

**TOWN OF BRIAN HEAD****ORDINANCE NO. 15-017**

AN ORDINANCE ADOPTING THE AMENDED PROJECT AREA PLAN FOR THE BRIAN HEAD VILLAGE CORE COMMUNITY DEVELOPMENT PROJECT AREA, AS APPROVED BY THE BRIAN HEAD REDEVELOPMENT AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE PROJECT AREA, AND DIRECTING THAT NOTICE OF SUCH ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS the Brian Head Redevelopment Agency (the “**Agency**”), having prepared the amended Project Area Plan (the “**Plan**”) for the Brian Head Village Core Community Development Project Area (the “**Project Area**”) pursuant to Utah Code Annotated (“**UCA**”) § 17C-4, and having held on October 27, 2015 the required public hearing on the Plan pursuant to UCA § 17C-4-401, has adopted on this same date the Plan as the Official Community Development Project Area Plan for the Project Area; and

WHEREAS Section 17C-4-105 of the Utah Limited Purposes Local Government Entities – Community Development and Renewal Agencies Act (the “**Act**”) mandates that, before a community development project area plan approved by an agency under UCA § 17C-4 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency; and

WHEREAS the Act also requires that certain notice is to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-107.

NOW, THEREFORE, BE IT ORDAINED BY TOWN COUNCIL OF THE TOWN OF BRIAN HEAD AS FOLLOWS:

1. The Brian Head Town Council hereby adopts and designates the amended Plan for the Brian Head Village Core Community Development Project Area, as approved by the Agency on this same date, as the official plan (the “**Official Plan**”) for the Project Area, the boundaries of which are unchanged by this amendment and are shown and described on the legal descriptions and map attached hereto as **Exhibit A** and incorporated herein by this reference.

2. Town of Brian Head and Agency staff are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106, substantially in the form attached hereto as **Exhibit B**, whereupon the Official Plan shall become effective under UCA § 17C-4-106.

3. Pursuant to UCA § 17C-4-106, the Agency may proceed to carry out the Official Plan as soon as it becomes effective.

4. This ordinance takes effect immediately upon publication and recording.

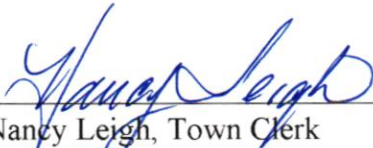
DATED this 10th day of November, 2015.

**BY THE TOWN COUNCIL OF THE TOWN OF
BRIAN HEAD:**



H.C. Deutschlaner, Mayor

ATTEST:



