

RESOLUTION NO. 19-03

**RESOLUTION OF THE BOX ELDER COUNTY REDEVELOPMENT AGENCY  
ADOPTING AN OFFICIAL AMENDED PROJECT AREA PLAN FOR THE EDA #2008-01  
ECONOMIC DEVELOPMENT AREA.**

**WHEREAS**, pursuant to the provisions of the Utah Community Reinvestment Agencies Act (the “Act”), specifically Utah Code Annotated (“UCA”) 17C-3-102 & 103, the Box Elder County Redevelopment Agency (the “Agency”) adopted in November 2007, a resolution which designated the EDA #2008-01 (the “Project Area”) and authorized the preparation of a Draft Plan and Budget for the Project Area; and

**WHEREAS**, on October 7, 2008, the Agency adopted Resolution No. 08-07 approving and adopting the Draft Amended Plan for the Box Elder County Economic Development Project Area EDA #2008-01 as the official plan for the Project Area (the “Plan”); and

**WHEREAS**, it was discovered that there was an inaccuracy between the accurate legal description and the map and parcel list that Box Elder County (the “County”) has been using to govern the Project Area; and

**WHEREAS**, the Agency desires to amend the Plan to fix the inaccuracy so that the accurate legal description, map, and parcel list are being referenced; and

**WHEREAS**, according to 17C-3-109 (4)(a)(i), an agency may amend a project area plan without complying with the notice and public hearing requirements of Subsections (2)(a) and (b) and without obtaining taxing entity committee approval under Subsection (3)(c) if the amendment makes a minor adjustment in the boundary description of a project area boundary requested by a county assessor or county auditor to avoid inconsistent property boundary lines.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOX ELDER COUNTY  
REDEVELOPMENT AGENCY BOARD AS FOLLOWS:**

**Section 1. Adoption of Project Area Plan.** It has become necessary and desirable to adopt the 2<sup>nd</sup> amended draft Project Area Plan as the official Project Area Plan for the Project Area. The draft Project Area Plan, in the form attached hereto as **Exhibit C**, is hereby designated and adopted as the official Project Area Plan for the Project Area. The Agency shall submit the Project Area Plan, together with a copy of this Resolution, to the County Commission of the County requesting that the Project Area Plan be adopted by ordinance of the legislative body of County in accordance with the provisions of the Act.

**Section 2. Legal Description of the Project Area Boundaries.** The legal description of the boundaries of the Project Area covered by the Project Area Plan is attached hereto and incorporated herein as **Exhibit A**. A map of the Project Area is attached and incorporated herein as **Exhibit B**.

Entry No. 407261  
02/05/2020 09:47:36 AM  
RESOLUTION FOR: BOX ELDER COUNTY, UTAH  
Chad Montgomery, Box Elder County Utah Recorder

B: 1400 P: 0077  
FEE \$0.00 Pages: 11

**Section 3. Agency's Purposes and Intent.** The Agency's purposes and intent with respect to the Project Area are to accomplish the following:

- A. To satisfy the purposes of the Act, as defined therein, by encouraging, promoting, and providing for economic development within the Project Area, including specifically the development of a paper manufacturing facility, as well as the provision of other improvements that benefit the community;
- B. To promote, encourage, and bring to fruition within the Project Area the economic development contemplated by the Project Area Plan which includes over \$500 million of capital investment that will create 1,000 new jobs in the County;
- C. To increase the tax base of the County to improve both economic opportunities and quality of life for all its citizens; and
- D. To take any or all additional steps which may be appropriate or necessary to promote or further aim of improving the Project Area and the surrounding community.

**Section 4. Designation, Adoption, and Incorporation of the Plan.** The 2<sup>nd</sup> Amended Project Area Plan, together with supporting documents, in the form attached as **Exhibit C**, is hereby incorporated herein by reference, and made a part of this Resolution. Copies of the Project Area Plan shall be filed and maintained in the office of the Agency and the County Recorder for public inspection.

