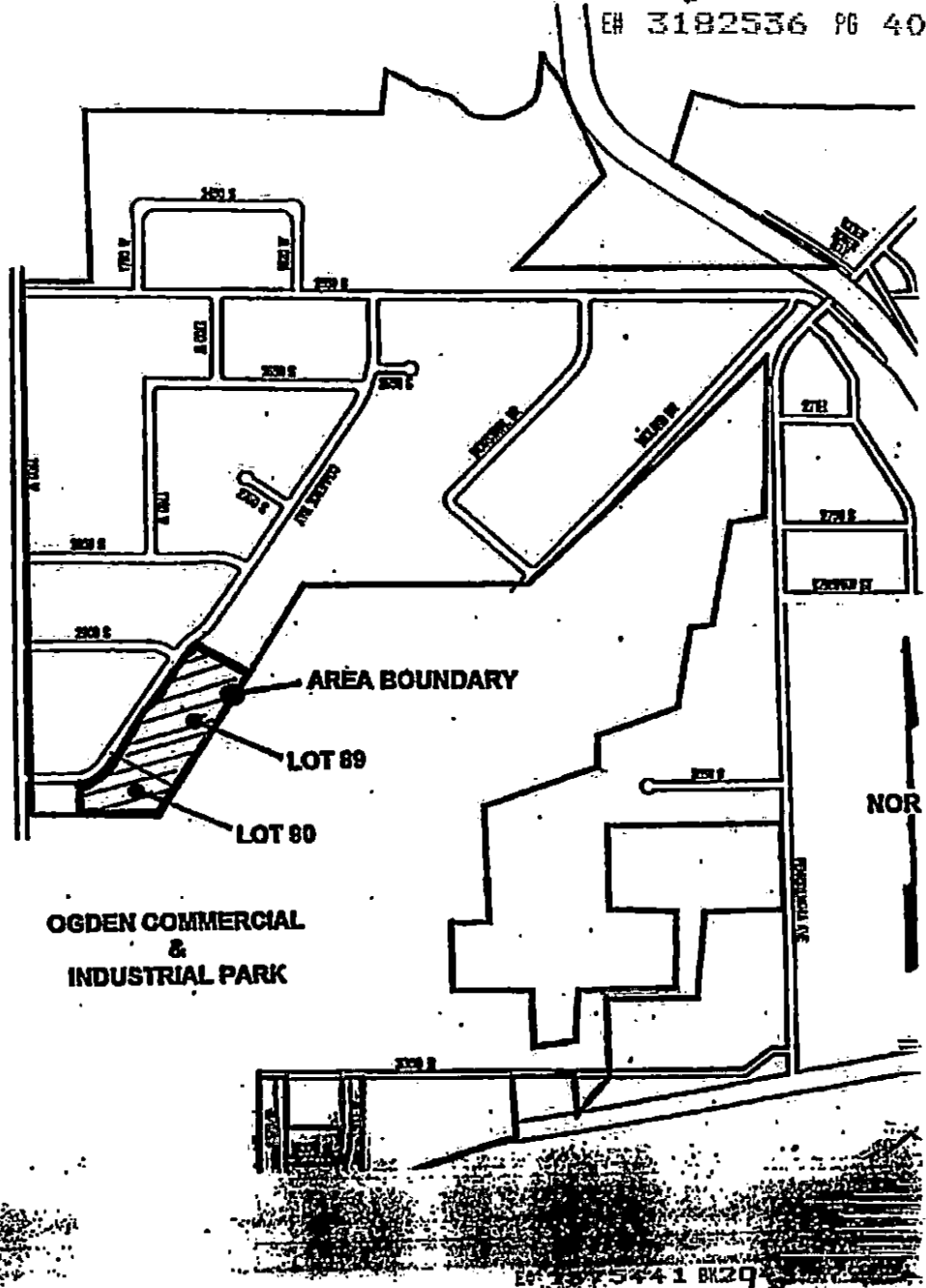
EQ 1675441 BK2045 PG794

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**EXHIBIT "A": OMEGA ECONOMIC DEVELOPMENT PROJECT AREA**

EH 3182536 PG 40 OF 63



EX 1575441 BK 29

BK 2045 PG 75



EP 1680527 BK2049 P62825  
DOUG CROFTS, WEBER COUNTY RECORDER  
21-DEC-99 826 AM FEE \$4.00 DEP JHM  
REC FOR: OGDEN CITY

OGDEN CITY COUNCIL  
ORDINANCE NO. 99-44

**AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE AMERICAN CAN REDEVELOPMENT PROJECT AREA AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT.**

WHEREAS acting pursuant to the Utah Neighborhood Development Act, as amended (the "Act"), Title 17A, Chapter 2, Part 1200 of the Utah Code Annotated, the Ogden City Redevelopment Agency (the "Agency"), in consultation with the Ogden City Planning Commission (the "Planning Commission") has prepared a Redevelopment Plan for the American Can Redevelopment Project Area (the "Proposed Redevelopment Plan"); and

WHEREAS the Agency has caused to be prepared and has approved the Agency's Report to Accompany the Redevelopment Plan for the American Can Redevelopment Project Area (the "Agency Report"); and

WHEREAS the City Council has considered the Agency Report, the Planning Commission Report, the matters contained in the record of the hearing, and all evidence and testimony for and against the adoption of the Proposed Redevelopment Plan submitted to it at or prior to the hearing; and

WHEREAS the Agency has determined in its Report that the American Can Redevelopment Project Area (the "Project Area") meets the requirements of a redevelopment project area; and

WHEREAS the Ogden City Council ("Council") concurs in the findings that the Project Area meets the requirements of a redevelopment project area; and

WHEREAS the Planning Commission and the Agency have recommended the adoption of the proposed Redevelopment Plan with such modifications, if any, as the Agency deems appropriate and necessary, and the Agency has submitted the same to the Council for its action; and

WHEREAS the Council has concurred in the modifications, if any, recommended by the Agency and the Planning Commission in the Proposed Redevelopment Plan, has made the recommended modifications in the Proposed Redevelopment Plan, and has overruled all objections to the adoption of the Proposed Redevelopment Plan received by the Council at or prior to the Hearing, whether written or oral, except insofar as such objections are the basis for the modifications recommended by the Agency and subsequently made by the Council; and

WHEREAS the Council has determined that the owners of less than forty percent (40%) of the area of the property included within the Project Area proposed in the Proposed Redevelopment Plan as modified (the "Official Redevelopment Plan"), excluding property owned by the public agencies or dedicated to public use, have objected in writing prior to or at the hearing;