Nancy Leigh, Town Clerk



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B: 1331 P: 139 Fee \$0.00
Debbie B. Johnson, Iron County Recorder Page 2 of 30
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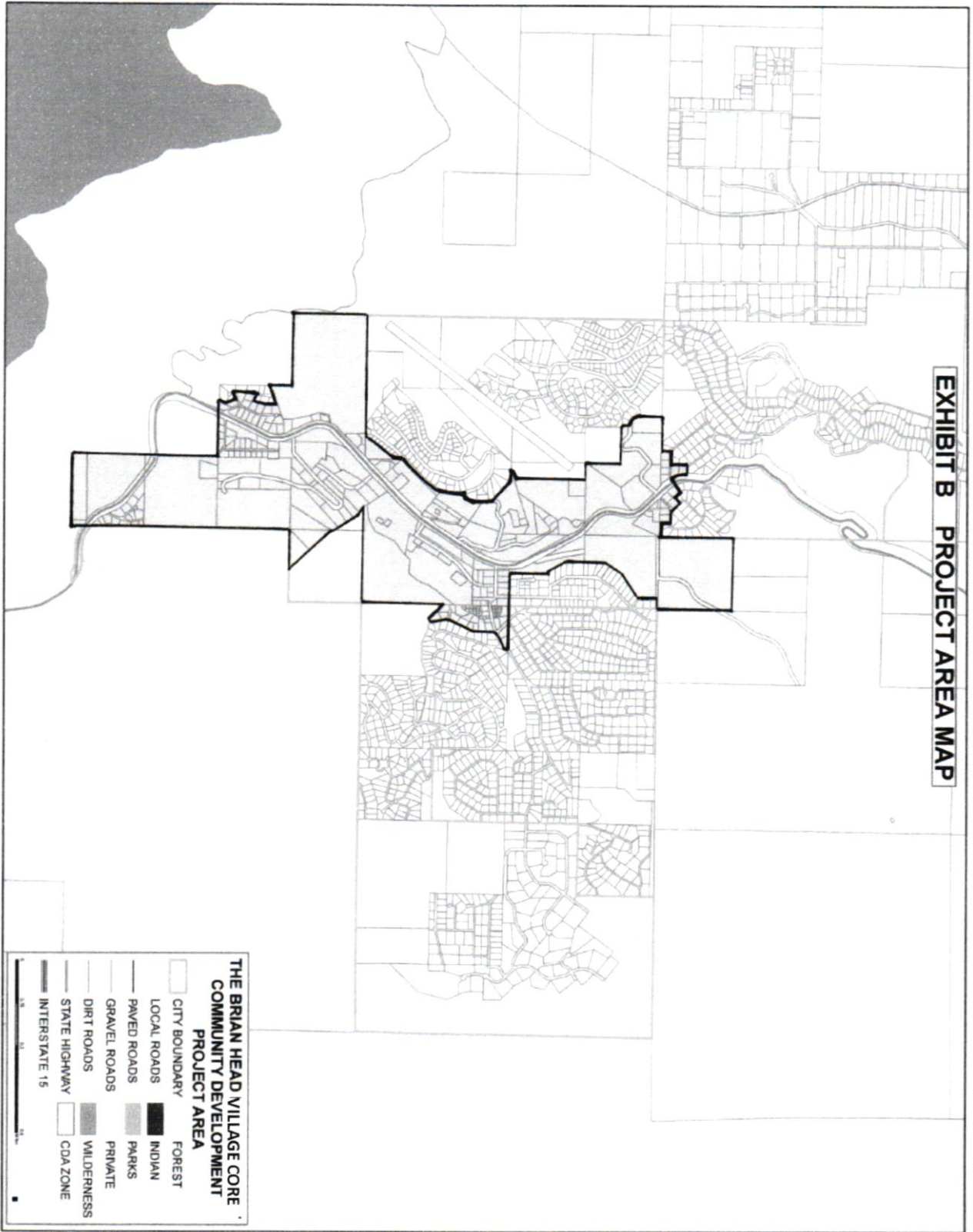
EXHIBIT A
Brian Head Village Core Community Development Project Area

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EXHIBIT B PROJECT AREA MAP



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Brian Head Village Core Development Project Area Parcel Numbers

