

**BOUNTIFUL CITY ORDINANCE NO. 2012-02** REC'D FOR BOUNTIFUL CITY

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE C.B.D. NEIGHBORHOOD DEVELOPMENT PLAN, AS PREVIOUSLY APPROVED BY THE REDEVELOPMENT AGENCY OF BOUNTIFUL CITY.**

**WHEREAS** the Redevelopment Agency (the "Agency") of Bountiful City (the "City") has prepared and adopted an amendment to the C.B.D. Neighborhood Development Plan (the "Plan") for the C.B.D. Project Area (the "Project Area"); and

**WHEREAS** the amendment revises but does not enlarge the Project Area boundaries (the Project Area, as revised, is referred to as the "**Revised Project Area**"); and

**WHEREAS** the legal description of the Revised Project Area boundaries, as approved by the Agency on this same date, is attached as **Exhibit A**; and

**WHEREAS** the legal description of the currently adopted Project Area boundaries is codified in Title 9, Chapter 2, Section 102 of the Bountiful City Code; and

**WHEREAS** the Agency has complied with all of the relevant provisions of the Utah Limited Purpose Local Government Entities – Community Development and Renewal Agencies Act, Title 17C of the Utah Code, including in particular Subsection 17C-2-110(3), in preparing and adopting the amendment to the Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BOUNTIFUL, UTAH:**

**Section 1.** The above recitals are incorporated into this ordinance by this reference.

**Section 2.** The City Council adopts the amendment to the Plan as adopted by the Agency on June 26, 2012. Except for the Revised Project Area boundaries, the Plan remains effective as originally adopted by the City Council on September 13, 1978, and as amended by resolution of the Agency on May 12, 1981, and on August 09, 2011.

**Section 3.** The Project Area boundary legal description contained in Section 9-2-102 *Project Boundaries* of the Bountiful City Code shall be stricken in its entirety (see **Exhibit B**), and shall be replaced with the Revised Project Area boundary legal description contained in **Exhibit A**.

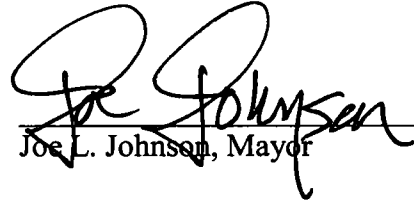
**Section 4.** The City Staff is authorized and directed to publish or cause to be published a notice substantially in the form attached hereto as **Exhibit C**, whereupon the Plan, as amended herein, will become effective.

**Section 5.** The Agency may proceed to carry out the Plan, as amended herein, as soon as it becomes effective.

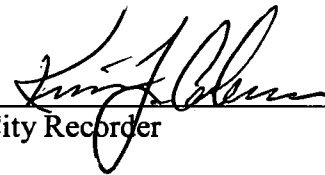
**Section 6.** City Ordinances in conflict, if any, with the provisions of this ordinance are hereby repealed as of the effective date of this ordinance. However, all provisions in force immediately prior to the effective date of this ordinance shall continue in force hereafter for the purpose of any pending legal action, all rights acquired, all fines, penalties and forfeitures imposed, and any liabilities already incurred.

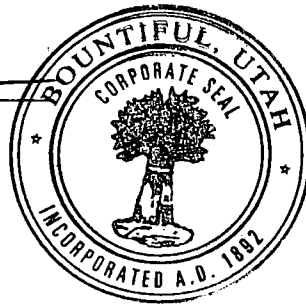
**Section 7.** This ordinance takes effect immediately upon first publication and recording.

Passed by the City Council of Bountiful, Utah, this 26<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
Joe L. Johnson, Mayor

Attest:

  
\_\_\_\_\_  
City Recorder



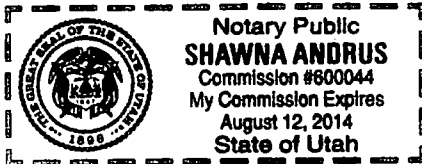
State of Utah            )  
County of Davis        )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of June, ~~2011~~, by Joe L. Johnson and Kim J. Coleman

*2012*

  
\_\_\_\_\_  
Notary Public

My commission expires:



**Exhibit A**

*Revised C.B.D. Neighborhood Development Project Area Description*

Beginning at the southwest corner of Block 4, Plat A, Bountiful Townsite survey. Said point of beginning is also N 89°38'33" E 34.96 ft., along the Section line, S 0°11'26" E 483.71 ft. along the westerly line of an existing street (400 East Street) and S 89°44'04" W 2220.30 ft. along the northerly line of an existing street (500 South Street) from the northeast corner of Section 30, T.2N, R.1E, SLB&M and running thence S 0°36'11" E 1,006.1 ft., more or less, along the easterly line of an existing street (Main Street) to a point on the south line of the property owned by Davis County and occupied by the Davis County Library South Branch; thence along said south line N 89°06'45" E 250.00 ft.; thence Due South 330.00 ft.; thence S 77°35'21" W 353.3 ft. more or less to a point S 85°34' E 363 ft., more or less, from the northeast corner of Lot 30 of Park View Subdivision; thence N 85°34' W 363 ft., more or less, along property lines to said northeast corner of Lot 30, thence N 85°34' W 100 ft., more or less, along the northerly line of said Lot 30 to a point 2.5 ft. S 0°09'34" W of the southwest corner of Carriage Crossing Condominiums Phase 3; thence N 0°09'34" E 2.5 ft. along the extended westerly line of said Carriage Crossing Condominiums Phase 3 to the southwest corner of said Phase 3; thence Westerly, northerly, easterly, and northerly four (4) courses along the westerly boundary of amended Carriage Crossing Condominiums Phase 7 as follows: N 85°51'00" W 181.53 ft., N 0°02'20" W 74.71 ft., N 89°34'20" E 159.36 ft., and N 0°09'34" E 616.99 ft.; thence leaving said Phase 7, N 0°09'34" E 125ft., more or less, to the centerline of Mill Creek; thence westerly nine courses along said centerline of Mill Creek as follows: N 65°43'56" W 167.48 ft., S 0°09'34" W 11.81 ft., S 64°22'34" W 94.41 ft., N 81°08'26" W 162.7 ft., N 67°22'26" W 88.10 ft., S 59°27'34" W 87 ft., S 86°28'34" W 130.6 ft., N 72°24'26" W 42.40 ft., N 88°51'26" W 89.60 ft., to the easterly line of an existing street (200 West Street); thence Westerly along said centerline of Mill Creek 560 ft., more or less, to the southwest corner of property recorded in Book 926, Page 1029, Entry No. 630514 of Davis County records; thence N 0°18' W 301.53 ft. along the property line to the northwest corner of said property; thence S 89°41'14" W 1253 ft., more or less, along the southerly line of an existing street (500 South Street) to the southeast corner of intersection at 500 West Street and 500 South Street; thence S 0°00'04" E 2505 ft., more or less, along the easterly line of an existing street (500 West Street) to the southeast corner of intersection at 500 West Street and 1250 South Street; thence N 89°56' E 400.00 ft. along the southerly line of an existing street (1250 South Street); thence S 0°07' E 686.28 ft. along the westerly line of Meadow Lane Subdivision Plat E and a westerly line of the Corporation of the Presiding Bishop property located in Book 344, Page 539, Entry No. 298731 of Davis County records; thence S 89°56' W 101.72 ft. along a northerly line of said Presiding Bishop property; thence S 0°07' E 198 ft. along a westerly line of said Presiding Bishop property; thence N 89°44'03" E 810 ft., more or less, to the northeast corner of intersection at 1500 South Street and State Road (U-106); thence N 26°48'30" E 407 ft., more or less, along the southeast line said State Road (U-106) to the southwest corner of Continental Townhouse Condominiums; thence N 89°49'30" E 294.58 ft. along a southerly line of said Continental Townhouse Condominiums; thence S 0°10' W 90.35 ft. along a westerly line of said Continental Townhouse Condominiums; thence Easterly 146 ft. along a southerly line of said Continental Townhouse Condominiums; thence Southerly 815 ft., more or less, along the westerly line of an existing street (200 West Street) to the southeast corner of property recorded in Book 636, Page 417, Entry No. 454188 of Davis County records; thence N 87°50'12" W 221.05 ft. to the southwest corner of said property; thence Southwesterly 4,350 ft., more or less, along the southeasterly line of said Main Street and

the easterly line of 500 West Street to a point east 66.00 ft. from the northeast corner of Summer Garden Townhouse Condominiums; thence West 66.00 ft. to said northeast corner of Summer Garden Townhouse Condominiums; thence Thirteen (13) courses along the boundary (including the northwesterly right-of-way) of said Summer Garden Townhouse Condominiums as follows: N 63°54'15" W 203.69 ft., N 59°36'20" W 200.00 ft., N 64°53'20" W 203.19 ft., N 64°53'20" W 163.81 ft., S 31°19'40" W 30.00 ft. along the southeasterly line of Highway 91 (South Main Street), S 64°53'20" E 163.81 ft., S 31°19'40" W 234.82 ft., S 89°41'20" E 29.20 ft.; S 31°19'40" W 120.0 ft., S 89°58'20" E 162.0 ft., S 31°19'40" W 13.813 ft., S 89°58'20" E 102.387 ft., S 0°05'00" E 142.00 ft.; thence S 89°58'20" E 453.22 ft. along the northerly line of an existing street (2600 South Street); thence S 0°05'30" E 634.31 ft. along the westerly line of said 500 West Street; thence Westerly and northerly nine (9) courses along the southerly and westerly boundary line of Colonial Square Subdivision as follows: S 89°32'04" W 347.32 ft., N 76°58'26" W 132.16 ft., N 37°54'30" W 162.18 ft., S 89°42'02" W 154.96 ft., N 0°05'30" W 58.35 ft., S 89°34'30" W 162.58 ft., N 0°05'30" W 42ft., S 89°35'30" E 233.03 ft., N 0°16'00" E 317 ft., thence N 89°58'20" W 456.22 ft., more or less, along the southerly line of said 2600 South Street to the centerline of an existing street (South Main Street); thence Northeasterly 3,460 ft., more or less, along said centerline of South Main Street; thence N 89°54' W 410.04 ft., more or less, along the extended southerly line of property recorded in Book 1170, Page 1002, Entry No. 788585 and said southerly line to the southeasterly line of an existing highway (U-106); thence Northeasterly 2,040 ft., more or less, along the southeasterly line of said U-106 Highway to the southeast corner of the intersection of U-106 Highway and 1500 South Street; thence S 89°44'03" W 1,136 ft., more or less, along the southerly line of an existing street (1500 South Street); thence Northerly four (4) courses along the existing Bountiful city limit line as follows: N 0°00'12" W 2803.64 ft. along the centerline of an existing street (500 West Street), S 89°59'48" W 462.00 ft., N 0°00'12" W 480.00 ft., and S 87°58'43" W 538.33 ft. to a point 1000.0 ft. west of the centerline of said 500 West Street; thence N 0°00'12" W 194.0 ft. more or less to a point on the Bountiful City Limit Line; thence along said City Limit Line the following four (4) courses, N 89°46'41" E 758.14 ft., N 0°11'12" W 297.95 ft., S 89°48'48" W 90.00 ft., and N 0°11'12" W 290.16 ft., more or less, to the north line of Section 25, T.2N, R.1W, SLB&M; thence S 89°59'16" E 372 ft., more or less, along said north line of Section 25; thence S 0°11'12" E 522 ft., more or less, along the easterly line of said 500 West Street; thence N 89°41'14" E 1781.20 ft. along the northerly line of said 500 South Street to the centerline of an existing street (200 West Street); thence N 89°44'04" E 1,317.40 ft. along said northerly line of 500 South Street; thence N 0°15'24" W 1,044.45 ft. along the westerly line of said Main Street; thence S 89°32'55" W 154.00 ft. along the southerly line of an existing street (200 South Street); thence S 0°11'29" E 165.00 ft. along a property line; thence S 89°40'49" W 110.00 ft. along the northerly line of Lot No. 1, Block 17, Plat A of Bountiful Townsite Survey; thence S 0°08'38" E 214.50 ft. along the westerly line of said Lot No. 1 and said lot line extended southerly; thence S 89°48'43" W 360.70 ft. along the southerly line of an existing street (300 South Street); thence N 0°01'51" W 709.00 ft. along the westerly line of an existing street (100 West Street); thence easterly along the southerly line of an existing street (100 South Street) to the southwest corner of the intersection of 100 South Street and Main Street; thence northerly along the westerly line of an existing street (Main Street) to the northwest corner of the intersection of Center Street and Main Street; thence westerly along the northerly line of an existing street (Center Street) to the northwest corner of the intersection of Center Street and 100 West Street; thence N 0°01'51" W along the westerly line of an existing street (100 West Street) 379.0 ft.; thence N 89°42'06" E