WHEREAS the Council finds and determines that the Official Redevelopment Plan would develop the Project Area in conformity with the Utah Neighborhood Development Act, as amended; that it would further the interests of the public peace, health, safety and welfare; that the adoption and carrying out of the Official Redevelopment Plan is economically sound and feasible; and that a number of other appropriate reasons call for the adoption and implementation of the Official Redevelopment Plan for the American Can Redevelopment Project Area;

**NOW, THEREFORE, BE IT ORDAINED BY THE OGDEN CITY COUNCIL AS FOLLOWS:**

**SECTION 1 Legal Description**

The boundaries of the American Can Redevelopment Project Area (the "Project Area") are delineated on the Project Area map attached hereto as Exhibit "A." The area defined by the Project Area map is legally described as follows:

All of blocks 37, 47, and 53, Plat "A"; lot 1, Block 5, Five Acre Plat "A"; lot 14, Block 7, Five Acre Plat "A"; and Block 5, Riverside Park Addition; Ogden City Survey and all adjoining streets to said lots and blocks.

01-031-001, 002, 003, 005 TO 0015, 0017 TO 0019  
01-041-001, 004, 0032 TO 0034, 0067  
01-043-001 TO 0018, 0020 TO 0024  
03-016-003, 008, 009 TO 0011, 0013 TO 0017

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For review (1/10)

The boundaries of the Project Area are more particularly described as follows:

*Beginning at the southeast corner of the intersection of Grant Avenue and 21st Street;*

*thence easterly along the south edge of the 21st Avenue right-of-way to the southeast corner of the intersection of Washington Boulevard and 21st Street;*

*thence northerly along the eastern edge of the Washington Boulevard right-of-way to the northeast corner of the intersection of Washington Boulevard and 20th Street;*

*thence westerly along the northern edge of the 20th Street right-of-way to the northwest corner of the intersection of 20th Street and Lincoln Avenue;*

*thence southerly along the western edge of the Lincoln Avenue right-of-way to the northwest corner of the intersection of 22nd Street and Lincoln Avenue;*

*thence westerly along the northern edge of the 22nd Street right-of-way to the northwest corner of the intersection of Wall Avenue and 22nd Street;*

*thence southerly along the western edge of the Wall Avenue right-of-way to the southwest corner of the intersection of 23rd Street and Wall Avenue;*

*thence easterly along the southern edge of the 23rd Street right-of-way to the southeast corner of the intersection of Lincoln Avenue and 23rd Street;*

*thence northerly along the eastern edge of the Lincoln Avenue right-of-way to the southeast corner of the intersection of Lincoln Avenue and 22nd Street;*

*thence easterly along the southern edge of the 22nd Street right-of-way to the southeast corner of the intersection of Grant Avenue and 22nd Street;*

*thence northerly along the eastern edge of the Grant Avenue right-of-way to the southeast corner of the intersection of Grant Avenue and 21st Street, the point of beginning.*

**SECTION 2 Purpose and Intent of the Ogden City Council**

The purpose and intent of the Ogden City Council with respect to the Project Area are as follows:

- § 2.1 To eliminate blight, as that term is defined by the Act, within the Project Area, by undertaking, participating in, directing, and/or encouraging development, rehabilitation, replacement, reuse, renovation, and/or improvement of the parcels and buildings within the Project Area.
- § 2.2 To facilitate new development of the type and quality desired by the community, thereby creating new jobs for the City and the State.
- § 2.2 To provide needed infrastructure for and in blocks 7, 37, 47, and 53 of Ogden City, which comprise the American Can Redevelopment Project Area.
- § 2.3 To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, surrounding areas) and to prevent deterioration within the Project Area.

**SECTION 3 Designation, Adoption, and Incorporation of the Plan**

- § 3.1 The Proposed American Can Redevelopment Project Area Plan, as modified by the Council to incorporate changes recommended by the Agency, if any, is hereby designated the Official American Can Redevelopment Project Area Plan (the "Official Plan"), and is incorporated herein by this reference.

- § 3.2 The Ogden City Council hereby officially approves of and adopts the said Official Plan for the American Can Redevelopment Project Area.
- § 3.3 The Official American Can Redevelopment Project Area Plan, incorporating those modifications to the Proposed American Can Redevelopment Project Area Plan recommended by the Agency and made by the Council, and the final Report to accompany the Redevelopment Plan for the Project Area, including the Report and Recommendations of the Planning Commission on the proposed Redevelopment Plan for the Project Area, are incorporated herein by this reference.

#### SECTION 4 Findings and Determinations of the Ogden City Council

The Council hereby makes the following findings and determinations:

##### § 4.1 Existence of Blight

The existence of "blight," as that term is defined by the Utah Neighborhood Development Act, Utah Code Annotated § 17A-2-1202(3),

##### § 4.2 Need to Effectuate a Public Purpose

As detailed in the Agency Report, adoption of the Official Redevelopment Plan is needed in order to support the variety of public purposes identified therein. In particular, adoption of the Official Redevelopment Plan will facilitate the placement of infrastructure within and around the Project Area, allowing the land therein to be put to its highest and best use, as well as allowing constructive use to be made of the long-abandoned American Can building and of the great amount of vacant and disused land within the Project Area. Among other benefits, this will move the City closer to full realization of the potential of the Ogden City Central Business District, developing and beautifying the area in such a way as to encourage further growth and greater use of the downtown District in keeping with the City's projections, plans, and goals.

##### § 4.3 Assurance of Public Benefit

An analysis of the nature and scope of public benefits to be derived from adoption of the Official Redevelopment Plan is set forth in Part VI of the Agency Report, pursuant to Utah Code Annotated § 17A-2-1220. The City Council hereby reaffirms the findings made in that Section.

##### § 4.4 Conformity with the Utah Neighborhood Development Act and Other Public Purposes

The Official Plan will develop the Project Area in conformity with the Act and in the interests of the public peace, health, safety and welfare in that:

- § 4.41 It will eliminate existing blight within the Project Area.
- § 4.42 It will aid in the beautification and eventual full development of the Ogden City Central Business District, deriving the highest and best use from the land within the Project Area.
- § 4.43 It will enable the Agency to install and/or direct the installation of needed infrastructure within the Project Area, the lack of which is part of the Area's blight.
- § 4.44 It will significantly increase the City's tax base.
- § 4.45 It will help attract desirable businesses to locate within the Project Area, increasing job opportunities for the City and State.