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**THE BRIAN HEAD VILLAGE CORE
COMMUNITY DEVELOPMENT PROJECT AREA**

LEGAL DESCRIPTION

Beginning at the West 1/4 corner Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian, said point being the POINT OF BEGINNING; thence North 89°20'58" West 1,004.75 feet along the east 1/4 Section Line of Section 10, Township 36 South, Range 9 West, Salt Lake Base and Meridian to the southwest corner of the Brian Head Unit 3 Subdivision lot 6; thence the following eight courses through the Brian Head Unit 3 Subdivision; (1) thence North 24°54'00" East 124.94 feet; (2) thence North 22°38'00" West 244.74 feet; (3) thence South 67°12'00" West 124.61 feet; (4) thence northwesterly 62.09 feet along the arc of a 30.00 foot radius curve to the right, chord bears North 53°30'30" West 51.59 feet; (5) thence North 05°47'00" East 375.65 feet; (6) thence South 65°06'00" East 157.10 feet; (7) thence North 15°16'00" East 202.90 feet; (8) thence North 00°55'00" West 230.60 feet to the northwest corner of lot 13 of said Subdivision; thence South 71°14'26" West 364.07 feet along the northerly Boundary Line of said Subdivision; thence North 00°12'03" East 382.40 feet; thence North 89°30'14" West 1316.25 feet; thence North 00°24'10" East 1313.67 feet to south Section Line of Section 3, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°39'35" East 1311.31 feet along said Section Line; thence South 89°39'35" East 699.52 feet along said Section Line to the western corner of the Woodbridge Subdivision southerly Boundary Line, thence the following eight courses along said subdivision Boundary Line; (1) thence South 89°39'35" East 184.22 feet along the Section Line; (2) thence North 37°34'09" East 550.79 feet; thence (3) North 47°49'12" East 130.93 feet to west Section Line of Section 2, Township 36 South Range 9 West, Salt lake Base and Meridian; (4) thence North 00°01'42" East 149.32 feet more or less along said Section Line, (5) thence North 47°49'12" East 113.55 feet; (6) thence northeasterly 101.43 feet along the arc of a 2,308.28 foot radius curve to the left, chord bears North 46°33'40" East 101.42 feet; (7) thence North 45°18'08" East 207.01 feet; (8) thence North 57°33'30" West 67.70 feet to the southeast corner of Eagles Roost Subdivision; thence the following eight courses along the southern boundary of said subdivision, (1) thence North 45°18'08" East 120.38 feet; (2) thence northeasterly 95.38 feet along the arc of a 704.83 foot radius non tangent curve to the left, chord bears North 41°25'31" East 95.31 feet; (3) thence North 37°32'55" East 169.89 feet; (4) thence northeasterly 85.42 feet along the arc of a 213.04 foot radius non tangent curve to the left, chord bears North 26°03'39" East 84.85 feet; (5) thence North 14°34'27" East 54.99 feet; (6) thence northerly 92.82 feet along the arc of a 448.92 foot radius curve to the left, chord bears North 08°39'03" East 92.65 feet; (7) thence North 02°43'39" East 283.87 feet; (8) thence northwesterly 39.55 feet along the arc of a 104.16 foot radius non tangent curve to the right, chord bears North 32°45'07" West 39.31 feet; thence North 68°07'32" East 66.00 feet to a point along the Brooke Hill Subdivision Boundary Line; thence the following four courses along said subdivision; (1) thence easterly 96.99 feet along the arc of a 38.16 foot radius non tangent curve to the left, chord bears North 85°18'44" East 72.91 feet; (2) thence North 12°29'56" East 135.86 feet; (3) thence northerly 88.96 feet along the arc of a 286.87 foot radius non tangent curve to the left, chord bears North 03°36'51" East 88.60 feet; (4) thence North 05°16'11" West 243.75 feet to the southeast corner of the Aspen View Subdivision; thence North 45°00'00" West 432.50 feet along the Boundary Line of said Subdivision to west 1/4 Section Line of said Section 2; thence North 89°31'46" West 242.48 feet along said 1/4 Section Line; thence North 74°11'45" East 195.12 feet; thence North 00°28'32" East 1,267.66 feet more or less to the north 1/16th Section Line of said Section 2; thence North 89°29'44" West 324.30 feet along said 1/16th Section Line to the east Section Line of Section 3, Township 36 South, Range 9 West; Salt Lake Base and Meridian thence North 89°44'19" West 554.30 feet along the north 1/16th Section Line of said Section 3; thence North 89°43'57" West 104.85 feet along said 1/16th Section line to the southeast corner of Phase I-

