

ORDINANCE NO. 492

AN ORDINANCE ADOPTING THE 2nd AMENDED EDA #2008-01, AS APPROVED BY THE BOX ELDER COUNTY REDEVELOPMENT AGENCY, AS THE OFFICIAL ECONOMIC DEVELOPMENT PROJECT AREA PLAN FOR THE PROJECT AREA AND DIRECTING THAT NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS the Board of the Box Elder Redevelopment Agency (the "Agency"), having prepared a 2nd Amended Project Area Plan (the "Plan") for the EDA #2008-01 (Procter & Gamble) Economic Development Project Area (the "Project Area"), the legal description attached hereto as **EXHIBIT A**, pursuant to Utah Code Annotated ("UCA") § 17C-3-109, adopted the 2nd Amended Plan as the Official Economic Development Plan for the Project Area; and

WHEREAS the Utah Community Reinvestment Agency Act (the "Act") mandates that, before the economic development project area plan approved by an agency under UCA § 17C-3-102 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-3-106; and

WHEREAS the Act also requires that notice is to be given by the community legislative body upon its adoption of an amended economic development project area plan under UCA § 17C-3-107.

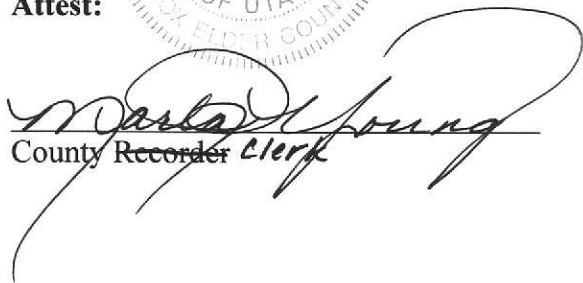
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF BOX ELDER AS FOLLOWS:

1. Box Elder County hereby adopts and designates the 2nd Amended Project Area Plan, as approved by the Agency Board, as the official economic development plan for the Project Area (the "Official Plan").
2. County staff and consultants are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-3-107, whereupon the Official Plan shall become effective pursuant to UCA § 17C-3-107(2).
3. Pursuant to UCA § 17C-3-107(4), the Agency may proceed to carry out the Official Plan upon its adoption.
4. This ordinance shall take effect immediately.

APPROVED AND ADOPTED this 6th day of February 2019.



Attest:

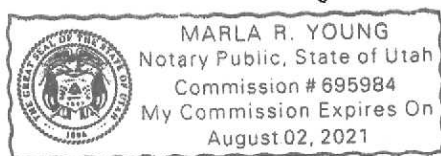

County Recorder Clerk


Commission Chair

State of Utah)
).ss)
County of Box Elder)

On this 6th day of February, 2019, personally appeared before me, the undersigned notary public, Jeffrey D. Scott, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commissioner for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Aug 2, 2021



Marla R. Young
Notary Public

PROJECT AREA LEGAL DESCRIPTION

EXHIBIT A

PROJECT AREA LEGAL DESCRIPTION

ALL OF SECTIONS 10, 11, 14, 15, 22, 23, 26, 27, 34, AND 35, TOWNSHIP 10 NORTH, RANGE 3 WEST, S.L.B. & M., LAYING NORTH OF STATE ROUTE 83, AND ALL OF SECTIONS 24 AND 25, TOWNSHIP 10 NORTH, RANGE 3 WEST, S.L.B. & M., LAYING SOUTHWESTERLY OF THE MALAD RIVER, AND THE EAST HALF OF THE EAST HALF OF SECTIONS 9, 16, 21, AND 28, TOWNSHIP 10 NORTH, RANGE 3 WEST, S.L.B. & M., (APPROXIMATELY 1320 FEET WEST OF IOWA STRING ROAD (6800 W.)), LAYING NORTH OF STATE ROUTE 83, AND THE SOUTH HALF OF THE SOUTH HALF OF SECTIONS 2 AND 3, TOWNSHIP 10 NORTH, RANGE 3 WEST, S.L.B. & M (APPROXIMATELY 1320 FEET NORTH OF BERCHTOLD ROAD (6400 N.)), AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 3 WEST, AND ALL OF SECTION 13, TOWNSHIP 10 NORTH RANGE 3 WEST, S.L.B. & M., LAYING SOUTHWESTERLY OF THE MALAD RIVER, EXCLUDING THOSE AREAS WITHIN THE INCORPORATED LIMITS OF CORINNE AND BEAR RIVER CITIES.