§ 4.48 It will contribute in a variety of other ways to the Redevelopment of the Project Area in conformity with the Act, and to the furthering of the interests of public peace, health, safety, and welfare.

§ 4.5 Feasibility

As a part of the participation or development agreement in connection with each project ultimately approved and undertaken within the Project Area, all such projects shall be subject to Agency review throughout their development to determine feasibility, both practical and economic.

Moreover, implementation of redevelopment in the Project Area will concomitantly increase the value of the property therein, generating increasing tax increment (as provided by Utah Code Annotated § 17A-2-1247.5), which increment may be returned to the Project as financing for planning, design, construction, and development of infrastructure, business development, and other beneficial improvements.

The American Can Redevelopment Plan is thus economically sound and feasible.

§ 4.6 Conformity to Comprehensive Plan

The Official Redevelopment Plan conforms to the Ogden City General Plan, as noted in the *Report and Recommendations of the Ogden City Planning Commission on the Proposed American Can Redevelopment Project Area Plan*, incorporated herein by this reference.

§ 4.7 Effects of Carrying Out the Official Redevelopment Plan

The carrying out of the Official Redevelopment Plan will promote the public peace, health, safety, and welfare of the community, and will effectuate the purpose and policy of the Act in that it will promote and facilitate:

§ 4.71 The elimination of blight from the Project Area;

§ 4.72 The attraction of desirable businesses into the Project Area;

§ 4.73 The encouragement of attractive, high quality development within the Project Area;

§ 4.74 The provision of infrastructure, and other such improvements;

§ 4.75 Other measures which will promote the public peace, health, safety, and welfare and which would be consistent with the purposes of the Act.

§ 4.8 Eminent Domain

The condemnation of real property, as provided for in the Redevelopment Plan, is necessary to the execution of the Plan, and adequate provision has been made for payment for property to be acquired as provided by law.

§ 4.9 Relocation

The Agency has a feasible method or plan for the relocation of families, persons, and businesses displaced from the Project Area in the event that the Redevelopment Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area. In that the Redevelopment Plan specifies that the Relocation Rules and Regulations for Implementation of the Utah Relocation Assistance Act for the Redevelopment Project Area ("Relocation Rules") shall govern relocation of persons, businesses, and other entities displaced by any Agency action. Section 503 of the Relocation Rules specifies that "[n]o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive

Director is satisfied that replacement housing is available to this person." The Executive Director's determination in this regard may be appealed to the Agency's Governing Board. That is, unless a feasible method or plan for relocation exists, execution of the Official Redevelopment Plan cannot go forward.

The Relocation Rules which govern relocation of persons displaced from the Project Area under the Official Redevelopment Plan as indicated in § 4.8 hereof, also provide in Section 501 thereof that "(n)o person shall be required to move or be relocated from land used as his residence and acquired under any of the condemnation or eminent domain laws of this state until he has been offered a comparable replacement dwelling which is a safe, clean and sanitary dwelling adequate to accommodate this person, reasonably accessible to public services and places of employment, and available on the private market." Thus, there are or will be provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such families and persons as may be displaced by the Official Redevelopment Plan and reasonably accessible to their places of employment.

#### **SECTION 5 Availability of Replacement Housing**

The Ogden City Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area may be or are displaced, and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. Significantly, the Relocation Rules, which govern relocation and persons displaced from the Project Area under the Official Redevelopment Plan as indicated in § 4.8 hereof, impose a very stringent requirement. They provide in Section 503 thereof that "(n)o person shall be required to move from his dwelling on account of any project of the Agency unless the Agency's Executive Director is satisfied that replacement housing is available to this person." Persons may not be displaced from property pursuant to the Official Redevelopment Plan unless or until this condition is met, and meeting this requirement assures (and shall be construed to require) that replacement housing be available in substantially less than three years. In all likelihood, inhabitants of the affected residential structures will voluntarily seek and find alternative housing before any action is taken by the Agency that would necessitate their moving.

#### **SECTION 6 Participation Rules**

The Official Redevelopment Plan shall operate subject to the Rules Governing Participation and Preferences by Owners, Operators of Businesses, and Tenants in the American Can Redevelopment Project Area, as adopted by the Ogden City Council.

#### **SECTION 7 The Agency's Governing Board**

As required by the Utah Neighborhood Development Act, as amended, and as specifically provided for in the Agency's bylaws, the governing body of the Ogden City Redevelopment Agency shall be of the same individuals who constitute the legislative body of the Ogden City Council.

#### **SECTION 8 Public Hearings;**

The Agency may hold a public hearing on any proposed development within the Project Area with respect to which the Agency proposes to enter into a legally binding agreement (e.g., a participation agreement or a development agreement) that will obligate the financial resources of the Agency, including but not limited to the tax increment financing. For any public hearing, the Agency may give such general public notice as the City would normally provide in connection with a hearing on a proposed zoning change by the Ogden City Planning Commission. This notice shall be provided in the same manner that individualized notice is given prior to making any zoning changes in the City.

#### **SECTION 9 Severability**

EH 1680527 BK2049 P62829

If any one or more provision, section, subsection, sentence, clause, phrase, or word of this Ordinance or the application thereof to any person, property or circumstance is found to be unconstitutional or otherwise contrary to law, the same is declared to be severable and the balance of this Ordinance shall remain effective. The City hereby declares that it would have passed this Ordinance and each provision, section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more provisions, section, subsection, clause, phrase, or word be declared unconstitutional or otherwise contrary to law.

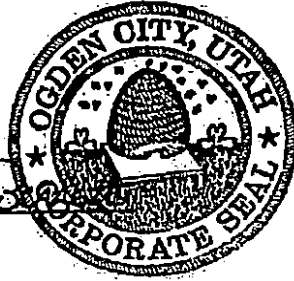
**SECTION 10 Effective Date**

This Ordinance shall become effective on the date on which a summary hereof is posted or published as required by the Utah Neighborhood Development Act.

APPROVED AND ADOPTED this 7th day of December, 1999.