A of The Trails at Navajo Subdivision; thence North $00^{\circ}23'35''$ East 660.96 feet along the Boundary Line of said Subdivision; thence North $89^{\circ}44'24''$ West 15.00 feet to the western lot line of Lot 1 of said subdivision; thence North $00^{\circ}23'35''$ East 174.63 feet along said lot line to the northerly right-of-way line of Hunter Ridge Drive; thence the following four courses along said right-of way; (1) thence North $87^{\circ}39'16''$ West 57.48 feet; (2) thence northwesterly 73.19 feet along the arc of a 82.08 foot radius curve to the right, chord bears North $62^{\circ}06'34''$ West 70.79 feet; (3) thence North $36^{\circ}34'01''$ West 87.18 feet; (4) thence northwesterly 24.22 feet along the arc of a 121.03 foot radius curve to the left, chord bears North $42^{\circ}17'57''$ West 24.18 feet; thence North $00^{\circ}28'32''$ East 415.15 feet more or less to the south Section Line of Section 34, Township 35 South, Range 9 West, Salt Lake Base and Meridian said Section Line also being the southern Township Line for Township 35 South, Range 9 West, Salt Lake Base and Meridian; thence South $89^{\circ}09'10''$ East 288.99 feet along said Township Line; thence continue along said Township Line South $89^{\circ}09'10''$ East 373.95 feet to the southwest corner of Block D Lot 4 of the Mountair Evergreen Estates Subdivision; thence the following six courses through said Subdivision; (1) thence North $00^{\circ}52'32''$ East 149.74 feet; (2) thence South $89^{\circ}07'28''$ East 221.19 feet; (3) thence North $00^{\circ}52'32''$ East 30.00 feet; (4) thence continue along said line North $00^{\circ}52'32''$ East 137.75 feet; (5) thence continue along said line North $00^{\circ}52'32''$ East 150.00 feet; (6) thence South $86^{\circ}09'28''$ East 124.00 feet more or less to the westerly Right of Way Line of Utah Highway 143; thence southerly 347.48 feet along the arc of a 557.50 foot radius non tangent curve to the left, chord bears South $19^{\circ}42'04''$ East 341.88 feet along said Right of Way Line; thence North $52^{\circ}26'36''$ East 160.38 feet to the southwest corner of Block A Lot 11 of the Mountair Evergreen Estates Subdivision; thence the following eleven courses through said Subdivision; (1) thence North $56^{\circ}46'32''$ East 150.31 feet; (2) thence southeasterly 19.10 feet along the arc of a 247.50 foot radius non tangent curve to the left, chord bears South $42^{\circ}23'49''$ East 19.10 feet; (3) thence South $44^{\circ}36'28''$ East 121.00 feet; (4) thence North $45^{\circ}23'32''$ East 150.00 feet; (5) thence South $44^{\circ}36'28''$ East 90.00 feet; (6) thence southerly 78.54 feet along the arc of a 50.00 foot radius curve to the right, chord bears South $00^{\circ}23'32''$ West 70.71 feet; (7) thence South $45^{\circ}23'32''$ West 11.70 feet; (8) thence South $44^{\circ}36'28''$ East 30.00 feet; (9) thence South $89^{\circ}07'28''$ East 342.80 feet; (10) thence South $23^{\circ}04'28''$ East 186.30 feet; (11) thence South $89^{\circ}07'28''$ East 135.00 feet to southwest corner of Section 35, Township 35 South, Range 9 West; Salt Lake Base and Meridian, thence North $00^{\circ}35'00''$ West 1,354.32 feet more or less to the southwest $1/16^{\text{th}}$ corner of said Section; thence South $89^{\circ}57'00''$ East 1,329.00 feet more or less along said $1/16^{\text{th}}$ Section line to the west $1/16^{\text{th}}$ Section Line; thence South $00^{\circ}31'16''$ West 1,363.38 feet along said $1/16^{\text{th}}$ Section Line to the northerly Section Line of Section 2, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence North $89^{\circ}33'01''$ West 190.29 feet along said Section Line; thence South $00^{\circ}34'14''$ West 34.62 feet to the northwest corner of Brian Head Unit 1 Subdivision; Thence the following seven courses along the western boundary of said Subdivision; (1) thence South $00^{\circ}34'14''$ West 331.40 feet; (2) thence South $56^{\circ}47'14''$ West 502.60 feet; (3) thence South $34^{\circ}17'14''$ West 400.80 feet; (4) thence South $01^{\circ}46'14''$ West 705.90 feet; (5) thence South $30^{\circ}55'46''$ East 351.00 feet; (6) thence South $89^{\circ}25'46''$ East 50.60 feet; (7) thence South $00^{\circ}34'14''$ West 693.92 feet more or less to the west $1/4$ Section Line of said Section 2 ; thence South $89^{\circ}31'46''$ East 610.53 feet along said $1/4$ Section Line to the northwest corner of the Ski Haven Chalets Unit A Subdivision; thence South $89^{\circ}55'00''$ East 776.16 feet along the northerly Boundary Line of said Subdivision; thence the following ten courses through said Subdivision; (1) thence South $20^{\circ}17'00''$ West 54.62 feet; (2) thence southwesterly 47.56 feet along the arc of a 62.51 foot radius curve to the right, chord bears South $42^{\circ}04'47''$ West 46.42 feet; (3) thence South $63^{\circ}54'00''$ West 192.14 feet; (4) thence South $36^{\circ}36'00''$ West 154.00 feet; (5) thence South $01^{\circ}43'00''$ West 322.03 feet; (6) thence southerly 98.12 feet along the arc of a 207.18 foot radius non tangent curve to the right, chord bears South $15^{\circ}16'57''$ West 97.21 feet; (7) thence South $28^{\circ}51'00''$ West 384.53 feet; (8) thence South $01^{\circ}10'58''$ West 84.93 feet; (9) thence South $06^{\circ}21'00''$ East 80.00 feet; (10) thence South $08^{\circ}43'00''$ East 212.26 feet to the southerly Boundary Line of said Subdivision, thence