EXCLUDING THE FOLLOWING PARCELS:

S&C HOLMGREN PROPERTIES LLC
04-003-0020

SW/4, SE/4 LYING W & S OF M. V. R. R. IN SEC 23, TWP 10N, R 3W, SLM. EXC OF RES.

S&C HOLMGREN PROPERTIES LLC
04-050-0003

PRT SW/4 SEC 2, T10N, R3W, SLM. BEG AT PT N 00°10'26"W 561.00 (N 561 FT BY DEED) FRM SW COR SEC 2, TION, R3W, SLM, N 00°10'26"W 1825.31 FT (N 1835.7 FT BY DEED) ALG SEC/LTO SW COR OF ALBERT HOLMGREN'S TRACT, S 89°29'00"E 1026.30 FT (S 89°29'E 1026.3 FT BY DEED) ALG S/L SD TRACT, S 01°33'00"W 1849.31 FT (S 01°33'W 1844 FT BY DEED), N 88°04'38"W 971.24 FT (N 88°17' W 980.3 FT BY DEED) TO POB. CONT 42.18 AC. SUBJECT TO A 24 FT WIDE NON-EXCLUSIVE PRIVATE ACCESS AND UTILITY EASEMENT ADJOINING THE EASTERLY BDY THEREOF IN FAVOR OF THE ELY & NLY ADJOINING PROPERTIES.

S&C HOLMGREN PROPERTIES LLC
04-050-0004

PRT SW/4 SEC 2, TION, R3W, SLM. BEG AT PT ON N R/W/L OF 6400 N ST AS DESC IN BOOK W, AT PAGE 122, OF DEEDS ON FILE IN THE OFFICE OF THE BOX ELDER COUNTY RECORDER, SD PT BEING N 00°10'26"W 33.08 FT (33 FT N BY DEED) FRM SW COR SEC 2, T10N, R3W, SLM, N 85°48'49"E 960.15 FT (N 85°51' E 935 FT BY DEED)
4826-2480-4099BO977-010

ON A LINE PARALLEL TO & 33 FT N OF SEC/L, N 01°33'00" E 425.39 FT (N 380 FT BY DEED), N 88°04'38" W 971.24 FT (N 88°17' W 969 FT BY DEED) TO W/L SW/4, S 00°10'26"E 527.92 FT (S 507.3 FT BY DEED) ALG SD W/L TO POB. CONT 10.55 AC. SUBJECT TO A 24 FT WIDE NON-EXCLUSIVE PRIVATE ACCESS AND UTILITY EASEMENT ADJOINING THE EASTERLY BDY THEREOF IN FAVOR OF THE ELY & NLY ADJOINING PROPERTIES.

S&C HOLMGREN PROPERTIES LLC
04-051-0013

BEG AT NE COR OF SE/4 OF SEC 3, TWP 10N, R 3W, SLM. TH N 589 FT TO DAVID HOLMGREN S BOUNDARY, W 4018 FT TO MALAD RIVER, S AND SE ALONG SAID RIVER TO PT 33 FT N OF S LINE OF SEC., N 88°10' E 1830 FT TO A PT 33 FT N OF SE COR OF SEC, N ALONG SEC LINE 2762 FT TO BEG. ALSO A SEMI-CIRCULAR TRACT OF LAND LYING IN SE COR. OF GRANTOR'S LAND IN SAID SEC 3, BOUNDED ON S BY NEW HWY, ON E AND N BY OLD CHANNEL OF THE MALAD RIVER AND ON THE W BY THE NEW CHANNEL OF SAID RIVER, THE SE COR OF SAID TRACT BEING APPROX 1880 FT W OF SEC COR OF SEC. LESS COUNTY ROAD. CONT 243.19 ACRES

S&C HOLMGREN PROPERTIES LLC
04-058-0001

NW/4 OF THE NW/4 OF SEC 11, T10N, R3W, SLM, LESS ROADS

S&C HOLMGREN PROPERTIES LLC
04-058-0005

S/2 OF THE NW/4 AND NW/4 OF THE SW/4 OF SEC 11, T10N, R3W, SLM. LYING BETWEEN MALAD RIVER AND CORINNE BRANCH OF BEAR RIVER CANAL.

