

SHORT TITLE:

ORDINANCE NUMBER 0-89-011

AN ORDINANCE OF THE PROVO CITY MUNICIPAL COUNCIL APPROVING  
AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SOUTH UNIVERSITY  
AVENUE REDEVELOPMENT PROJECT.

ENT 1091 BK 2570 PG 861  
MINA B. REID UTAH CO RECORDER BY AT  
1989 JAN 13 10:05 AM FEE .00  
RECORDED FOR PROVO CITY

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

SEAT	NAME	MOTION	SECOND	VOTE FOR	VOTE AGAINST	OTHER
1	GORDON W. BULLOCK			✓		
2	RONALD W. LAST			✓		
3	STANLEY G. BROWN			✓		
4	V. BEN PORTER			✓		
5	STEPHEN D. CLARK			✓		
6	BARBARA M. SMITH	✓		✓		
7	ANAGENE MEECHAM COTTRELL			✓		
TOTALS				7		

This Ordinance was passed by the Municipal Council of Provo City, on the 10<sup>th</sup> day of January, 1989 on a roll call vote as described above.

Signed this 10<sup>th</sup> day of January 1989  
Municipal Council of Provo City, Utah  
by [Signature]  
Chairman

II

Approval by Mayor

This Ordinance is approved by me this 12 day of JANUARY 1989.

[Signature]  
Mayor

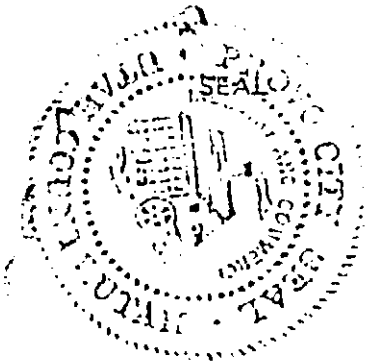
ORDINANCE NUMBER 0-89-011 CONTINUED

III

ENT 1091 BK 2570 PG 862

CITY RECORDERS CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 12<sup>th</sup> day of January 1989, with a short summary being published on the 18<sup>th</sup> day of January 1989, in the Daily Herald, a newspaper published in Provo, Utah. I hereby certify and attest that the foregoing constitute a true and accurate record of proceedings with respect to ordinance number 0-89-011



Signed this 12<sup>th</sup> day of January 1989.

Marilyn B. Perry  
City Recorder

ORDINANCE NO. 0-89-011

ENT 1091 BK 2570 PG 863

ORDINANCE OF THE PROVO CITY MUNICIPAL COUNCIL APPROVING  
AND ADOPTING THE REDEVELOPMENT PLAN FOR THE SOUTH  
UNIVERSITY AVENUE REDEVELOPMENT PROJECT

WHEREAS, pursuant to the provisions of Chapter 19, Title 11, Utah Code annotated, 1953, as amended, the City Commission of Provo established a Redevelopment Agency for the purpose of implementing the Utah Neighborhood Development Act of 1969, and

WHEREAS, the Provo City Municipal Council has officially recognized the Provo City Redevelopment Agency and ratified the actions of the previous form of government.

WHEREAS, the Redevelopment Agency formulated and prepared the proposed Redevelopment Plan for the South University Avenue Redevelopment Project; and

WHEREAS, the Redevelopment Agency submitted to the Municipal Council of Provo City said proposed Redevelopment Plan, accompanied by the Report of the Agency on said proposed Redevelopment Plan, and Rules Governing Participation and Preferences by Owners, Operators of Business and Tenants in the Central Business District Redevelopment Project; and

WHEREAS, after due notice, a joint public hearing was held by the Redevelopment Agency and the Municipal Council Provo City to consider said Redevelopment Plan; and

WHEREAS, among other findings and determinations the Municipal Council finds that the South University Avenue Redevelopment Project Area meets the intent of and requirements of the Utah Code Chapter 19, Title II as amended by finding that the properties individually and collectively are blighted according to the definition as contained in the above mentioned citation; and

WHEREAS, the project area has been restricted to buildings, improvements or lands which are detrimental or inimical to public health, safety, or welfare; and

WHEREAS, after joint public hearing this Municipal Council heard and passed upon all oral and written objections by overruling such objections; and

WHEREAS, all action required by law has been taken by all appropriate public agencies;

NOW, THEREFORE, the Municipal Council of Provo City does ordain as follows:

1. The purposes and intent of the Municipal Council of Provo with respect to the Project area are to: ENT 1091 BK 2570 PG 864

- a. Eliminate the conditions of blight existing in the Project area;
- b. Insure, as far as possible, that the causes of blighting conditions will be either eliminated or protected against;
- c. Provide participation for owners and tenants and a reasonable preference for persons engaged in business in the Project area;
- d. Encourage and insure the rehabilitation, rebuilding, and redevelopment of the Project area;
- e. Encourage and foster the economic revitalization of the Project area;
- f. Relocate the owners and occupants of the Project area as needed; and
- g. Redevelop and rebuild the public facilities in the Project area to provide safer and more efficient service for the people in the area and the general public as a whole.