620.50 ft. along the northerly line of an existing street (100 North Street); thence N 0°03'00" W 1090.90 ft. along the westerly line of said Main Street; thence N 89°44'29" E 363.00 ft. along the southerly line of an existing street (400 North Street); thence S 0°09'23" E 165.00 ft. along the westerly line of Lot No.4, Block 52, Plat A Bountiful Townsite Survey; thence N 89°44'28" E 72.00 ft. along the southerly line of said Lot No.4; thence S 0°11 '07" E 214.50 ft. along a property line; thence N 89°44'27" E 60.00 ft. along the southerly line of an existing street (300 North Street); thence S 0°12'34" E 330.00 ft. along property lines; thence S 89°44'24" W 396.00 ft. along the northerly line of an existing street (200 North Street); thence S 0°03'00" E 381.4 ft. along said easterly line Main Street; thence N 89°41'32" E 610.5 ft. along the northerly line of an existing street (100 North Street); thence S 0°15'45" E 379.5 feet; thence westerly 610.5 ft. along the northerly line of an existing street (Center Street); thence southerly 429.0 ft. along the easterly line of an existing street (Main Street); thence easterly 264.0 ft. along the southerly line of an existing street (100 South Street); thence South 165.0 ft.; thence West 99.0 feet; thence South 214.5 ft., more or less, to the southerly line of an existing street (200 South Street); thence S 89°32'55" W 165.0 ft. along said southerly line of 200 South Street; thence S 0°15'24" E 1,044.45 ft. along the easterly line of said Main Street to the point of beginning.

**Exhibit B**

*Existing Provisions of the Bountiful City Code to be Stricken*

**9-2-102      Project Boundaries**

The legal description of the boundaries of the project area covered by the redevelopment plan entitled "C.B.D. Neighborhood Development Plan," dated April 22, 1981, in conformance with Section 11-19-9.5(3), Utah Code Annotated 1953, as amended by the 1983 Utah State Legislature is as follows to wit:

~~Beginning at the southwest corner of Block 4, Plat A, Bountiful townsite survey. Said point of beginning is also N 89 degrees 38'33" E 34.96 ft., along the Section line, S 0 degrees 11'26" E 483.71 ft. along the westerly line of an existing street (400 East Street) and S 89 degrees 44'04" W 2220.30 ft. along the northerly line of an existing street (500 South Street) from the northeast corner of Section 30, T.2N, R.1E, SLB&M and running thence S 0 degrees 36'11" E 1425 ft., more or less, along the easterly line of an existing street (Main Street) to a point S 85 degrees 34' E 363 ft., more or less, from the northeast corner of Lot 30 of Park View Subdivision; thence N 85 degrees 34' W 363 ft., more or less, along property lines to said northeast corner of Lot 30, thence N 85 degrees 34' W 100 ft., more or less along the northerly line of said Lot 30 to a point 2.5 ft. S 0 degrees 09'34" W of the southwest corner of Carriage Crossing Condominiums Phase 3; thence N 0 degrees 09'34" E 2.5 ft. along the extended westerly line of said Carriage Crossing Condominiums Phase 3 to the southwest corner of said Phase 3; thence Westerly, northerly, easterly, and northerly four (4) courses along the westerly boundary of amended Carriage Crossing Condominiums Phase 7 as follows: N 85 degrees 51'30" W 181.53 ft., N 0 degrees 02'20" W 74.71 ft., N 89 degrees 34'20" E 159.36 ft., and N 0 degrees 09'34" E 616.99 ft.; thence leaving said Phase 7, N 0 degrees 09'34" E 125 ft., more or less, to the centerline of Mill Creek; thence westerly nine courses along said centerline of Mill Creek as follows: N 65 degrees 43'56" W 167.48 ft., S 0 degrees 09'34" W 71.81 ft., S 64 degrees 22'34" W 94.41 ft., N 81 degrees 08'26" W 162.7 ft., N 67 degrees 22' 26" W 88.10 ft., S 59 degrees 27'34" W 87 ft., S 86 degrees 28'34" W 130.6 ft., N 72 degrees 24'26" W 42.40 ft., N 88 degrees 51'26" W 89.60 ft., to the easterly line of an existing street (200 West Street); thence Westerly along said centerline of Mill Creek 560 ft., more or less, to the southwest corner of property recorded in Book 926, Page 1029, Entry No. 630514 of Davis County records; thence N 0 degrees 18' W 301.53 ft. along the property line to the northwest corner of said property; thence S 89 degrees 41'14" W 1253 ft., more or less, along the southerly line of an existing street (500 South Street) to the southeast corner of intersection at 500 West Street and 500 South Street; thence S 0 degrees 00'04" E 2505 ft., more or less, along the easterly line of an existing street (500 West Street) to the southeast corner of intersection at 500 West Street and 1250 South Street; thence N 89 degrees 56' E 400.00 ft. along the southerly line of an existing street (1250 South Street); thence S 0 degrees 07' E 686.28 ft. along the westerly line of Meadow Lane Subdivision Plat E and a westerly line of the Corporation of the Presiding Bishop property located in Book 344, Page 539, Entry No. 298731 of Davis County records; thence S 89 degrees 56' W 101.72 ft. along a northerly line of said Presiding Bishop property; thence S 0 degrees 07' E 198 ft. along a westerly line of said Presiding Bishop property; thence N 89 degrees 44'03" E 810 ft., more or less, to the northeast corner of intersection at 1500 South Street and State Road~~

