

RDA
RESOLUTION NO. 24-01

**RESOLUTION OF THE BOX ELDER COUNTY REDEVELOPMENT AGENCY
ADOPTING AN AMENDMENT TO THE 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") had been using to govern the Project Area requiring an amendment that was adopted by the Board on February 6, 2019; and

WHEREAS, the Agency desires now to amend the Plan to remove four (4) parcels (04-067-0001, 04-067-0002, 04-003-0018, and 04-0030017) from the original project area that the Agency has determined are no longer necessary or desirable to the project area and will have minimal or no impact on the project area budget; and

WHEREAS, according to 17C-3-109 (4)(a)(ii), 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 removes one or more parcels from a project area because the agency determines that each parcel removed is no longer necessary or desirable to the project area.

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

Section 1. Adoption of Amendment to the Project Area Plan. It has become necessary and desirable to adopt the 3rd amendment to the Project Area Plan, which removes the legal description of 4 parcels (04-067-0001, 04-067-0002, 04-003-0018, and 04-0030017), in conjunction with the existing project area budget and project area plan as the official Project Area Plan and 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 amendment not 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 amended 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**.

Section 3. Agency's Purposes and Intent. The Agency's purposes and intent with respect to the Project Area remains 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 3rd amendment to the Project Area Plan, together with supporting documents, is hereby incorporated herein by reference, and made a part of this Resolution. Copies of the amendment to the Project Area Plan shall be filed and maintained in the office of the Agency and the County Clerk for public inspection.

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

The amended Project Area Plan continues to:

- A. Serve a public purpose by, among other things, encouraging and accomplishing appropriate community reinvestment activities within the Project Area;
- B. Produce 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. Provide economic stability and feasibility; in that the revenue needed for the implementation of the Project Area Plan will continue to 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.

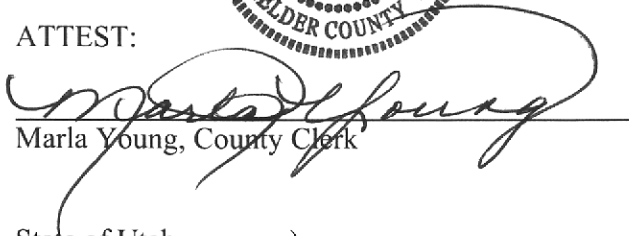
Section 7. Effective Date. This Resolution shall take effect immediately upon adoption, and pursuant to the provisions of the Act, the Amended Project Area Plan shall become effective 30 days following the adoption by Ordinance of the legislative body of the County.

IN WITNESS WHEREOF, the Governing Board of the Box Elder County Redevelopment Agency has approved, passed and adopted this Resolution this 18th day of September 2024.




Lee Perry, Redevelopment Agency Chair

ATTEST:


Marla Young, County Clerk

State of Utah)
)
County of Box Elder)

On this 18th day of September, 2024, personally appeared before me, the undersigned notary public, Lee Perry, 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: Oct. 15, 2025


Notary Public

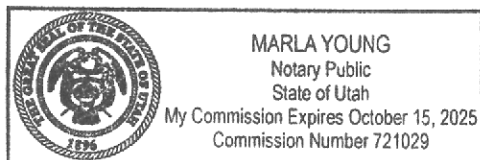


EXHIBIT A
PROJECT AREA LEGAL DESCRIPTION

PROJECT AREA LEGAL DESCRIPTION

MISSING RANGE. NEXT CALL STATING ALL OF SECTION 24 & 25 LAYING SOUTHWESTERLY OF MALAD RIVER ENCUMBERS SAME THINGS AS WHAT WOULD HAVE WITH THE CALL BEFORE.

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 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

S/W, SE/4 LYING W & S OF M. V. R. R. IN SEC 23, TWP 10N, R3W, 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, T10N, R3W, SLM N 00°10'26"W 1825.31 FT (N 1835.7 FT BY DEED) ALG SEC/L TO 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 972.24 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, T10N, 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 FT (N 85°51' E 935 FT BY DEED) 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 SEC3, TWP 10N, R3W, SLM. TH N 589 FT TO DAVID HOLMGRENS 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, ONE 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, T10 N, 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 SEC11, 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, T10 N, R3W, SLM, BEG AT A PT ON THE R/W LINE OF 6800 WST. 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

BEG AT A PT 688 FT S AND 33 FT W OF THE NE COR OF SEC 11, T10 N, 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. THE 1285 FT TO BEG.

PEDROMISRASITTEEETAL

04-058-0018

ALL THAT PART OF THE N/2 OF THE S/2 OF THE NE/4 OF SEC 11, T10 N, 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, T10 N, 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

CANNOT LESS OUT DUE TO ERROR. DOESN'T CLOSE.