ATTEST:

Maria J. [Signature]  
City Recorder



[Signature]  
Chair, Ogden City Council

TRANSMITTED TO THE MAYOR ON: December 14, 1999

MAYOR'S ACTION:  APPROVED     VETOED

[Signature]  
MAYOR

ATTEST:

Maria J. [Signature]  
CITY RECORDER



Publication Date: 12/20/99  
Effective Date: 12/20/99

E# 1680527 BK2049 PG2830

When recorded, please mail to:

Richard McConkie  
Community & Economic Development  
Department  
2549 Washington Blvd. #420  
Ogden, UT 84401-3111

NOTICE OF ADOPTION OF REDEVELOPMENT PLAN ENTITLED "WALL  
AVENUE REDEVELOPMENT PLAN" AND DATED OCTOBER 5, 2000.

Pursuant to Section 17A-2-1257, Utah Code Annotated, 1953, as

amended, the following information is recorded in the Office of the Recorder of

Weber County:

(1) A Description of the Land Within the Project Area.

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 BLOCK 1, FIVE  
ACRE PLAT A, OGDEN CITY SURVEY; THENCE NORTH 89°02' WEST  
ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 131.00 FEET TO  
THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY  
89°02' WEST ALONG SAID NORTH LINE A DISTANCE OF 20.97 FEET TO A  
POINT IN SAID NORTH LINE BEING 20.00 FEET SOUTHEASTERLY FROM  
THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE SALT LAKE  
SUBDIVISION OF UNION PACIFIC RAILROAD COMPANY, AS PRESENTLY  
CONSTRUCTED AND OPERATED;

THENCE SOUTH 89°02' EAST 151.97' ALONG THE SOUTH RIGHT OF WAY  
OF 27<sup>TH</sup> STREET; THENCE NORTH 00°58'00" EAST, 813.15' TO THE NORTH  
RIGHT-OF-WAY LINE OF 28<sup>TH</sup> STREET; THENCE SOUTH 89°02' EAST  
372.92' TO THE WEST RIGHT OF WAY OF WALL AVENUE; THENCE NORTH  
00°58'00" EAST 465.40' ALONG THE WEST RIGHT-OF-WAY OF WALL  
AVENUE; THENCE SOUTH 89°02' EAST 321.30', THENCE NORTH 00°58'00"  
EAST 33.17'; THENCE NORTH 89°02'00" WEST 10.50'; THENCE NORTH  
00°58'00" EAST 8.00'; THENCE NORTH 89°02' WEST 54.00'; THENCE  
NORTH 00°58'00" EAST 157.00' TO THE SOUTH RIGHT OF WAY OF 25<sup>TH</sup>  
STREET; THENCE SOUTH 88°02' EAST 272.20' ALONG THE SOUTH RIGHT-  
OF-WAY OF 25<sup>TH</sup> STREET; THENCE SOUTH 00°58' WEST 185.00'; THENCE  
SOUTH 89°02'00" EAST 120.00'; THENCE NORTH 00°58'00" EAST 84.00';  
THENCE SOUTH 89°02'00" EAST 215.00' TO THE EAST RIGHT OF WAY OF  
LINCOLN AVENUE; THENCE SOUTH 00°58'00" WEST 2080.55' ALONG THE  
EAST RIGHT OF WAY OF LINCOLN AVENUE TO THE NORTH RIGHT OF  
WAY OF 28<sup>TH</sup> STREET; THENCE SOUTH 6°26'53" WEST 99.45' TO THE

EA 1742826 BK2106 P220  
DOUG CHRISTENSEN, WEBER COUNTY RECORDER  
19-DEC-00 911 AM FEE \$4.00 DEP. JF  
REC FORM: OGDEN, UT

03-002-0001 to 0015, 0017 to 0019, 0021 to 0044

03-003-0001, 0006 to 0019, 0023, 0025, 0026

03-004-0009 (03-004-0008)

01-018-0001 to 0003, 0005 to 0014, 0021, 0031, 0034, 0037 to 0040

04-051-0001 to 0003, 0008 to 0011

03-001-0010 to 0012

04-052-0010

01-006-0001, 0003 to 0014, 0018 to 0027, 0030 to 0046, 0050, 0052 to 0060

01-007-0001 to 0016, 0018 to 0026, 0029, 0031, 0037 to 0045, 0049, 00:

0052 to 0059, 0062, 0063, 0065, 0067

Wall Ave

bb

SOUTH RIGHT OF WAY OF 28<sup>TH</sup> STREET; THENCE NORTH 89°02'00" WEST 765.00' ALONG THE SOUTH RIGHT OF WAY OF 28<sup>TH</sup> STREET TO THE EAST RIGHT OF WAY OF WALL AVENUE; THENCE SOUTH 00°58'00" WEST 749.50' ALONG THE EAST RIGHT OF WAY OF WALL AVENUE TO THE SOUTH RIGHT OF WAY OF 29<sup>TH</sup> STREET; THENCE NORTH 89°02' WEST 1181.10' TO THE WEST RIGHT OF WAY OF UNION STREET; THENCE NORTH 04°58'00" EAST 44.32'; THENCE NORTH 16°17'00" EAST 833.90' ALONG THE WEST RIGHT OF WAY OF UNION TO THE NORTH RIGHT OF WAY OF 28<sup>TH</sup> STREET; THENCE SOUTH 89°02' EAST 12.87' TO A POINT IN A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1515.43 FEET, SAID POINT BEING 20.00 FEET SOUTHEASTERLY, AS MEASURED RADially, FROM THE CENTER LINE OF THE EASTBOUND MAIN TRACK OF THE SALT LAKE SUBDIVISION OF SAID RAILROAD COMPANY; THENCE NORTHEASTERLY, CONCENTRIC WITH AND 20.00 FEET SOUTHEASTERLY, AS MEASURED RADially, FROM THE CENTERLINE OF SAID MAIN TRACK, ALONG SAID CURVE AN ARC DISTANCE OF 169.37 FEET, THE LONG CHORD OF WHICH BEARS NORTH 23°49'50" EAST 169.25 FEET; THENCE NORTH 27°08'14" EAST 623.00 FEET TO THE POINT OF BEGINNING.

(2) A Statement that the Redevelopment Plan for the Project Area has been Approved. The City Council of Ogden City has adopted a Redevelopment Plan entitled "Wall Avenue Redevelopment Plan" dated October 5, 2000 by Ordinance No. 2000-64 dated November 14, 2000.

(3) The Date of Approval. The Redevelopment Plan was approved on the 14<sup>th</sup> day of November, 2000 at the time the Ordinance was adopted and became effective on the 26<sup>th</sup> day of November, 2000 on the date that the ordinance was first published.