~~(U-106); thence N 26 degrees 48'30" E 407 ft., more or less, along the southeast line said State Road (U-106) to the southwest corner of Continental Townhouse Condominiums; thence N 89 degrees 49'30" E 294.58 ft. along a southerly line of said Continental Townhouse Condominiums; thence S 0 degrees 10' W 90.35 ft. along a westerly line of said Continental Townhouse Condominiums; thence Easterly 146 ft. along a southerly line of said Continental Townhouse Condominiums; thence Southerly 815 ft., more or less, along the westerly line of an existing street (200 West Street) to the southeast corner of property recorded in Book 636, Page 417 Entry No. 454188 of Davis County records; thence N 87 degrees 50'12" W 221.05 ft. to the southwest corner of said property; thence Southwesterly 4,350 ft., more or less, along the southeasterly line of said Main Street and the easterly line of 500 West Street to a point east 66.00 ft. from the northeast corner of Summer Garden Townhouse Condominiums; thence West 66.00 ft. to said northeast corner of Summer Garden Townhouse Condominiums; thence Thirteen (13) courses along the boundary (including the northwesterly right of way) of said Summer Garden Townhouse Condominiums as follows: N 63 degrees 54'15" W 203.69 ft., N 59 degrees 36'20" W 200.00 ft., N 64 degrees 53'20" W 203.19 ft., N 64 degrees 53'20" W 163.81 ft., S 31 degrees 19'40" W 30.00 ft. along the southeasterly line of Highway 91 (South Main Street), S 64 degrees 53'20" E 163.81 ft., S 31 degrees 19'40" W 234.82 ft., S 89 degrees 41'20" E 29.20 ft.; S 31 degrees 19'40" W 120.0 ft., S 89 degrees 58'20" E 162.0 ft., S 31 degrees 19'40" W 13.813 ft., S 89 degrees 58'20" E 102.387 ft., S 0 degrees 05'00" E 142.00 ft.; thence S 89 degrees 58'20" E 453.22 ft. along the northerly line of an existing street (2600 South Street); thence S 0 degrees 05'30" E 634.31 ft. along the westerly line of said 500 West Street; thence Westerly and northerly nine (9) courses along the southerly and westerly boundary line of Colonial Square Subdivision as follows: S 89 degrees 32'04" W 347.32 ft., N 76 degrees 58'26" W 132.16 ft., N 37 degrees 54'30" W 162.18 ft., S 89 degrees 42'02" W 154.96 ft., N 0 degrees 05'30" W 58.35 ft., S 89 degrees 34'30" W 162.58 ft., N 0 degrees 05'30" W 42 ft., S 89 degrees 35'30" E 233.03 ft., N 0 degrees 16'00" E 317 ft., thence N 89 degrees 58'20" W 456.22 ft., more or less, along the southerly line of said 2600 South Street to the centerline of an existing street (South Main Street); thence Northeasterly 3,460 ft., more or less, along said centerline of South Main Street; thence N 89 degrees 54' W 410.04 ft., more or less, along the extended southerly line of property recorded in Book 1170, Page 1002, Entry No. 788585 and said southerly line to the southeasterly line of an existing highway (U-106); thence Northeasterly 1,890 ft., along the southeasterly line of said U-106 Highway; thence S 58 degrees 48'30" E 521.41 ft.; along the southwesterly line of property recorded in Book 742, Page 353, Entry No. 516406; thence N 31 degrees 11'30" E 300.49 ft. along the northwesterly line of said South Main Street; thence Northwesterly and northeasterly two (2) courses along the southwesterly and northwesterly line of property recorded in Book 742, Page 353, Entry No. 516406 as follows: N 58 degrees 48'30" W 136.53 ft., N 31 degrees 11'30" E 91.57 ft.; thence S 89 degrees 44'03" W 1600 ft., more or less, along the southerly line of an existing street (1500 South Street); thence northerly ten (10) courses along the existing Bountiful City limit line as follows: N 0 degrees 00'12" W 2803.64 ft. along the centerline of an existing street (500 West Street), S 89 degrees 59'48" W 462.00 ft., N 0 degrees 00'12" W 480.00 ft., S 87 degrees 58'43" W 1050.30 ft., N 29 degrees 13'19" W 195.00 ft., N 0 degrees 13'19" W 39.50 ft., N 89 degrees 46'41" E 1365.13 ft., N 0 degrees 11'12" W 297.95 ft., S 89 degrees 48'48" W 90.00 ft., and N 0 degrees 11'12" W 290.16 ft., more or less, to the north line of Section 25, T.2N, R.1W, SLB&M; thence S 89 degrees 59'16" E 372 ft., more or less, along said north line of Section 25; thence S 0 degrees 11'12" E 522 ft., more or less, along the easterly line of said 500 West Street; thence N 89 degrees 41'14" E 1781.20 ft. along~~