BEG AT A PT 33 FT W AND 162 FT N FROM THE SE COR OF THE NE/4 OF SEC 11, T10 N, R3W, SLM. TH RUNNING W 1557 FT, TH N 14°41' E 189 FT, TH N 3°16' E 162 FT, THE 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 NOW 04-064-0023

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 NOW 04-064-0019, 0021

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

FOWERS, DELORA M TTEE

04-064-0015 NOW 04-064-0025, 0022

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, N 03°30' E ALG E/L OF SD SEC 1597 FT TO MALAD RIVER, S 70°33' W 470 FT, N 55° W 625 FT, N 05° W 650 FT, N 64° W 250 FT, S 03°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 N 00°03'30" E 33.05 FT ALG E/L OF SD SE/4 FRM THE S/E COR OF SD SE/4, S 87°04'35" W 1757.32 FT, N 00°30'57" E 2102.37 FT, N 52°17'50" W 163.50 FT, N 14°31'19" E 515.70 FT TO THE SLY BANK OF THE MALAD RIVER, ALG SD SLY BANK THE FOLLOW TEN COURSE (1) S 39°31'19" E 84.54 FT (2) S 66°20'04" E 242.71 FT (3) S 85°41'58" E 256.82 FT (4) S 19°55'58" E 150.09 FT (5) S 12°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) N 66°59'28" E 195.30 FT (10) N 61°38'43" E 210.31 FT TO TH E/L OF SD SE/4, S 00°03'30" W 1562.28 FT ALG SD E/L TO POB. CONT 63.67 AC.

FOWERS, DELORA M TTEE

04-068-0002 NOW 04-003-0029, 0030, 04-068-0043, 0049

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 NOW 04-003-0026, 0027, 0030

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°00'00 E 1201.57 FT ALG W LINE OF SEC & S 90°00'00 E 33.00 FT FROM SW COR OF SD SW/4 N 00°00'00 E 321.00 FT ALG R/W LINE, S 90°00'00 E 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°58'41" E 324.14 FT, N 90°00'00" W 703.24 FT TO POB ALSO KNOW AS LOT 4 STEPHENS MINOR SUB. CONT 5 AC.

PERMAFROST AFFECTS 04-067-0032, 0001, 0014, 0022,
04-067-0001, 04-067-0002, 04-003-0017, 04-003-0018 0002, 0021, 0023, 0018, 0017, 0020

A PART OF SECTIONS 22 & 23, TOWNSHIP 10 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT, SAID POINT BEING SOUTH 0° 3' 21" WEST FOR A DISTANCE OF 62.61 FEET AND SOUTH 89° 0' 0" EAST FOR A DISTANCE OF 71.56 FEET FROM THE NORTHWEST CORNER OF SECTION 22 OR POINT OF BEGINNING; AND RUNNING THENCE SOUTH 89° 0' 4" EAST, A DISTANCE OF 5226.47 FEET; THENCE NORTH 87° 4' 47" EAST, A DISTANCE OF 2076.34 FEET; THENCE NORTH 87° 4' 47" EAST, A DISTANCE OF 16.56 FEET; THENCE SOUTH 29° 40' 34" EAST, A DISTANCE OF 463.98 FEET; THENCE SOUTH 29° 40' 34" EAST, A DISTANCE OF 653.44 FEET; THENCE SOUTH 29° 40' 34" EAST, A DISTANCE OF 57.82 FEET; THENCE SOUTH 29° 40' 34" EAST, A DISTANCE OF 1863.16 FEET; THENCE SOUTH 88° 10' 36" WEST, A DISTANCE OF 932.69 FEET; THENCE SOUTH 88° 10' 36" WEST, A DISTANCE OF 2621.27 FEET; THENCE NORTH 0° 3' 1" WEST, A DISTANCE OF 2502.98 FEET; THENCE SOUTH 87° 4' 50" WEST, A DISTANCE OF 40.05 FEET; THENCE SOUTH 0° 3' 8" EAST, A DISTANCE OF 29.61 FEET; THENCE SOUTH 89° 56' 53" WEST, A DISTANCE OF 2075.84 FEET; THENCE SOUTH 89° 56' 53" WEST, A DISTANCE OF 99.75 FEET; THENCE SOUTH 89° 56' 53" WEST, A DISTANCE OF 30.02 FEET; THENCE NORTH 32° 0' 0" EAST, A DISTANCE OF 172.89 FEET; THENCE NORTH 89° 34' 49" WEST, A DISTANCE OF 1510.65 FEET; THENCE NORTH 89° 34' 50" WEST, A DISTANCE OF 602.36 FEET; THENCE NORTH 89° 34' 42" WEST, A DISTANCE OF 999.64 FEET; THENCE NORTH 0° 25' 18" EAST, A DISTANCE OF 98.66 FEET TO THE POINT OF BEGINNING. CONTAINS 187.56 ACRES MORE OR LESS.

EXHIBIT B
MAP OF THE PROJECT AREA