2. All written and oral objections to the Redevelopment Plan are hereby overruled.

3. The proposed Redevelopment Plan for the South University Avenue Redevelopment Project is hereby approved and adopted and designated the official redevelopment plan for the South University Avenue Redevelopment Project.

4. The Redevelopment Plan for the South University Avenue Redevelopment Project is hereby incorporated herein by reference and made a part hereof as if set out at length herein.

5. The boundaries of the South University Avenue Redevelopment Project shall be as follows:

Commencing at the northwest corner of the intersection of 100 South and 100 West; thence east along the north right-of-way line of 100 South to the northeast corner of the intersection of 100 South and 100 East; thence south along the east right-of-way line of 100 East to the extended north lot line of the Verla Porter property on Block 12 Plat A; thence west along said extended lot line approximately 77 feet; thence, south to the north lot line of lot 1 Block 12 Plat B; thence West along said lot line extended approximately 33 feet from the

northwest corner of said lot to the west boundary line of the Chester Davis property; thence south along the east property line of the Davis property to the south right-of-way line of 400 South; thence west along the south right-of-way line of 400 South to the northwest corner of Lot 6, Block 5, Plat "B", Provo City Survey; thence south along the extended lot lines in the middle of Block 5, Plat "B", to the southwest corner of Lot 2 of Block 5, Plat "B" Provo City Survey; thence east along the north right-of-way line of 500 South to the northeast corner of the intersection of 500 South and 100 East; thence south along the east right-of-way line of 100 East to the southeast corner of the intersection of 100 East and 600 South; thence west along the south right-of-way line of 600 South to the southeast corner of the intersection of 600 South and University Avenue; thence south along the east right-of-way line of University Avenue to the northeast corner of the intersection of University Avenue and 780 South; thence east along the north right-of-way line of 780 South crossing 100 East and jogging to the south property line of Valtek Inc. and along said south line approximately 224 feet to the southeast corner of said property; thence north along the east property line of Valtek Inc. to its intersection with the south right-of-way line of Union Pacific Railroad; thence east along the south right-of-way line of Union Pacific Railroad in an arc to its intersection with the south right-of-way line of 900 South; thence west along the south right-of-way line of 900 South and its transition to 920 South; to a point where said right-of-way line intersects with the extended east boundary and line of the Creative Estates II Subdivision Plat A. Thence north along said east extended boundary line to the northeast corner of the Swire Pacific Holdings Inc. property; thence west along the extended north line of Swire Pacific Holdings Inc. to its intersection with the west right-of-way line of 200 West; thence north along the west right-of-way line of 200 West to its intersection with the north railroad track of Denver Rio Grande Railroad; thence west along the north Denver Rio Grande Railroad track line to its intersection with the extended west right-of-way line of 400 West; thence north along the west right-of-way line of 400 West to the northwest corner of the intersection of 400 West and 580 South, thence east along the north right-of-way line of 580 South and its transition to 600 South to the northwest corner of the intersection of 600 South and 100 West; thence north along the west right-of-way line of 100 West to the southwest corner of the intersection of 100 West and 400 South; thence west along the south right-of-way line of 400 South to the southwest corner of the intersection of 400 South and 200 West thence north along the west right-of-way line of 200 West to the northwest corner of the intersection of 200 West and 300 South; thence east along the north right-of-way of 300 South to the northwest corner of the intersection of 300 South and 100 West; thence north along the west right-of-

way line of 100 West to the northwest corner of the intersection of 100 West and 100 South at the point of beginning.

6. The Provo City Municipal Council finds and determines with respect to the South University Avenue Redevelopment Project:

- a. The Project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this act.
- b. The redevelopment plan will redevelop the area in conformity with the Utah Neighborhood Development Act and in the interests 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 or general plan of the community.
- e. The carrying out of the redevelopment plan will promote the public peace, health, safety, and welfare of the community and will effectuate the purposes and policy of the Utah Neighborhood Development Act.
- f. The condemnation of the real property, which is hereby authorized, is necessary to the execution of the redevelopment plan and adequate provisions have been made for payment for property to be acquired as provided by law.
- g. The Local Public Agency has a feasible method or plan for the relocation of families and persons displaced from the project area, if the redevelopment plan may result in the temporary or permanent displacement of any occupants of housing facilities in the project area.
- h. 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 of and available to such displaced families and persons and reasonable accessible to their places of employment.
- i. The Municipal Council 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 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.

7. To implement and facilitate the effectuation of the redevelopment plan hereby approved, it is found and determined that certain official action may be taken by this government body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions, and, accordingly, this body, pursuant to Section 11-19-23.1, Utah Code Annotated 1953, as amended, hereby:

- a. pledges its cooperation in helping to carry out the redevelopment plan.
- b. requests the various officials, departments, boards, and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment plan, and
- c. stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the redevelopment plan.

8. The Provo City Redevelopment Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan, subject to the provisions of the Redevelopment Plan.

9. The Municipal Council finds that it is necessary to provide for the safety and preserve the health and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and inhabitants thereof, that the above ordinance take effect immediately upon first publication.

END OF ORDINANCE