*Norman L. Ashton*  
Norman L. Ashton, Attorney  
Ogden City Redevelopment Agency

SUBSCRIBED AND SWORN TO BEFORE  
ME BY *Norman L. Ashton* THIS  
*18th* DAY OF *Dec.* *2000*  
*Debra M. Wallwork*  
NOTARY

NOTARY PUBLIC  
DEBRA WALLWORK  
624 Washington Blvd.  
Ogden, UT 84414  
My Commission Expires  
March 14, 2004  
STATE OF UTAH

EN 1742826 BK2106 PG2066



ORDINANCE NO. 2001-33

AN ORDINANCE OF OGDEN CITY, UTAH, ADOPTING THE WEST 12<sup>TH</sup> STREET ECONOMIC DEVELOPMENT PROJECT AREA ECONOMIC DEVELOPMENT PLAN ENTITLED, "WEST 12<sup>TH</sup> STREET ECONOMIC DEVELOPMENT PLAN," DATED MARCH 30, 2001; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. The provisions of this ordinance shall be known, cited and referred to as the "WEST 12th STREET ECONOMIC DEVELOPMENT PLAN."

SECTION 2. Economic Development Plan. It has become necessary and desirable to adopt and Ogden City hereby adopts, an economic development plan entitled, "West 12<sup>th</sup> Street Economic Development Plan," dated March 30, 2001 (the "Economic Development Plan").

SECTION 3. Project Area Boundaries. The legal description of the boundaries of the West 12<sup>th</sup> Street Economic Development Project Area (the "Project Area") covered by the Economic Development Plan is as follows, to-wit:

Beginning at the intersection of the South right-of-way line of 17<sup>th</sup> Street and the East right-of-way line of Gibson Avenue, in Ogden, Utah, which point falls S 0°58' W 33 feet, and South 89°02' E 30 feet from the center line intersection of said Streets.

Thence N 0°58' E along the East right-of-way line of Gibson Avenue 2,752.88 feet to the South right-of-way line of 12<sup>th</sup> Street; thence N 89°03'15" W along the South right-of-way line of 12<sup>th</sup> Street 1,414.65 feet to the West right-of-way line of "A" Avenue; thence S 0°38' W along the West right-of-way line of "A" Avenue 1,482.64 feet to the beginning of a curve; thence along the curve on "A" Avenue to the North right-of-way line of 17<sup>th</sup> Street; thence S 0°58' W 66 feet to the South right-of-way line of 17<sup>th</sup> Street; thence S 89°02' E along the South right-of-way line of 17<sup>th</sup> Street to the point of Beginning.

SECTION 3. Purposes and Intent of Economic Development Plan. The purpose and intent of the City Council of Ogden City with respect to the Project Area is to accomplish the following purposes by adoption of the Economic Development Plan:

- 12-099-0008 TO 0015/
- 12-099-0002,0004,0006/
- 12-099-0017,0018,0020,0021/
- 12-101-0003 TO 0005/
- 12-101-0049,0050/
- 12-101-0053 TO 0057/
- 12-120-0002 TO 0004/
- 12-120-0011 TO 0017/
- 12-120-0009,0026/
- 12-125-0001 TO 0004/
- 12-125-0029 TO 0034/
- 12-125-0039 TO 0046/
- 12-125-0036,0037,0051/

EP 1773356 BK2142 PG1202  
DOUG CROFTS, NEBER COUNTY RECORDER  
30-MAY-01 228 PM FEE 0.00 DEP JPK  
REC FOR: OGDEN CITY

101  
West 12th St

- A. Encourage and assist economic development in order for a public or private employer to create additional jobs within the State.**
- B. Removal of impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels necessary for economic development served by improved public utilities, infrastructure improvements and new public or private facilities.**
- C. The elimination of environmental deficiencies, irregular lot subdivision, improper drainage, overcrowding or underutilization of real property.**
- D. Achievement of an environment reflecting a high level of concern for architectural, landscape and urban design principles, developed through encouragement, guidance, appropriate controls, and financial and professional assistance to owner participants and developers.**
- E. Promote and market the project area for economic development that would be complimentary to existing businesses and industries or would enhance the economic base of the City through diversification.**
- F. Provide utilities, streets, curbs, sidewalks, parking areas, landscape areas and other infrastructure improvements as appropriate and as necessary.**
- G. Provide for the strengthening of the property and income tax base and economic health of the entire community and the State of Utah.**
- H. Provide improved public streets and road access to and within the project area to facilitate better traffic and pedestrian circulation, reduce traffic hazards, and to promote air quality and reduce congestion.**

I. Insure compatible relationships among land uses and quality standards for their development, such that the area functions as a unified and viable center of economic activity for the City.

**SECTION 4. Economic Development Plan Incorporated by Reference.** The Economic Development Plan, together with its Report and other supporting documents is incorporated herein by reference, and made a part of this Ordinance. Copies of the Economic Development Plan and Report shall be filed and maintained in the office of the City Recorder for public inspection.

**SECTION 5. Economic Development Plan Officially Designated.** The Economic Development Plan is hereby designated as the official Economic Development Plan for the Project Area.

**SECTION 6. City Council Findings.** The City Council of Ogden hereby determines and finds as follows:

A. There is a need to effectuate a public purpose, and the development of the Project Area is needed to effectuate the public purposes set forth in the Utah Neighborhood Development Act or any successor law or act (the "Act").

B. There is a benefit under the benefit analysis described in Section 17A-2-1220 of the Act.

C. The Economic Development Plan as described in Section 17A-2-1202(6) of the Act would develop the Project Area in conformity with the Act and is in the interests of the public peace, health, safety and welfare of the Project Area and the community.

D. The adoption and carrying out of the Economic Development Plan is economically sound and feasible.

E. The Economic Development Plan conforms to the master plan or general plan of Ogden City.

F. The carrying out of the Economic Development Plan will promote the public peace, health, safety and welfare of the community.

G. The condemnation of real property is not provided for in the Economic Development Plan. Except when acquiring property from an officer or member pursuant to 17A-2-1239 with the officer's or member's consent, the Redevelopment Agency shall not acquire real property within the Project Area by the use of the power of eminent domain.

H. The Redevelopment Agency of Ogden City (the "Agency") has a feasible method or plan for the relocation of families and persons displaced from the project Area, if the implementation of the Economic Development Plan results in the temporary or permanent displacement of any occupants of housing facilities in the Project Area.

I. There are or are being provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number and available to such displaced families and persons and reasonably accessible to their places of employment.