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the following three courses along the Boundary Line of said Subdivision; (1) thence North 82°57'00" West 33.55 feet; (2) thence North 40°18'00" West 190.09 feet; (3) thence North 51°17'00" West 173.72 feet more or less to the south 1/4 Section Line of said Section 2; thence South 00°34'14" West 1489.99 feet along said 1/4 Section Line to the northerly Section Line of Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian; Thence North 89°09'03" West 1322.26 feet; thence South 00°16'34" West 567.78 feet along the west 1/16th Section Line of said Section; thence South 43°27'36" East 1,045.78 feet to the north 1/16th Section Line of said Section; thence North 89°16'50" West 723.01 feet along said 1/16th Section Line to the west 1/16th Section Line; thence South 00°16'34" West 1,317.79 feet along the west 1/16th Section Line; thence South 00°43'14" West 2,636.81 feet along the west 1/16th Section Line to the south Section Line of said Section 11; thence North 89°31'52" West 1,317.15 feet along said Section Line to the southwest corner of said section 11; thence North 00°53'15" East 2,639.60 feet to the POINT OF BEGINNING.

Containing 619.40 acres, more or less.

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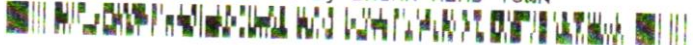
EXHIBIT B

Notice of Adoption of Ordinance 15-017 by the Brian Head Town Council

Pursuant to Section 17C-4 of the Utah Code Annotated, the Brian Head Town Council (the "Council") and the Brian Head Redevelopment Agency (the "Agency") are jointly providing this notice with respect to Ordinance 15-017 which was passed by the Council on November 10, 2015, adopting the amended Plan for the Brian Head Village Core Community Development Project Area (the "Plan"), as approved by the Agency on the same date, and directing that the notice of adoption be given as required by law. The ordinance and the Plan shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Plan. The Plan is available for general public inspection at the Brian Head Town Offices at 56 North Highway 143, Brian Head, UT 84719, during regular office hours of 9:00 am to 4:30 pm, Monday through Friday. For a period of 30 days after the Effective Date of the Plan (the "30-Day Period"), any person in interest may contest the Plan or the procedure used to adopt it if the Plan or procedures fail to comply with applicable statutory requirements. After the 30-Day Period, no person may contest the Plan or procedures used to adopt it for any cause.

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BRIAN HEAD VILLAGE CORE PROJECT AREA

Official Project Area Plan

As Amended November 10, 2015



Brian Head Redevelopment Agency
56 N. Hwy 143
Brian Head, Utah 84719

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Introduction

The Brian Head Redevelopment Agency (the “Agency”) was created in 2007 in order to better facilitate the economic growth of Brian Head Town (the “Town”). The Agency’s efforts have accomplished some significant projects connected with the original Plan (the Brian Head Interconnect Community Development Project Area Plan, dated October 20, 2007, the “Original Plan”) including, (1) the interconnect skier bridge, (2) Bristlecone Pond, (3) trail improvements, (4) the visitor kiosk, and (5) wayfinding signage. These improvements have brought about both functional improvements and improvements in the overall appearance of the Town. These efforts have been largely accomplished through funding provided by Iron County (the “County”) and the Town of Brian Head. This funding was agreed upon by an interlocal agreement made in 2008 between the Agency, the Town, and the County.

Due to the recession much of the expected economic benefit has not been realized as hoped. As a result, rather than tax increment being paid to the Agency both the Town and the County have been paying money to the Agency out of their general funds. The Agency wants to continue its partnership with the Town and the County in an effort to increase tax revenue and the overall value of our community.

The Town’s General Plan anticipates a pedestrian-oriented, mixed-use commercial district along Village Way adjacent to the Giant Steps base area. The Town and ski resort hope to see a development of this project underway within the next 3 to 5 years. However, parking will be an issue that the Town hopes the CDA can help resolve. This revised plan seeks to show and explain the purposes and benefits of extending the agreements between the Agency, Town, and County. Many things in this plan will be similar to the previous plan, with the main changes being made in funding. This plan also recognizes that current goals may change as development naturally occurs within the Town and this Plan gives the Agency additional flexibility to address the changing economic environment and changing needs of the Town in the future. It is hoped that a new plan and extended partnership will increase accountability, develop greater trust and unity, and promote sound fiscal policies.

The Project is undertaken as a community development project pursuant to the provisions of Chapters 1 and 4 of the Utah Community Development and Renewal Agencies Act, Title 17C of the Utah Code, as amended (the “Act”). The requirements of the Act, including notice and hearing obligations, have been scrupulously observed at all times throughout the amendment of the Plan for the Project Area and other related actions.