**Section 5. Agency Board Findings.** The Agency Board hereby determines and finds as follows:

The Project Area Plan:

- A. Serves a public purpose by, among other things, encouraging and accomplishing appropriate community reinvestment activities within the Project Area;
- B. Produces a public benefit in the form of, among other things, increased development activity within the boundaries of the Agency, including within the Project Area, that is desirable and will enhance the tax base of all taxing entities within the Project Area, as demonstrated by the analysis provided in the Project Area Plan;
- C. Is economically sound and feasible; in that the revenue needed for the implementation of the Project Area Plan will come from incremental property taxes generated by new private development within the Project Area, all as further shown and supported by the analysis contained in the Project Area Plan;
- D. Conforms to the County's general plan in that, among other things, the Project Area Plan provides that all development in the Project Area is to be in accordance with the County's zoning ordinances and requirements, and the development activities contemplated by the Project Area Plan are in harmony with the County's general plan; and

E. Promotes the public peace, health, safety and welfare of the County.

**Section 7. Effective Date.** This Resolution shall take effect immediately upon adoption, and pursuant to the provisions of the Act, the Amended Project Area Plan shall become effective upon adoption by Ordinance of the legislative body of the County.

**IN WITNESS WHEREOF,** the Governing Board of the Box Elder County Redevelopment Agency has approved, passed and adopted this 26<sup>th</sup> day of February 2019.



  
\_\_\_\_\_  
Agency Chair

ATTEST:

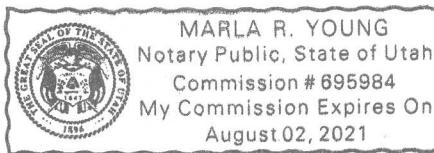
  
\_\_\_\_\_  
Marlene Young

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

On this 5th day of March, 2019, personally appeared before me, the undersigned notary public, Terrey 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 **Chairman for Box Elder County Redevelopment Agency** 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



## EXHIBIT A – LEGAL DESCRIPTION OF THE PROJECT AREA

### 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 BERTHTOLD 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