~~the northerly line of said 500 South Street to the centerline of an existing street (200 West Street); thence N 89 degrees 44'04" E 1,317.40 ft. along said northerly line of 500 South Street; thence N 0 degrees 15'24" W 1,044.45 ft. along the westerly line of said Main Street; thence S 89 degrees 32'55" W 154.00 ft. along the southerly line of an existing street (200 South Street); thence S 0 degrees 11'29" E 165.00 ft. along a property line; thence S 89 degrees 40'49" W 110.00 ft. along the northerly line of Lot No. 1, Book 17, Plat A of Bountiful Townsite Survey; thence S 0 degrees 08'38" E 214.50 ft. along the westerly line of said Lot No. 1 and said lot line extended southerly; thence S 89 degrees 48'43" W 360.70 ft. along the southerly line of an existing street (300 South Street); thence N 0 degrees 01'51" W 1569.90 ft. along the westerly line of an existing street (100 West Street); thence N 89 degrees 42'06" E 620.50 ft. along the northerly line of an existing street (100 North Street); thence N 0 degrees 03'00" W 1090.90 ft. along the westerly line of said Main Street; thence N 89 degrees 44'29" E 363.00 ft. along the southerly line of an existing street (400 North Street); thence S 0 degrees 09'23" E 165.00 ft. along the westerly line of Lot No. 4, Block 52, Plat A Bountiful Townsite Survey; thence N 89 degrees 44'28" E 72.00 ft. along the southerly line of said Lot No. 4; thence S 0 degrees 11'07" E 214.50 ft. along a property line; thence N 89 degrees 44'27" E 60.00 ft. along the southerly line of an existing street (300 North Street); thence S 0 degrees 12'34" E 330.00 ft. along property lines; thence S 89 degrees 44'24" W 396.00 ft. along the northerly line of an existing street (200 North Street); thence S 0 degrees 03'00" E 381.4 ft. along said easterly line Main Street; thence N 89 degrees 41'32" E 655.70 ft. along the northerly line of an existing street (100 North Street); thence S 0 degrees 15'45" E 1355.40 ft. along the easterly line of an existing street (100 East Street); thence S 89 degrees 40'49" W 478.50 ft. along the southerly line of Lot No. 4, Block 16, Plat A Bountiful Townsite Survey extended easterly and said southerly line of Lot No. 4 and the southerly line of Lot No. 3; thence N 0 degrees 15'29" W 165.00 ft. along property lines; thence S 89 degrees 32'55" W 132.00 ft. along said southerly line of 200 South Street; thence S 0 degrees 15'24" E 1,044.45 ft. along the easterly line of said Main Street to the point of beginning.~~



**EXHIBIT C**

**Notice of Adoption of Ordinance No. 2011-08 by the Bountiful City Council**

The Bountiful City Council (the "City Council") passed Ordinance No. 2011-08 on August 9, 2011, adopting an amendment to the C.B.D. Neighborhood Development Plan (the "Plan"), which amendment to the Plan was first approved by the Redevelopment Agency of Bountiful City (the "Agency") on the same date, and directing that this notice of adoption be given as required by law. Ordinance No. 2011-08 and the Plan, as amended, will become effective upon publication of this notice, at which time the Agency may proceed to implement the Plan, as amended. The amendment revises but does not enlarge the Project Area boundaries. No privately-owned property was added to the Revised Project Area boundaries. Except for the Revised Project Area Boundaries, the Plan remains effective as previously adopted.

The Plan, as amended, is available for general public inspection at the office of the Bountiful City Recorder located at 790 South 100 East, Bountiful, Utah, during regular business hours. For a period of 30 days after the publication of this notice, any person in interest may contest the amendment to the Plan or the procedure used to adopt the amendment to the Plan, if the amendment to the Plan or the procedure used to adopt the amendment to the plan fails to comply with applicable statutory requirements. After that 30-day period, no person may contest the amendment to the Plan, or the procedure used to adopt it, for any cause.

**REDEVELOPMENT AGENCY OF BOUNTIFUL CITY**

**Resolution No. 2012-03**

**A RESOLUTION APPROVING AN AMENDMENT TO THE C.B.D. NEIGHBORHOOD DEVELOPMENT PLAN OF 1978, AS PREVIOUSLY AMENDED IN 1981, BY REVISING BUT NOT ENLARGING THE C.B.D. PROJECT AREA BOUNDARIES.**

**WHEREAS** on September 13, 1978, the Redevelopment Agency (the "Agency") of Bountiful City (the "City") adopted the "C.B.D. Neighborhood Development Plan," dated September 13, 1978 (the "C.B.D. Plan (1978)"), pursuant to the Utah Neighborhood Development Act, Title 11, Chapter 19 (1978) (the "Neighborhood Development Act") in effect at that time, and on the same date the City Council also adopted the same C.B.D. Plan (1978) by Ordinance No. 78-13.

**WHEREAS** Section III.E. of the Amended C.B.D Plan (1978) provides that the C.B.D. Plan (1978) "may be modified at any time by the Redevelopment Agency of Bountiful," and accordingly, on April 22, 1981, the Agency adopted an amended Plan for the C.B.D. Project Area (the "Amended C.B.D. Plan (1981)").

**WHEREAS** Section G, of the Amended C.B.D Plan (1981) provides that the Amended C.B.D. Plan (1981) "may be modified at any time by the Redevelopment Agency of Bountiful in the same manner as the original plan[.]" and under this resolution the Agency is amending the Amended C.B.D. Plan (1981) to amend the C.B.D. Project Area to also encompass the Expansion Area.

**WHEREAS** Utah Code Ann. § 17C-2-110(3) (2011) provides: "If a proposed amendment does not propose to enlarge an urban renewal project area, an agency board may adopt a resolution approving an amendment to an adopted project area plan after: (a) the agency gives notice, as provided in Section 17C-2-502, of the proposed amendment and of the public hearing required by Subsection (3)(b); [and] (b) the agency board holds a public hearing on the proposed amendment that meets the requirements of a plan hearing."

**WHEREAS** the Agency held a public hearing on June 26, 2012, regarding the issue of whether the Agency should adopt this proposed resolution amending the C.B.D. Plan by revising but not enlarging the C.B.D. Project Area to the new boundaries described in the attached **Exhibit A** and depicted on the map attached as **Exhibit B** (the Project Area, as revised herein, is referred to as the "**Revised Project Area**"), and the Agency received all public comments, including verbal and written comments, regarding the issue of whether to adopt the Revised Project Area boundaries.

**WHEREAS** all of the property included in the Revised Project Area boundaries was also included in the Redevelopment Survey Area, and was identified in the Blight Study and Report as having at least one of the blight factors set forth in the Neighborhood Development Act in effect at the time the Agency adopted the C.B.D. Plan (1978).

**WHEREAS** pursuant to Utah Code Ann. § 17C-2-502, at least 30 days before the date of the public hearing on June 26, 2012, the Agency caused to be mailed a notice of public hearing to all owners of property and taxing entities within both the Revised Project Area and the original Project Area.

**WHEREAS** pursuant to Utah Code Ann. § 17C-2-502, at least 14 days before the date of the public hearing on June 26, 2012, the Agency caused to be published in a newspaper of general jurisdiction within Davis County, a notice of the public hearing.

