

ORDINANCE NO. 2008-04

AN ORDINANCE OF THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ADOPTING THE AMENDMENT TO PARRISH LANE GATEWAY NEIGHBORHOOD DEVELOPMENT PLAN DATED FEBRUARY 1, 2008 (Original Redevelopment Plan Dated August 1, 1989 and Adopted September 19, 1989; The Subject Amendment to Plan Adopted March 18, 2008)

BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH AS FOLLOWS:

SECTION I. This Ordinance pertaining to the "Amendment to Parrish Lane Gateway Neighborhood Development Plan" is hereby enacted to read as follows:

AMENDMENT TO PARRISH LANE GATEWAY NEIGHBORHOOD DEVELOPMENT PLAN

Sections:

1. Adoption of Amendment to Plan.
2. Project Area Boundaries.
3. Purposes of Amendment to Plan.
4. Amendment to Plan Incorporated by Reference.
5. Findings.
6. Tax Increment Financing.
7. Effective Date.

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
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DEP RT REC'D FOR CENTERVILLE CITY

Section 1. Adoption of Amendment to Plan. The Redevelopment Agency of Centerville City (the "Agency"), and Centerville City (the "City") have previously adopted on September 19, 1989 the redevelopment project area plan dated August 1, 1989 and entitled "Parrish Lane Gateway Neighborhood Development Plan," (the "Project Area Plan" or the "Plan"). The Agency has now adopted on March 18, 2008 the amendment to redevelopment (urban renewal) project area plan dated February 1, 2008 and entitled "Amendment to Parrish Lane Gateway Neighborhood Development Plan," (the "Amendment to Plan"). The Agency resolution and Centerville City ordinance adopting the Plan remain in full force and effect, except as modified, respectively, by the Agency resolution and this Centerville City ordinance adopting the Amendment to Plan. The Plan, as amended by the Amendment to Plan, is hereby designated as the official urban renewal project area plan of and for the Parrish Lane Gateway Neighborhood Development Project Area. The City hereby adopts by Ordinance the Amendment to Plan pursuant to Title 17C, Parts 1 through 4 of the Utah Community Development and Renewal Agencies Act (the "Act"), Section 17C-2-107.

Section 2. Project Area Boundaries. The legal description of the boundaries of the Parrish Lane Gateway Neighborhood Development Project Area (the "Project Area") covered by both the original Project Area Plan and the Plan as amended by the Amendment to Plan is as follows, to-wit:

Beginning at a point which is South 89°40'15" East 831.06 feet along the Section line from the Southwest corner of Section 7, Township 2 North, Range 1 East, Salt Lake Base and Meridian; and running thence North 00°03'10" East 118.33 feet; thence West 561.38 feet, more or less, to the West line of a frontage road; and running thence along said West line of a frontage road for seven courses as follows: North 00°18'37" East 452.25 feet to a point on a 2544.27 foot radius curve to the right (chord bears North 00°40'08" East 277.65 feet); thence 277.78 feet along the arc of said curve to the point of tangency; thence North 03°47'48" East 448.72 feet to the point of curvature of a 863.70 foot radius curve to the right; thence 539.62 feet along the arc of said curve to the point of tangency; thence North 39°35'37" East 96.80 feet to a point of curvature of a 772.44 foot radius curve to the left; thence 536.74 feet along the arc of said curve to the point of tangency; thence North 00°33'18" East 51.94 feet to the South line of Parrish Lane; thence North 00°20'54" East 110.22 feet, more or less, to the North line of Parrish Lane; thence continuing along the West line of a frontage road for three course as follows: North 00°06'12" West 203.66 feet to the point of curvature of a 778.51 foot radius curve to the left; thence 442.50 feet along the arc of said curve to the point of tangency; thence North 32°40'12" West 112.25 feet; and running thence North 89°46'44" East 1209.41 feet, more or less, to the East line of 400 West Street; thence South 249.29 feet along said East line; thence East 880.24 feet; thence South 00°06'27" West 330.66 feet; thence North 89°57'24" West 345.00 feet; thence South 00°06'27" West 149.00 feet to the North line of Parrish Lane; thence South 89°57'24" East 132.83 feet along said North line; thence South 00°06' East 260 feet; thence North 89°55'36" East 290 feet; thence South 00°06' East 216 feet; thence South 89°55'36" West 25 feet; thence South 00°06' East 592.07 feet; thence West 58 feet; South 00°06' East 166.2 feet; thence South 89°55'36" West 869.35 feet, more or less, to the East line of 400 West Street; thence South 00°03'25" East 1846.63 feet, more or less, along said East line to the North line of Porter Lane (400 South Street); thence North 89°36'20" West 66.00 feet along said North line to the West line of 400 West Street; thence North 00°03'25" West 572.20 feet along said West line to the South line of said Section 7; thence South 89°40'15" West 878.90 feet along said Section line to the point of beginning.