**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

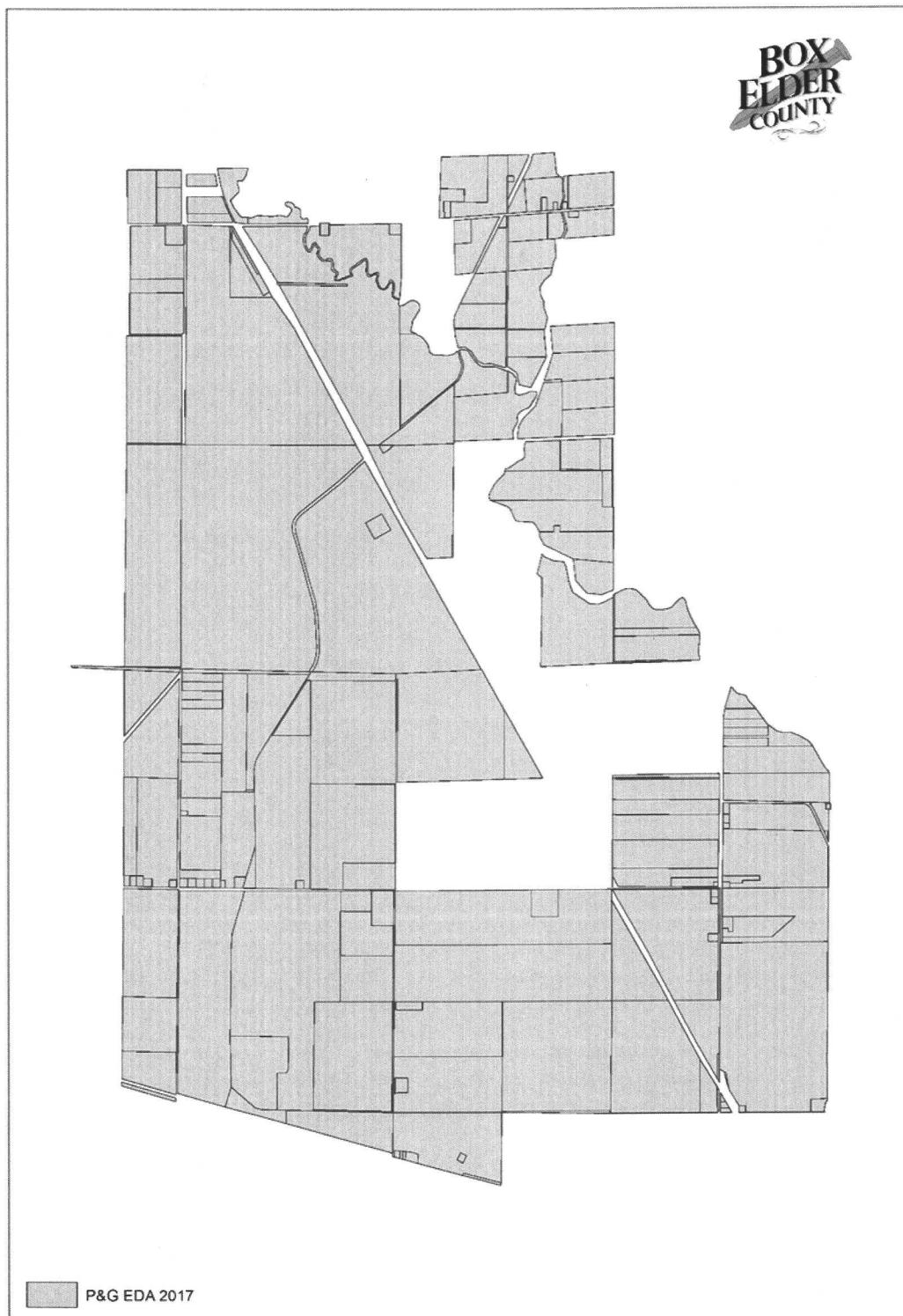
4826-2480-4099BO977-010

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.

ABSTRACTED TO:

04-057-0002 THRU 0010  
04-058-0003,0004, 0006 THRU 0011, 0013, 0017, 0021 THRU 0028,  
0030 THRU 0034, 0036, 0037  
04-065-0002, 0007, 0009 THRU 0011  
04-067-0001 THRU 0008, 0011, 0012, 0014, 0015, 0017, 0018, 0020  
THRU 0032, 0034, 0036, 0037, 0039, 0041, 0043, 0044, 0045, 0047,  
0049, 0051 THRU 0055  
04-003-0001 THRU 0003, 0005 THRU 0018, 0021, 0023 THRU 0025  
04-070-0001 THRU 0003, 0006, 0007, 0012, 0013, 0016, 0018, 0019  
04-071-0001 THRU 0005, 0007 THRU 0009  
04-077-0004, 0037  
04-078-0010, 0013, 0018, 0016, 0020, 0024, 0025  
04-068-0001, 0003 THRU 0006, 0010, 0012, 0014, 0017 THRU 0019,  
0023 THRU 0028, 0031, 0032, 0035, 0036, 0039, 0040, 0052, 0053  
04-032-0007, 0008, 0010, 0011, 0015, 0016  
04-041-0028  
04-056-0005 THRU 0007, 0011, 0012  
04-066-0005, 0007, 0008, 0010 THRU 0012, 0016, 0022 THRU 0025  
04-072-0026, 0028, 0030  
04-050-0027, 0039 THRU 0042, 0043, 0047, 0049, 0051, 0053, 0054,  
0058  
04-051-0005, 007, 0008, 0009, 0022, 0028, 0030, 0041

## EXHIBIT B – MAP OF THE PROJECT AREA



Procter & Gamble EDA 2017

0 0.25 0.5 1 MILES

LEWIS YOUNG  
ROBERTSON & BURNINGHAM, INC.



**EXHIBIT C: PROJECT AREA PLAN**