**SECTION 7. Housing Facilities.** In the event that there are displaced families or persons, the Agency is satisfied that permanent housing facilities will be available within three years from the time occupants of the Project Area are displaced and that pending the

development of these housing facilities, there will be available to the displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

Since the Economic Development Plan does not authorize the use of the power of eminent domain, the Agency is satisfied that there are no families or persons residing within the Project Area who will be displaced by the Agency from the Project Area.

**SECTION 8. Tax Increment Financing.**

A. The Economic Development Plan and this Ordinance adopting the Economic Development Plan specifically incorporates the provisions of tax increment financing permitted by the Act, which are set forth in part as follows:

"(4) (a) An Agency may collect tax increment from all or a part of a Project Area. The tax increment shall be paid to the agency in the same manner and at the same time as payments of taxes to other taxing agencies to pay the principal of and interest on loans, moneys advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, to finance or refinance, in whole or in part, the redevelopment or economic development project and the housing projects and programs under Section 17A-2-1263 and 17A-2-1264.

B. The Economic Development Plan provides and the Agency has elected the tax increment alternative of 70% of the annual tax increment for 10 years as shown in the Project Area Budget.

C. The Economic Development Plan specifically incorporates the provisions of Section 17A-2-1247.(5) of the Act as follows:

(5) (a) The Redevelopment Plan shall provide that the portion of the taxes, if any, due to an increase in the tax rate by a taxing agency after the date the Project Area Budget is approved by the taxing agency committee may not be allocated to and when collected paid into a special fund of the redevelopment agency according to the provisions of Subsection (4) unless the taxing agency committee approves the inclusion of the increase in the tax rate at the time the Project Area Budget is approved. If approval of the inclusion of the increase in the tax rate is not obtained, the

portion of the taxes attributable to the increase in the rate shall be distributed by the county to the taxing agency imposing the tax rate increase in the same manner as other property taxes.

(b) The amount of the tax rate to be used in determining tax increment shall be increased or decreased by the amount of an increased or decreased by the amount of an increase or decrease as a result of:

(i) a statute enacted by the Legislature, a judicial decision, or an order from the State Tax Commission to a county to adjust or factor its assessment rate pursuant to Subsection 59-704(2), Utah Code Annotated 1953 as amended;

(ii) a change in exemption provided in Utah Constitution, Article XIII, Section 2, or Section 59-2-103;

(iii) any increase or decrease in the percentage of fair market value, as defined under Section 59-2-102, Utah Code Annotated 1953, as amended; or

(iv) a decrease in the certified tax rate under Subsection 59-2-924(2)(c) or (2)(b). The amount of the tax rate to be used in determining tax increment shall be increased or decreased by the amount of an increase or decrease as a result of:

(c) (i) Notwithstanding the increase or decrease resulting from Subsection 1247.5(5)(b) of the Act, the amount of money allocated to, and when collected paid to the agency each year for payment of bonds or other indebtedness may not be less than would have been allocated to and when collected paid to the agency each year if there had been no increase or decrease under Subsection (5)(b).

(ii) For a decrease resulting from Subsection (5)(b)(iv), the taxable value for the base year under Subsection 17A-2-1247(2)(a) or 17A-2-1202(2), as the case may be, shall be reduced for any year to the extent necessary, including below zero, to provide an agency with approximately the same amount of money the agency would have received without a reduction in the county's certified tax rate if:

(A) in that year there is a decrease in the certified tax rate under Subsection 59-2-924(2)(c) or (2)(d)(i);

(B) the amount of the decrease is more than 20% of the county's certified tax rate of the previous year; and

(iii) the decrease results in a reduction of the amount to be paid to the agency under Section 17A-2-1247 or 17A-2-1247.5.

**SECTION 9. Housing Element.** The Economic Development Plan and Project Area

Budget allocate 20% of the tax increment to be received by the Agency over the life of the Economic Development Plan for income targeted housing uses. Pursuant to the provisions of Sections 17A-2-1247.5 and 17A-2-1264 of the Act, the Agency has allocated 20% of the total tax increment received by the Agency to be used for eligible housing as set forth in the Act. The tax increment monies received by the Agency from the tax increment period up to the total amount

of \$658,696.00 shall be used to assist eligible housing projects as defined in the Act. The amount of tax increment to be allocated each year is set forth in the Project Area Budget.

**SECTION 10. Effective Date.** This ordinance shall become effective immediately upon publication after final passage.

**PASSED, ADOPTED AND ORDERED PUBLISHED** by the Council of Ogden City, Utah, this 8<sup>th</sup> day of May, 2001.

*Ken Alford*  
Chair

ATTEST:  
*Lee Ann Peterson*  
Acting City Recorder

TRANSMITTED TO THE MAYOR ON: 5/17/01

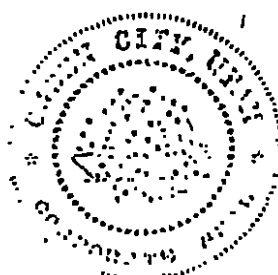
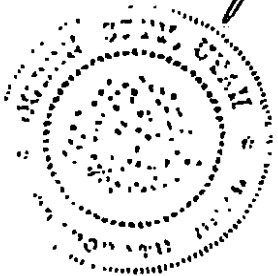
MAYOR'S ACTION:  Approved  Vetoed

*Matthew R. Godfrey*  
Matthew R. Godfrey, Mayor

ATTEST:  
*Lee Ann Peterson*  
Acting City Recorder

PUBLICATION DATE: 6/22/01  
EFFECTIVE DATE: 5/22/01

APPROVED AS TO FORM: *AW* 5-1-01  
Legal Date



When recorded, please mail to:

Randall S. Feil  
OSWALD & FEIL  
Attorneys for the Redevelopment Agency of Ogden City  
201 South Main Street, 6th Floor  
Salt Lake City, UT 84111

**NOTICE OF ADOPTION OF HINCKLEY DRIVE ECONOMIC DEVELOPMENT PROJECT AREA PLAN ENTITLED "HINCKLEY DRIVE ECONOMIC DEVELOPMENT PLAN" AND DATED SEPTEMBER 10, 2001**

Pursuant to Section 17B-4-410(1), Utah Code Annotated, 1953, as amended, the following information is recorded in the Office of the Recorder of Weber County:

(1) A Description of the Land Within the Hinckley Drive Economic Development Project Area. *08-002-0017, 0018, 0022, 0023, 0025, 05-148-0005, 0018/21*