EXCEPTING THEREFROM the following described property: Beginning at a point which is North 89°40'15" East 831.29 feet along the Section line and North 982.97 feet from the Southwest Corner of Section 7, Township 2 North, Range 1 East, Salt Lake Base and Meridian; and running thence North 89°40'24" West 466.52 feet to the East line of a frontage road; thence North 03°47'48" East 229.81 feet along said East line; thence East 451.13 feet; thence South 00°02'27" East 231.96 feet to the point of Beginning. Containing approximately 2.4 acres.

ALSO EXCEPTING THEREFROM the following described property: Beginning at the intersection of the East line of 400 West Street and the North line of

Parrish Lane (400 North Street) and running thence North 299 feet along the East line of 400 West Street; thence South 89°57'24" East 300 feet; thence South 00°21'21" West 150 feet; thence North 89°57'24" West 104.45 feet; thence South 00°06'27" West 149 feet to the North line of Parrish Lane (400 North Street); thence North 89°57'24" West 194.34 feet, more or less, along said North line to the point of beginning. Containing approximately 1.7 acres.

The remaining acreage consists of approximately 92.3 acres of privately owned property.

Section 3. Purposes of Amendment to Plan. The purposes and intent of the City Council of Centerville City with respect to the Project Area under the original Project Area Plan, and the City ordinance adopting the Plan dated September 19, 1989, are the same as set forth in the Plan and in the City ordinance adopting it. In addition, the purposes and intent of the City Council of Centerville City in adopting the Amendment to Plan are to accomplish the following purposes: To remove certain Project Area Plan provisions no longer required by the Act, and to update the tax increment provisions of the Plan to conform the Plan to the Act.

Section 4. Amendment to Plan Incorporated by Reference. The Amendment to Plan is incorporated herein by this reference and made a part of this Ordinance. Copies of the Amendment to Plan shall be filed and maintained in the office of the City Recorder and the Redevelopment Agency for public inspection.

Section 5. Findings. The Redevelopment Agency has previously made its determinations and findings in connection with the adoption of the Plan, which determinations and findings continue in effect. In addition, in connection with the adoption of the Amendment to Plan, the Agency has made determinations and findings as follows:

- A. There is a need to effectuate a public purpose.
- B. There is a public benefit which would accrue through the adoption and implementation of the Amendment to Plan.
- C. It is economically sound and feasible to adopt and carry out the Amendment to Plan.
- D. The Amendment to Plan conforms to Centerville City's general plan.
- E. The Amendment to Plan would assist in developing the Project Area in conformity with the Act, and carrying out the Amendment to Plan will promote the public peace, health, safety and welfare of Centerville City.

The Agency previously made its finding of blight regarding the Project Area in connection with the adoption of the Plan. The date of the Agency's finding of blight is September 19, 1989.

Section 6. Tax Increment Financing. Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Ordinance hereby specifically incorporates all of the provisions of the former Utah Neighborhood Development Act, the former Utah Redevelopment Agencies Act and the current Utah Community Development and Renewal Agencies Act that authorize or permit the Agency to receive tax increment from the Project Area and that authorize the various uses of such tax increment by the Agency, and to the extent greater authorization for receipt of tax increment by the Agency or use thereof by the Agency is provided by any amendment of the law or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Ordinance that the Agency shall have the broadest authorization and permission for receipt of and use of tax increment as is authorized by law, whether by former, existing or amended provisions of law.

Section 7. Effective Date. This Ordinance shall take effect upon its first publication or posting.

PASSED and APPROVED by the City Council of Centerville City, State of Utah, this 18th day of March 2008.

CENTERVILLE CITY

Ronald G. Russell, Mayor

ATTEST:

Marilyn J. Holje, City Recorder