Section 1 Description of the Project Area

The Brian Head Village Core Project Area lies entirely within the boundaries of the Town of Brian Head and includes the properties lying within the boundaries of the Map attached hereto as Appendix A (the “Project Area Map”). As delineated in the office of the Iron County Recorder, the Project Area encompasses the parcels set forth in Appendix B. The legal description of the Project Area is attached hereto as Appendix C. All of the Appendices attached hereto are incorporated herein by reference.

Section 2 Effect of Community Development on Project Area Character

A. Land Uses in the Project Area

At present, approximately 85-90% of the land within the Project Area is undeveloped (including, conservation open space). The currently developed portions of the Project Area consist of the following land uses: less than 1% industrial, and approximately 68% residential, 26% commercial, and 6% governmentally-owned open space. Buildings and other structures presently existing within the Project Area will remain in place, undisturbed by the development of the Project.

All zoning within the Project Area is consistent with the Town’s General Plan and permits the development of the Project as contemplated by this Plan. The development presently proposed hereunder focuses primarily on the Village Core efforts for parking, but also includes Infrastructure Improvements, Bristlecone Pond improvements, and continued improvements on the Town trails. All uses within the Project Area will conform to both the Town’s General Plan and the goals and objectives of this Plan. The Agency currently does not contemplate any changes in

zoning within the Project Area, but recognizes that zoning changes may be necessary or advisable in the future to meet the objectives of this Plan and the Agency's economic development goals.

B. Layout of Principal Streets in the Project Area

The layout of the principal streets within the Project Area is shown on the Project Area Map (**Appendix A**). Utah State Route 143 runs generally north-south through the middle of the Project Area and provides the principal access for most of the Project Area.

The Agency does not expect that development in the Project Area will eliminate or significantly alter any of the existing streets except by possible improvement. Such improvements may include acceleration/deceleration lanes and intersection improvements to enhance traffic flow and safety and increase the carrying capacity of those streets. The

C. Population Densities in the Project Area

At present, approximately 1006 dwelling units exist within the Project Area, of which only about 25 are primary residences. With an average household size of 2.1 persons for primary residences within the Town, the population of the Project Area is approximately 52. Accordingly, the year-round population density of the Project Area is currently significantly less than 1 person per acre and is not expected to change appreciably as a result of the Project or future development within the Project Area.

D. Building Intensities in the Project Area

Buildings and structures within the Project Area consist primarily of second-home condominium projects. In addition, there are 22 single-family dwellings, two Resort base lodges with associated retail businesses within, and a variety of commercial businesses providing food, equipment and vehicle rental, real estate, and miscellaneous retail services. All of these buildings and structures will remain in place, undisturbed by the development of the Project. It is expected that efforts to improve Village Core will result in a significant increase in commercial building intensities over the next few years.

Section 3 Standards That Will Guide Community Development

A. Development Objectives

As noted above, the development contemplated within the Project Area consists of the Village Core project, Bristlecone Pond, and continued work on the trails system. While the infrastructure for the Project Area is readily available, extensions will be required for electrical distribution lines and water and sewer lines to provide the service where it is needed. In addition, development of the Project will require certain street improvements including storm drain and curb improvements, landscaping, and walking and off-road vehicle paths.

The Agency anticipates taking steps beyond those outline specifically in this Plan as may be advisable in the future in order to facilitate development within the Project Area and improve the Town generally. The Agency will consider all projects that may be of benefit to the Project Area, even if such projects cannot be specifically identified at present.

B. Design Objectives

Development within the Project Area will be held to the highest quality design and construction standards and will be subject to (1) appropriate elements of the Town's General Plan; (2) the land use code of the Town; (3) other applicable building codes and ordinances of the Town; (4) Planning Commission review and recommendation; (5) and Agency review to ensure consistency with this Plan.

All development will be accompanied by site plans, development data, and other appropriate material clearly describing the development, including land coverage, setbacks, heights, and any other data required by the Brian Head Town Land Management Code (LMC)



C. Specific Design Objectives

Parking for Village Core mixed-use commercial development:

- a. Parking for the Village Core development will be an important aspect of this project and will likely encourage commercial development within the area considered. Coordinated and attractive landscaping shall also be provided. A design theme shall apply in connection with the development of the Project, incorporating landscaped treatment for open space, roads, and walking paths. Primary landscape treatment shall consist of trees, shrubs, and ground cover as appropriate for the character of the Project. Materials and design for paving, retaining walls, fences, curbs, and other items shall have an attractive appearance and shall be easily maintained and suitable for the harsh environment.