**WHEREAS** pursuant to Utah Code Ann. § 17C-2-502, at least 30 days before the date of the public hearing on June 26, 2012, the Agency made a copy of this resolution proposing an amendment to the C.B.D. Plan available for public inspection at the offices of the Agency, during regular business hours.

**THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF BOUNTIFUL CITY AS FOLLOWS:**

A. The above recitals, and all attachments and exhibits to this resolution, are incorporated by this reference as a part of this resolution and the Agency's findings of fact.

B. The boundaries of the C.B.D. Project Area are hereby amended to the Revised Project Area boundaries as described on the attached **Exhibit A** and depicted in the map attached as **Exhibit B**. The Revised Project Area boundaries contain only 97.87 acres of privately owned property, and the original Project Area boundaries contained 97.87 acres of privately owned property, and therefore, as required by Utah Code Ann. § 17C-2-110(3) (2011), this amendment and the Revised Project Area boundaries do not enlarge the original Project Area boundaries as described in the Amended C.B.D. Plan (1981).

C. The Agency hereby officially approves and ratifies the adoption of the Amended C.B.D. Plan (1981), as amended by this resolution, for the Revised Project Area.

D. The Amended C.B.D. Plan (1981), as amended by this resolution for the Revised Project Area, serves the public purpose of encouraging, promoting and providing for redevelopment within the Revised Project Area. Specifically, this amendment for the Revised Project Area boundaries will benefit the Project Area by allowing the Agency to enhance the community, including property values, cultural activities, and community involvement, through the potential construction of a proposed recreational and/or civic center within the Revised Project Area.

E. The continued execution of the Amended C.B.D. Plan (1981), as amended by this resolution, within the Revised Project Area is economically sound and feasible.

F. The Agency Board hereby submits the Amended C.B.D. Plan (1981), as amended by this resolution for the Revised Project Area, to the City Council of Bountiful City


for review and adoption.

G. This amendment complies with the requirements of the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C of the Utah Code, including in particular Section 17C-2-110(3) for amending urban renewal project area plans.

H. The Agency Staff and consultants, including special legal counsel Smith Hartvigsen, PLLC, are hereby directed and authorized to take all such actions as necessary to effectuate the purposes and aims of this resolution.

I. This Resolution shall take effect upon its adoption.

**ADOPTED AND APPROVED BY THE REDEVELOPMENT AGENCY OF BOUNTIFUL CITY THIS JUNE 26, 2012.**

  
Chair

Attest:

  
Secretary - *ARIC JENSEN*

**Exhibit A**  
*Revised Project Area (Legal Description)*

**LEGAL DESCRIPTION OF AMENDED 100 ACRE TAX INCREMENT COLLECTION  
AREA**

(Contains approximately 97.8731 acres of privately owned land)