A PART OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 2 WEST, AND PART OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT THAT IS 207.08 FEET, NORTH 0°02' WEST OF THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 2, WEST SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE ARC OF A 2774.93 FOOT RADIUS CURVE 36.24 FEET, THE CHORD OF SAID CURVE BEARS NORTH 67°37'27" EAST 36.24 FEET; THENCE ALONG THE ARC OF A 2774.93 FOOT RADIUS CURVE 678.95 FEET, THE CHORD OF SAID CURVE BEARS NORTH 82°46'50" EAST 677.02 FEET; THENCE THE ALONG THE ARC OF A 2774.93 FOOT RADIUS CURVE 30.04 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 89°51'06" E 30.04 FEET; THENCE S 89°32'30" EAST 344.39 FEET; THENCE SOUTH 44°54' WEST 263.57 FEET; THENCE SOUTH 44°42' WEST 930.87 FEET; THENCE SOUTH 45°20' EAST 25 FEET; THENCE SOUTH 44°42' WEST 1400 FEET; THENCE NORTH 45°20' WEST 420.40 FEET; THENCE NORTH 68°32' WEST 602.05 FEET; THENCE NORTH 523.07 FEET; THENCE NORTH 71°57'29" EAST 294.69 FEET; THENCE NORTH 79.95 FEET; THENCE NORTH 67°00'07" EAST 1422.17 FEET TO THE POINT OF BEGINNING.

(2) A Statement that the Hinckley Drive Economic Development Project Area Plan for the Hinckley Drive Economic Development Project Area has been Adopted.

By Ordinance No. 2001-62 dated October 23, 2001, the City Council of Ogden City

E# 1805031 BK2179 PG1091  
DOUG CROFTS, WEBER COUNTY RECORDER  
31-OCT-01 9:54 AM FEE \$1.00 DEP JPH  
REC FOR: OGDEN.CITY

103  
Hinckley Ave



has adopted the Hinckley Drive Economic Development Project Area Plan entitled "Hinckley Drive Economic Development Project Area Plan" (the "Plan") dated September 10, 2001.

(3) The Date of Adoption. The Plan was adopted on the 23rd day of October, 2001, the time the Ordinance was adopted and became effective on the 29<sup>th</sup> of October, 2001 on the date that the Ordinance was first published.

*Matthew R. Godfrey*  
Matthew R. Godfrey, Executive Director  
Ogden City Redevelopment Agency

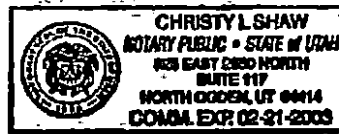
STATE OF UTAH )  
  ) :ss.  
COUNTY OF WEBER )

On the 30<sup>th</sup> day of October, 2001 personally appeared before me, Matthew R. Godfrey, the Executive Director of the Ogden City Redevelopment Agency, the signer of the within instrument, who duly acknowledged to me that he executed the same.

*Christy L. Shaw*  
Notary Public  
Residing at: *Ogden, Utah*

My Commission Expires:

*February 21, 2003*



EA 1098900 B-1574 PG 837  
 DOUG CROFTS, WEBER COUNTY RECORDER  
 1990 JAN 10 2:38 PM FEE .00 DEP MH  
 REC FOR OGDEN CITY

ORDINANCE NO. 33-89

BY: Bernard M. Donald

AN ORDINANCE OF OGDEN CITY ADOPTING A REDEVELOPMENT PLAN AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE PROJECT AREA DESCRIBED AS FOLLOWS:

A part of Sections 1 and 12, Township 5 North, Range 2 West, Salt Lake Base and Meridian;

Beginning at the point of intersection of the west line of the North-South runway extended of the Ogden Airport and the South line of the 31st Street Expressway, said point being South 1273.65 feet and West 2441.96 feet from the Northeast corner of said Section 1; thence South along the West line and West line extended of the North-South runway of the Ogden Airport 6570.35 feet to the North line of 4400 South Street; thence South 89 22' 20" West along the North line of 4400 South Street 1570.10 feet more or less to the Ogden City limits; thence along Ogden City limits as follows: North 0 00' 24" East 1298.07 feet; thence North 0 35' 30" East 1231.37 feet; thence North 0 01' 40" West 969.49 feet; thence North 24 08' 40" West 1493.00 feet; thence South 89 48' 20" West 595.16 feet more or less to the Southeasterly right-of-way line of a state highway; thence along the Southeasterly right-of-way line of the state highway as follows: 573.81 feet along the arc of a 748.51 foot radius curve to the right whose chord bears North 35 12' 19" East 559.88 feet; thence South 32 50' East 20.00 feet; thence North 57 10' East 1259.63 feet; thence 315.51 feet along the arc of a 1789.86 foot radius curve to the right whose chord bears North 62 13' East 315.11 feet; thence North 67 16' East 1104.70 feet; to the point of beginning.

Area is 250 acres more or less.

DESCRIBING THE PURPOSES AND INTENT OF THE COUNCIL WITH RESPECT TO THE DEVELOPMENT OF THE PROJECT AREA; INCORPORATING BY REFERENCE, THE REDEVELOPMENT PLAN FOR THE OGDEN-HINCKEY AIRPORT REDEVELOPMENT PROJECT AREA, DESIGNATING THE APPROVED PLAN AS THE OFFICIAL REDEVELOPMENT PLAN OF THE PROJECT AREA; FINDING AND DECLARING THAT A PLAN WAS ADOPTED BY THE REDEVELOPMENT AGENCY AND APPROVED, AND RECOMMENDED FOR APPROVAL BY THE OGDEN CITY PLANNING COMMISSION; THAT A PUBLIC HEARING WAS HELD BY THE CITY COUNCIL AS REQUIRED BY LAW AFTER LEGAL NOTICE; THAT THE PROJECT AREA IS A BLIGHTED AREA, THE REDEVELOPMENT OF WHICH IS NECESSARY TO EFFECTUATE THE PUBLIC PURPOSES OF THE UTAH NEIGHBORHOOD DEVELOPMENT ACT; THAT THE REDEVELOPMENT PLAN WOULD REDEVELOP THE AREA IN CONFORMITY WITH SAID