Bristlecone Pond Improvements:

- a. *Volleyball Court.* The volleyball court will enhance visitor experience and increase recreational opportunities. The court will also be designed or approved by the Town and will be consistent with the overall design objectives.
- b. *Visitor Parking.* The parking will be designed and installed subject to standards provided as necessary and approved by the Town

Trail Systems:

- a. *Trail Connections.* This would help bring a more integrated feel to the trails system and create a more user friendly hiking option.
- b. *Trailheads and Interpretive Signage.* Improvement in the trailhead markers and interpretive signage throughout the trail system will follow the Trails Master Plan which the Town Council adopted in 2013. The changes will be approved by the Town and help fulfill their efforts to create a more hiker-friendly trail system.
- c. *Town Trail.* It is desired that the Town trail be connected to Cedar Breaks monument and at some point be paved. Both of these improvements would also be made according to the approval by the Town and meet the standards set forth in the Trails Master Plan.

In addition to the specific projects and objectives set forth above, the Agency will consider other projects as may be appropriate. The specific projects identified in this Plan are intended by the Agency to be a starting point for development within the Project Area rather than an exhaustive list of the projects that the Agency may undertake in the Project Area. The goal of this Project Area and Plan is to allow the Agency, with support from the Town and Iron County, to engage in economic development activity that will benefit the Project Area and the areas beyond.

D. Approvals:

The Agency shall have the right to approve the design and construction documents of all development within the Project Area to ensure that development within the Project Area is consistent with this Plan. The Town shall notify the Agency of all requests for (1) zoning changes; (2) design approval; (3) site plan approval; and (4) building permits within the Project Area. Development within the Project Area shall be implemented as approved by the Agency and the Town.

Section 4 The Purposes of State Law Will Be Attained by the Community Development Contemplated by the Plan

It is the intent of the Agency, with assistance from the Town and County, to accomplish the planned improvements. This Plan includes improvements to parking facilities, the improvements to Bristlecone Pond, increasing the quality of the current trails system, and an investment in related projects connected with the Village Core development. The result will be a development friendly area, specifically prepared for a mixed-use commercial project. The Agency may undertake projects beyond those specifically identified in this Plan as may be appropriate in the future.

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Section 5 The Plan is Consistent with the Town's General Plan

This Plan and the development contemplated hereby conform to the Town's General Plan in the following respects: First, the Project is consistent with the Town's long-term goals of supporting commercial development and the recreation and tourism industry within the Town. Second, the proposed development of the Project Area will meet the goals of the Town to attract more visitors and improve the first impression people have of Brian Head.

A. Zoning Ordinances

As noted previously, the Project Area is currently zoned for industrial, commercial, and residential uses. The immediate location of the Village Core is in an area zoned for commercial uses, consistent with the Town's General Plan and Land Management Code, permitting the development of the Project.

B. Building Codes

Construction within the Project Area shall comply with the standards set forth in the Town's General Plan and with the applicable building codes. The Town shall prepare and issue all building permits in connection with the Project so as to ensure that construction of the Project is consistent with the Plan and site plan review.

C. Planning Commission

The Planning Commission will review any future proposals to amend the Town's Zoning Map and make such recommendation thereon to the Town Council as may be needed to facilitate the Project.

Section 6 Selection of Private Developers to Undertake the Community Development

The Resort has contemplated a commercial development within the Village Core area and would be a driving force in such a development. Other potential developers of the Project may be identified by one or more of the following processes: (1) public solicitation, (2) requests for proposals (RFP), (3) requests for bids (RFB), (4) private negotiation, or (5) some other method of identification approved by the Agency.

Section 7 Reasons for the Selection of the Project Area

The Agency selected the Project Area for the development contemplated by this Plan primarily for the following reasons. First, the Project Area includes Highway 143, the primary traffic corridor through the Town that splits the Town in two and separates the two mountain recreational areas in the community. Second, the Agency and the Town desire to increase the commercial activity in the Town by improving the areas where commercial growth is most likely, and will be the most beneficial. Third, the Project Area is primarily commercial and seasonal residential properties that impose the greatest burden on the Town and will enjoy the greatest benefit of the community development proposed herein.