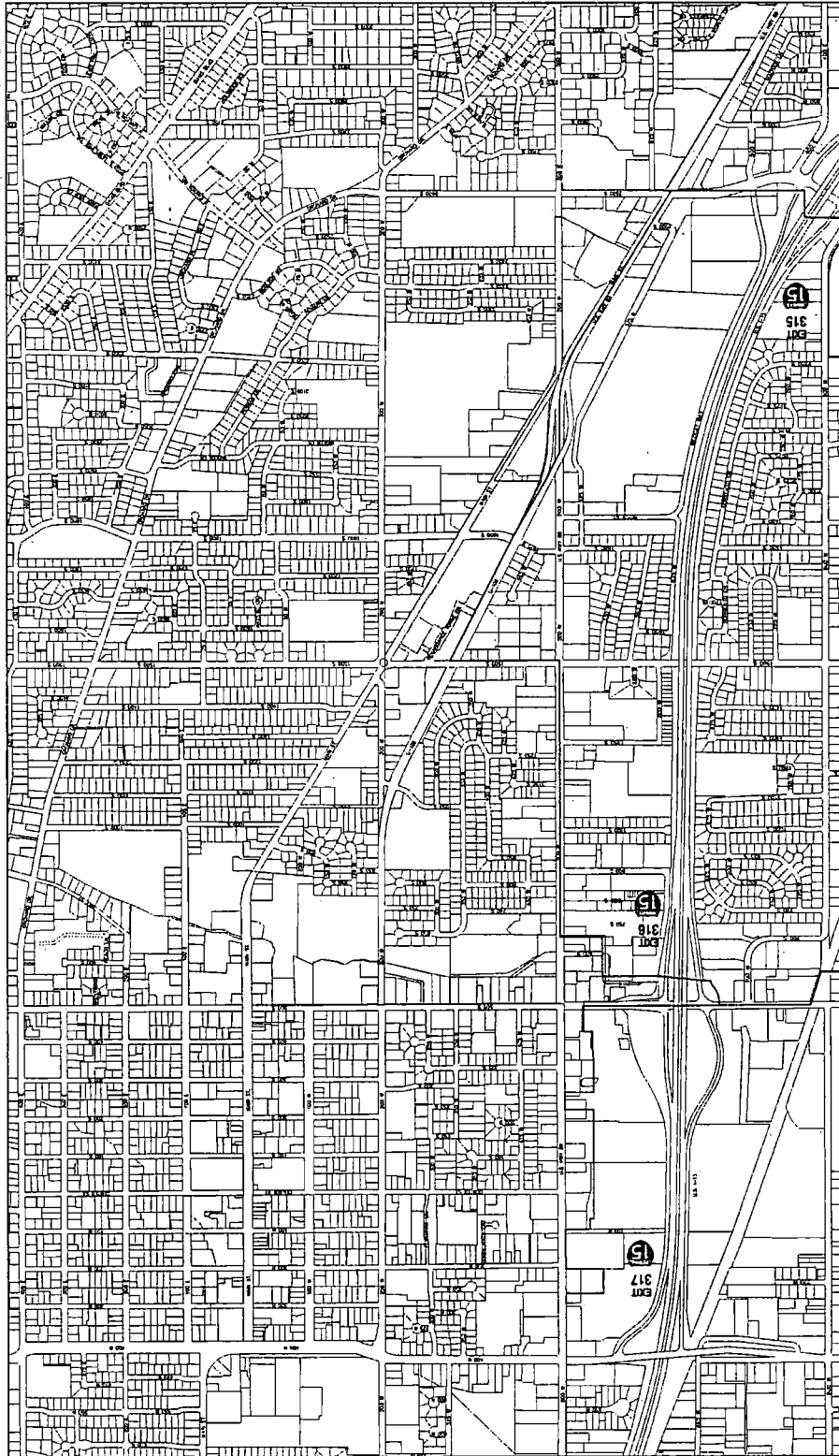
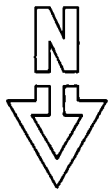
Beginning at the southwest corner of Block 4, Plat A, Bountiful Townsite survey. Said point of beginning is also N 89°38'33" E 34.96 ft., along the Section line, S 0°11'26" E 483.71 ft. along the westerly line of an existing street (400 East Street) and S 89°44'04" W 2220.30 ft. along the northerly line of an existing street (500 South Street) from the northeast corner of Section 30, T.2N, R.1E, SLB&M and running thence S 0°36'11" E 1,006.1 ft., more or less, along the easterly line of an existing street (Main Street) to a point on the south line of the property owned by Davis County and occupied by the Davis County Library South Branch; thence around the property owned by Bountiful City and occupied by the campus housing the Bountiful City Hall, Bountiful Police and Courts Building, the Bountiful Arts Center and other Bountiful City owned buildings, in the following 15 courses: N 89°06'45" E 283.66 ft., N 0°59'45" W 183.01 ft. more or less, S 74°42'53" E 267.17 ft. to a point on the west line of 100 East Street, S 0°15'06" E 691.66 ft. along said 100 East Street, S 89°59'21" W 132.25 ft., S 0°32'42" E 121.71 ft., N 89°49'42" W 432.00 ft., N 0°32'42" W 150.00 ft., N 89°49'42" W 177.90 ft., N 31°48'39" E 29.07 ft., S 89°49'42" E 183.22 ft., S 48°26'53" E 37.44 ft., S 89°49'42" E 58.82 ft., N 0°08'07" W 136.75 ft., N 89°49'40" W 200.39 ft.; thence N 73°10'03" E 22.51 ft. to a point S 85°34' E 363ft., more or less, from the northeast corner of Lot 30 of Park View Subdivision; thence N 85°34' W 363ft., more or less, along property lines to said northeast corner of Lot 30, thence N 85°34' W 100ft., more or less, along the northerly line of said Lot 30 to a point 2.5 ft. S 0°09'34" W of the southwest corner of Carriage Crossing Condominiums Phase 3; thence N 0°09'34" E 2.5 ft. along the extended westerly line of said Carriage Crossing Condominiums Phase 3 to the southwest corner of said Phase 3; thence Westerly, northerly, easterly, and northerly four (4) courses along the westerly boundary of amended Carriage Crossing Condominiums Phase 7 as follows: N 85°51'00" W 181.53 ft., N 0°02'20" W 74.71 ft., N 89°34'20" E 159.36 ft., and N 0°09'34" E 616.99 ft.; thence leaving said Phase 7, N 0°09'34" E 125ft., more or less, to the centerline of Mill Creek; thence westerly nine courses along said centerline of Mill Creek as follows: N 65°43'56" W 167.48 ft., S 0°09'34" W 11.81 ft., S 64°22'34" W 94.41 ft., N 81°08'26" W 162.7 ft., N 67°22'26" W 88.10 ft., S 59°27'34" W 87ft., S 86°28'34" W 130.6 ft., N 72°24'26" W 42.40 ft., N 88°51'26" W 89.60 ft., to the easterly line of an existing street (200 West Street); thence Westerly along said centerline of Mill Creek 560ft., more or less, to the southwest corner of property recorded in Book 926, Page 1029, Entry No. 630514 of Davis County records; thence N 0°18' W 301.53 ft. along the property line to the northwest corner of said property; thence S 89°41'14" W 1253 ft., more or less, along the southerly line of an existing street (500 South Street) to the southeast corner of intersection at 500 West Street and 500 South Street; thence S 0°00'04" E 2505 ft., more or less, along the easterly line of an existing street (500 West Street) to the southeast corner of intersection at 500 West Street and 1250 South Street; thence N 89°56' E 400.00 ft. along the southerly line of an existing street