GREGG A. JOHNSON
04-051-0016

LOT 6 STEPHENS MINOR SUB DESC AS PART OF THE SW/4 OF SEC 3, T10N, R3W, SLM, BEG AT A PT ON THE E R/W LINE OF 6800 W ST. LOC N 00°00'00"E 635.25 FT ALG THE W. LINE OF SD SEC & S 90°00'00"E 33.00 FT FROM THE SW COR OF SD SW/4, TH N 00°00'00"E 269.66 FT ALG SD R/W LINE, TH S 90°00'00"E 769.24 FT TO THE WLY R/W LINE OF THE BEAR RIVER CANAL, ALG SD CANAL R/W LINE PARAL TO & 83.00 FT PERPEN. TO THE C/L OF THE MALAD VALLEY RR MAIN LINE TRACKS, TO THE LEFT ALG THE ARC OF A 3943.90 FT RADIUS CURVE, A DIST OF 281.73 FT, (CHORD BEARS S 16°47'45"E 281.67 FT), TH N 90°00'00"W 850.63 FT TO POB. CONT 5.0 AC SUBJ TO EASEMENTS ETC.

PEDRO MISRASI TTEE ETAL
04-058-0016
4826-2480-4099BO977-010

BEG AT A PT 688 FT S AND 33 FT W OF THE NE COR OF SEC 11, T10N, R3W, SLM. TH RUNNING S 644 FT, TH W 1472 FT, TH N ALONG SPILLWAY GULCH TO A PT 1318 FT W AND 688 FT S OF THE NE COR OF SAID SEC. TH E 1285 FT TO BEG.

PEDRO MISRASI TTEE ETAL
04-058-0018

ALL THAT PART OF THE N/2 OF THE S/2 OF THE NE/4 OF SEC 11, T10N, R3W, SLM. LYING E OF BEAR RIVER SPILLWAY DITCH AS NOW LOC RES R/W FOR ROADS. LESS RES CONT. 24.94 ACS

PEDRO MISRASI TTEE ETAL
04-058-0019

BEG AT A PT 33 FT W. AND 688 FT S OF THE NE COR OF THE SE/4 OF THE NE/4 OF SEC 11, T10N, R3W, SLM. TH RUNNING S 344 FT, TH W 1506.3 FT, TH N 27°31' W 178 FT, TH N 8°43' W 170 FT, TH E 1621.5 FT TO BEG.

PEDRO MISRASI TTEE ETAL
04-058-0020

BEG AT A PT 33 FT W AND 162 FT N FROM THE SE COR OF THE NE/4 OF SEC 11, T10N, R3W, SLM. TH RUNNING W 1557 FT, TH N 14°41' E 189 FT, TH N 3°16' E 162 FT, TH E 1506.3 FT, TH S 342 FT TO BEG.

PEDRO MISRASI TTEE ETAL
04-050-0025

BEG AT A PT 51 RDS N & 3 RDS W OF SE COR OF SEC 2, T10N, R3W, SLM TH RUNNING S 85°45' W 78 RDS, N 41 RDS, E 84 RDS TO A PT 3 RDS W OF SEC LINE, S 35 RDS TO BEG.

FOWERS, DELORA M TTEE
04-064-0002

THE E/2 OF NW/4 OF SEC 14 T10N R03W SLM LYING W OF MALAD RIVER. ALSO NW/4 OF NE/4 OF SEC 14 T10N R03W SLM LYING W OF MALAD RIVER. EXC OF RDS & CANAL.

FOWERS, DELORA M TTEE
04-054-0004

ALL OF SW/4 OF SEC 14 T10N R03W SLM LYING E OF MV BRANCH OSLRR.