31 Hincley Airport

EH 1098900 BK1574 PG 838

ACT; THAT THE ADOPTION AND CARRYING OUT OF THE REDEVELOPMENT PLAN IS SOUND AND REASONABLE; THAT THE REDEVELOPMENT PLAN CONFORMS TO THE MASTER PLAN OF OGDEN CITY; THAT THE CARRYING OUT OF THE REDEVELOPMENT PLAN WOULD PROMOTE THE PUBLIC PEACE, HEALTH AND WELFARE OF THE COMMUNITY; THAT THE CONDEMNATION OF REAL PROPERTY, IF ANY, PROVIDED FOR IN THE PLAN IS NECESSARY TO THE EXECUTION OF THE REDEVELOPMENT PLAN AND ADEQUATE PROVISIONS HAVE BEEN MADE FOR PAYMENT OF PROPERTY, IF ANY, TO BE ACQUIRED AS PROVIDED BY LAW; THAT THE AGENCY HAS A FEASIBLE METHOD OR PLAN FOR RELOCATING PERSONS OR FAMILIES DISPLACED FROM THE PROJECT AREA, IF ANY, DISPLACEMENTS OCCUR; THAT THERE ARE, OR WILL BE PROVIDED IN OTHER AREAS, NOT GENERALLY LESS DESIRABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED PERSONS OR FAMILIES, OF ANY, ADEQUATE HOUSING; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE TWENTY (20) DAYS AFTER PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Redevelopment Plan for Ogden-Hinckley Airport Redevelopment Project Area. The Council finds and determines that the Ogden Neighborhood Development Agency prepared and adopted a Redevelopment Plan for the development of the Ogden-Hinckley Airport Redevelopment Project Area which was submitted to the Ogden City Council on the 9th day of November, 1989.

The Council further finds that the Redevelopment Plan was submitted to the Ogden City Planning Commission which recommended the approval of the plan.

The Council further finds that it held a public hearing on the plan at its regular council meeting on the 9th day of November, 1989 and that notice of the filing of the Redevelopment Plan and the public hearing thereon had been given as provided by law. The Council further finds that at said hearing the Council considered the report of the development agency together with the rules governing participation, and all testimony for and against the adoption of the plan.

A part of Sections 1 and 12, Township 5 North, Range 2 West, Salt Lake Base and Meridian;

Beginning at the point of intersection of the west line of the North-South runway extended of the Ogden Airport and the South line of the 31st Street Expressway, said point being South 1273.65 feet and West 2441.96 feet from the Northeast corner of said Section 1; thence South along the West line and West line extended of the North-South runway of the Ogden Airport 6570.35 feet to the North line of 4400 South Street; thence South 89° 22' 20" West along the North line of 4400 South Street 1570.10 feet more or less to the Ogden City limits; thence along Ogden City limits as follows: North 0° 00' 24" East

EH 1098900 Bk1574 PG 839

1298.07 feet; thence North 0° 35' 30" East 1231.37 feet; thence North 0° 01' 40" West 969.49 feet; thence North 24° 08' 40" West 1493.00 feet; thence South 89° 48' 20" West 595.16 feet more or less to the Southeasterly right-of-way line of a state highway; thence along the Southeasterly right-of-way line of the state highway as follows: 573.81 feet along the arc of a 748.51 foot radius curve to the right whose chord bears North 35° 12' 19" East 559.88 feet; thence South 32° 50' East 20.00 feet; thence North 57° 10' East 1259.63 feet; thence 315.51 feet along the arc of a 1789.86 foot radius curve to the right whose chord bears North 62° 13' East 315.11 feet; thence North 67° 16' East 1104.70 feet; to the point of beginning.

Area is 250 acres more or less.

**SECTION 2.** Redevelopment Plan Adopted. The Redevelopment Plan together with the report and rules governing participation, submitted by the development agency on the 9th day of November, 1989 and hereby approved and adopted as the official Redevelopment Plan of the project area is more particularly described as follows:

**SECTION 3.** The Purpose and intent of the Ogden City Council with respect to the project area is hereby determined to be the carrying out of the Redevelopment Plan hereby adopted so as to remove the blighted condition of the project area and to otherwise fully promote the public peace, health, safety and welfare of the community in general and the project area in particular.

**SECTION 4.** The Redevelopment Plan, as modified and so adopted, is hereby made a part of the ordinance by reference, and copies thereof are available for public inspection and use in the office of the Ogden City Recorder.

**SECTION 5.** The Council hereby finds and determines, upon the facts known to it and upon the facts and testimony submitted to it at the public hearing:

- (a) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Utah Neighborhood Development Act, as set forth in Utah Code Annotated, Section 11-9-1, et. seq.
- (b) The Redevelopment Plan would redevelop the area in conformity with the Utah Neighborhood Development Act and in the interest of the public peace, health, safety and welfare.
- (c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

EH 1098900 BK1574 PG 840

- (d) The Redevelopment Plan conforms to the master plan of the community.
- (e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development Act.
- (f) The agency has a feasible method and plan for the relocation of families and persons temporarily or permanently displaced from housing facilities in the project area.
- (g) There are, or, are being provided in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the project area, decent safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

SECTION 6. The City Council is satisfied permanent housing facilities, if any be required, will be available within three years from the time occupants are displaced, and that adequate temporary housing facilities, at comparable rents, are presently available in the community.

SECTION 7. Declaration of Community Intent to Carry Out Plan. The Council further ordains that it is its intent to undertake and complete all proceedings necessary to be carried out by the community under the provisions of the plan here adopted and approved.

SECTION 8. Effective date. This ordinance shall become effective twenty (20) days after publication after final passage.

PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden City, Utah, the 7th day of December, 1989.

Scott Swedden  
MAYOR

ATTEST:

Karen J. Mills  
CITY RECORDER













# Adopted Ordinance Terminating Certain RDA Project Areas

Final Audit Report

2021-09-09


Created:	2021-09-09
By:	Tracy Hansen (tracyh@ogdencity.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAei-glfnmr38P_iFmVVzYEV8p8c-ljMNF

## "Adopted Ordinance Terminating Certain RDA Project Areas" History


-  Document created by Tracy Hansen (tracyh@ogdencity.com)  
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-  Document emailed to James Tanner (jamest@ogdencity.com) for signature  
 2021-09-09 - 4:11:05 PM GMT
-  Email viewed by James Tanner (jamest@ogdencity.com)  
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Signature Date: 2021-09-09 - 6:16:52 PM GMT - Time Source: server- IP address: 38.73.141.12

 Agreement completed.

2021-09-09 - 6:16:52 PM GMT