(1250 South Street); thence S 0°07' E 686.28 ft. along the westerly line of Meadow Lane Subdivision Plat E and a westerly line of the Corporation of the Presiding Bishop property located in Book 344, Page 539, Entry No. 298731 of Davis County records; thence S 89°56' W 101.72 ft. along a northerly line of said Presiding Bishop property; thence S 0°07' E 198 ft. along a westerly line of said Presiding Bishop property; thence N 89°44'03" E 810ft., more or less, to the northeast corner of intersection at 1500 South Street and State Road (U-106); thence N 26°48'30" E 407 ft., more or less, along the southeast line said State Road (U-106) to the southwest corner of Continental Townhouse Condominiums; thence N 89°49'30" E 294.58 ft. along a southerly line of said Continental Townhouse Condominiums; thence S 0°10' W 90.35 ft. along a westerly line of said Continental Townhouse Condominiums; thence Easterly 146ft. along a southerly line of said Continental Townhouse Condominiums; thence Southerly 815ft., more or less, along the westerly line of an existing street (200 West Street) to the southeast corner of property recorded in Book 636, Page 417, Entry No. 454188 of Davis County records; thence N 87°50'12" W 221.05,ft. to the southwest corner of said property; thence Southwesterly 4,350 ft., more or less, along the southeasterly line of said Main Street and the easterly line of 500 West Street to a point east 66.00 ft. from the northeast corner of Summer Garden Townhouse Condominiums; thence West 66.00 ft. to said northeast corner of Summer Garden Townhouse Condominiums; thence Thirteen (13) courses along the boundary (including the northwesterly right-of-way) of said Summer Garden Townhouse Condominiums as follows: N 63°54'15" W 203.69 ft., N 59°36'20" W 200.00 ft., N 64°53'20" W 203.19 ft., N 64°53'20" W 163.81 ft., S 31°19'40" W 30.00 ft. along the southeasterly line of Highway 91 (South Main Street), S 64°53'20" E 163.81 ft., S 31°19'40" W 234.82 ft., S 89°41'20" E 29.20 ft.; S 31°19'40" W 120.0 ft., S 89°58'20" E 162.0 ft., S 31°19'40" W 13.813 ft., S 89°58'20" E 102.387 ft., S 0°05'00" E 142.00 ft.; thence S 89°58'20" E 453.22 ft. along the northerly line of an existing street (2600 South Street); thence S 0°05'30" E 634.31 ft. along the westerly line of said 500 West Street; thence Westerly and northerly nine (9) courses along the southerly and westerly boundary line of Colonial Square Subdivision as follows: S 89°32'04" W 347.32 ft., N 76°58'26" W 132.16 ft., N 37°54'30" W 162.18 ft., S 89°42'02" W 154.96 ft., N 0°05'30" W 58.35 ft., S 89°34'30" W 162.58 ft., N 0°05'30" W 42ft., S 89°35'30" E 233.03 ft., N 0°16'00" E 317ft., thence N 89°58'20" W 456.22 ft., more or less, along the southerly line of said 2600 South Street to the centerline of an existing street (South Main Street); thence Northeasterly 3,460 ft., more or less, along said centerline of South Main Street; thence N 89°54' W 410.04 ft., more or less, along the extended southerly line of property recorded in Book 1170, Page 1002, Entry No. 788585 and said southerly line to the southeasterly line of an existing highway (U-106); thence Northeasterly 2,040 ft., more or less, along the southeasterly line of said U-106 Highway to the southeast corner of the intersection of U-106 Highway and 1500 South Street; thence S 89°44'03" W 1,136 ft., more or less, along the southerly line of an existing street (1500 South Street); thence Northerly four (4) courses along the existing Bountiful city limit line as follows: N 0°00'12" W 2803.64 ft. along the centerline of an existing street (500 West Street), S 89°59'48" W 462.00 ft., N 0°00'12" W 480.00 ft., and S 87°58'43" W 538.33 ft. to a point 1,000.0 ft. west of the centerline of said 500 West Street; thence N 0°00'12" W 194.0 ft. more or less to a point on the Bountiful City Limit Line; thence along said City Limit Line the following four (4) courses, N 89°46'41" E 758.14 ft, N 0°11'12" W 297.95 ft., S 89°48'48" W 90.00 ft., and N 0°11'12" W 290.16 ft., more or less, to the north line of Section 25, T.2N, R.1W, SLB&M; thence S 89°59'16" E 291.72 ft. more or less along said north line of Section 25 to the

west line of state highway US 89 (500 West Street); thence S 0°11'12" E 567.0 ft., more or less, along the westerly line of said 500 West Street; thence N 89°41'14" E 1,861.30 ft. along a line parallel to and 27 ft. south of the centerline of said 500 South Street to the centerline of an existing street (200 West Street); thence N 89°44'04" E 1,317.37 ft. along said parallel line; thence N 0°15'24" W 1,104.45 ft. along the westerly line of said Main Street; thence S 89°32'55" W 154.00 ft. along the southerly line of an existing street (200 South Street); thence S 0°11'29" E 165.00 ft. along a property line; thence S 89°40'49" W 110.00 ft. along the northerly line of Lot No. 1, Block 17, Plat A of Bountiful Townsite Survey; thence S 0°08'38" E 165.00 ft. along the westerly line of said Lot No. 1 to the north line of an existing street (300 South Street); thence S 89°48'43 " W 261.40 ft. along the northerly line of 300 South Street; thence N 0°01'51" W 708.25 ft. along the easterly line of an existing street (100 West Street); thence easterly along the southerly line of an existing street (100 South Street) to the southwest corner of the intersection of 100 South Street and Main Street; thence northerly along the westerly line of an existing street (Main Street) to the northwest corner of the intersection of Center Street and Main Street; thence westerly along the northerly line of an existing street (Center Street) to the northwest corner of the intersection of Center Street and 100 West Street; thence N 0°01'51" W along the westerly line of an existing street (100 West Street) 379.0 ft.; thence N 89°42'06" E 620.50 ft. along the northerly line of an existing street (100 North Street); thence N 0°03'00" W 1090.90 ft. along the westerly line of said Main Street; thence N 89°44'29" E 363.00 ft. along the southerly line of an existing street (400 North Street); thence S 0°09'23" E 165.00 ft. along the westerly line of Lot No.4, Block 52, Plat A Bountiful Townsite Survey; thence N 89°44'28 " E 72.00 ft. along the southerly line of said Lot No.4; thence S 0°11 '07" E 214.50 ft. along a property line; thence N 89°44'27" E 60.00 ft. along the southerly line of an existing street (300 North Street); thence S 0°12'34" E 330.00 ft. along property lines; thence S 89°44'24" W 396.00 ft. along the northerly line of an existing street (200 North Street); thence S 0°03'00" E 381.4 ft. along said easterly line Main Street; thence N 89°41'32" E 610.5 ft. along the northerly line of an existing street (100 North Street); thence S 0°15'45" E 379.5 feet; thence westerly 610.5 ft. along the northerly line of an existing street (Center Street); thence southerly 429.0 ft. along the easterly line of an existing street (Main Street); thence easterly 264.0 ft. along the southerly line of an existing street (100 South Street); thence South 165.0 ft.; thence West 99.0 feet; thence South 214.5 ft., more or less, to the southerly line of an existing street (200 South Street); thence S 89°32'55" W 165.0 ft. along said southerly line of 200 South Street; thence S 0°15'24" E 1,044.45 ft. along the easterly line of said Main Street to the point of beginning. (Contains approximately 97.8731 acres of privately owned land)

**Exhibit B**  
*Revised Project Area (Map)*

RDA AREA  
Revised June 2012





Recorder note:  
Attached for tax id  
reference only

03-027-0001
03-027-0051
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