4826-2480-4099BO977-010

COR OF SD SW/4 N 00°00'00E 321.00 FT ALG R/W LINE, S 90°00'00E 658.26 FT TO W/L
R/W LINE OF BEAR RIVER CANAL, ALG SD R/W LINE PARALLEL TO & 83.00 FT
PERPENDICULAR TO C/L OF MALAD VALLEY MAIN LINE TRACKS TO THE LEFT
ALG THE ARC OF A 3943.90 FT RADIUS CURVE, A DIST OF 324.23 FT, CHORD BEARS
S 07°58'41E 324.14 FT, N 90°00'00 W 703.24 FT TO POB ALSO KNOW AS LOT 4
STEPHENS MINOR SUB. CONT 5 AC.

4826-2480-409960977-010

FOWERS, DELORA M TTEE
04-064-0015

SW/4 OF NE/4 OF SEC 14 T10N R03W SLM LYING S & W OF MALAD RIVER. ALSO NW/4 OF SE/4 OF SEC LYING S & W OF MALAD RIVER. SW/4 OF SE/4 OF SEC. LESS RES.

ALSO BEG AT A PT 33 FT N OF SE COR OF SEC 14, N03°30' E ALG E/L OF SD SEC 1597 FT TO MALAD RIVER, S70°33'W 470 FT, N55°W 625 FT, N05°W 650 FT, N64°W 250 FT, S03°30'W 2559 FT TO A PT 33 FT N OF S/L OF SEC, E 1301 FT TO BEG.

LESS [04-064-0014]: PRT SE/4 SEC 1 T10N R03W SLM. BEG AT A T LOC N00°03'30" E 33.05 FT ALG E/L OF SD SE/4 FRM THE S/E COR OF SD SE/4, S87°04'35" W 1757.32 FT, N00°30'57" E 2102.37 FT, N52°17'50" W 163.50 FT, N14°31'19" E 515.70 FT TO THE SLY BANK OF THE MALAD RIVER, ALG SD SLY BANK THE FOLLOW TEN COURSE (1) S39°31'19"E 84.54 FT (2) S66°20'04" E 242.71 FT (3) S85°41'58" E 256.82 FT (4) S 19°55'58" E 150.09 FT (5) S12°23'19" E 353.50 FT (6) S 18°17'01" E 269.83 FT (7) S 56°11'41" E 497.82 FT (8) S 83°32'35" E 216.77 FT (9) N66°59'28" E 195.30 FT (10) N61°38'41" E 210.31 FT TO TH E/L OF SD SE/4, S00°03'30" W 1562.28 FT ALG SD E/L TO POB. CONT 63.67 AC.

FOWERS, DELORA M TTEE
04-068-0002

NW/4 OF SEC 24 T10N R03W SLM. LESS: CO RD & STATE HWY. LESS: ALL THAT PRT OF NW/4 LYING NLY OF MALAD RIVER. LESS: A STRIP OF LAND 1 RD WIDE ADJOINING CO RD & LYING PARALLEL WITH SAME ON N SIDE OF NW/4 OF SEC. CONT 155.4 AC M/L.

FOWERS, DELORA M TTEE
04-068-0028

ALL THAT PRT OF NE/4 OF SEC 24 T10N R03W SLM LYING S OF MALAD RIVER & W OF STATE HWY 13. CONT 1 AC M/L.

FOWERS, DELORA M TTEE
04-003-0019

ALL THAT PORTION OF SEC 23 T10N R03W SLM LYING N & E OF MVRR R/W. EXC A R/W 79 FT WIDE ON & ALG N/L OF SD SEC FOR LATERAL A OF THE CORINNE BRANCH OF BEAR RIVER CANAL SUBJECT TO R/W FOR RD RUNNING IN N & S THROUGH CTR OF SEC. CONT 181.86 AC.

BORROWMAN, RICHARD M
04-051-0020

A PART OF SW/4 OF SEC 3 T10N R3W SLM. BEG A PT ON THE E R/W LINE OF 6800 W ST LOC N 00°00'00E 1201.57 FT ALG W LINE OF SEC & S 90°00'00E 33.00 FT FROM SW

4826-2480-4099BO977-010