Section 8 Description of the Physical, Social and Economic Conditions Existing in the Area

The Project Area consists of approximately 531 acres and is located in a mountain resort setting, at an elevation ranging from 9,500 to 10,500 feet above sea level. The surrounding alpine forests boast relaxing summer high temperatures that average 75 degrees and are suitable for biking, hiking, and off-road vehicle activities. Winter conditions of the area, which include average annual snowfalls of 350-500 inches, are ideal for skiing, snowmobiling and other various outdoor winter activities. While the Town has relatively few permanent, year-round residents, the population of the community swells in the summer and winter with the influx of second-home residents and tourists. Summer activities have increased significantly over the past few years and have become a growing part of the local economy. The Resort continues to make improvements that complement the Projects proposed herein and will encourage continued growth and development in the area.

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Section 9 Tax Incentives Offered to Private Entities for Development within the Project Area

The Agency intends to use a portion of the Town's property tax increment generated within the Project Area to pay part of the costs associated with development of the Project Area. The Agency also intends to enter into one or more interlocal agreements with the Iron County School District (the "School District") and Iron County, Utah (the "County"), to secure receipt of a portion of the property tax increment generated within the Project Area that would otherwise be paid to those taxing entities. Collectively, those tax revenues may be used to pay the debt service on existing or future bonds issued by the Town or the Agency, to construct public infrastructure within or for the benefit of the Project Area, to offer incentives for development within the Project Area, or for any other uses allowed under the Act. The Agency currently anticipates that tax increment received by the Agency will be applied to the cost of (1) Village Core parking improvements, (2) trail improvements, and (3) Bristlecone Pond related improvements, and (4) other projects or improvements as approved by the Agency. Subject to the provisions of the Act, the Agency may agree to pay for eligible development costs and other items from such tax revenues for any period of time the Agency may deem appropriate under the circumstances.

Section 10 Analysis of the Anticipated Public Benefit to be Derived from the Community Development

The public will realize significant benefits from the development of the Project Area as proposed by the Plan. The Agency's primary objective in developing the Project is to promote the development of the anticipated Village Core project, in order to provide a more complete resort-visitor experience for guests of Brian Head Town and Iron County. In addition it is anticipated that the Project will increase the local economic opportunity for residents of Brian Head and Iron County.

Originally the Agency created the Project Area in order to facilitate the movement of residents, visitors, and tourists in and around the area. The Town and the Agency saw the development of the Project as an opportunity to foster the area's tourism industry, which contributes to the vitality of the community and encourages further commercial development within the Project Area. As mentioned earlier, the economic downturn in 2008 lessened the amount of tax increment generated; however, the Town and Agency were able to complete significant projects that met the original purposes. The new plan considers the economic recovery as an opportunity to continue these improvements and to undertake other projects that will be beneficial to the Town.

Development of the Project Area as contemplated herein is expected to make the area more attractive to all visitors and residents in Brian Head, which in turn is expected to increase property values and related property tax revenues. The Project is also expected to produce future increased sales tax revenue from expanded commercial activity within the Project Area attracted to the area as a result of the Project. Moreover, the cost of the Project is expected to be paid in full from incremental property tax revenues generated by the Project Area.

A. Tax Base

The combined real and personal property tax rate for the property located in the Project Area is currently 1.3963%. This combined rate is the sum of the 2015 tax rates for the Town, the School District and the County. The current value of all real property within the Project Area is approximately \$121 million. The Agency anticipates that the value of property within the Project Area will increase by approximately \$20 million during the next 10 years, resulting in the generation of approximately \$2.8 million in tax increment over that 10-year period. The Agency hopes to secure a significant portion of that tax increment—through agreements with the Town, the County, and the School District—to carry out the projects identified in this Plan and to undertake other projects within the Project Area.

B. Net Benefit of and Need for Public Financial Assistance

Primarily to ensure that commercial development continues to grow, the Agency has offered certain financial assistance in connection with the development of the Project Area. Most of the land within the Project Area is improved with second home residences or condos and commercial property related to tourism, which will benefit most from Project development. Accordingly,



community development project area from which sufficient tax revenues could be generated to pay for the Project. The contemplated Plan is consistent with the Town's goals of promoting and supporting the Town's tourism industry and increasing commercial development generally. The Agency is interested in working with the Resort and possibly other developers to achieve those goals.

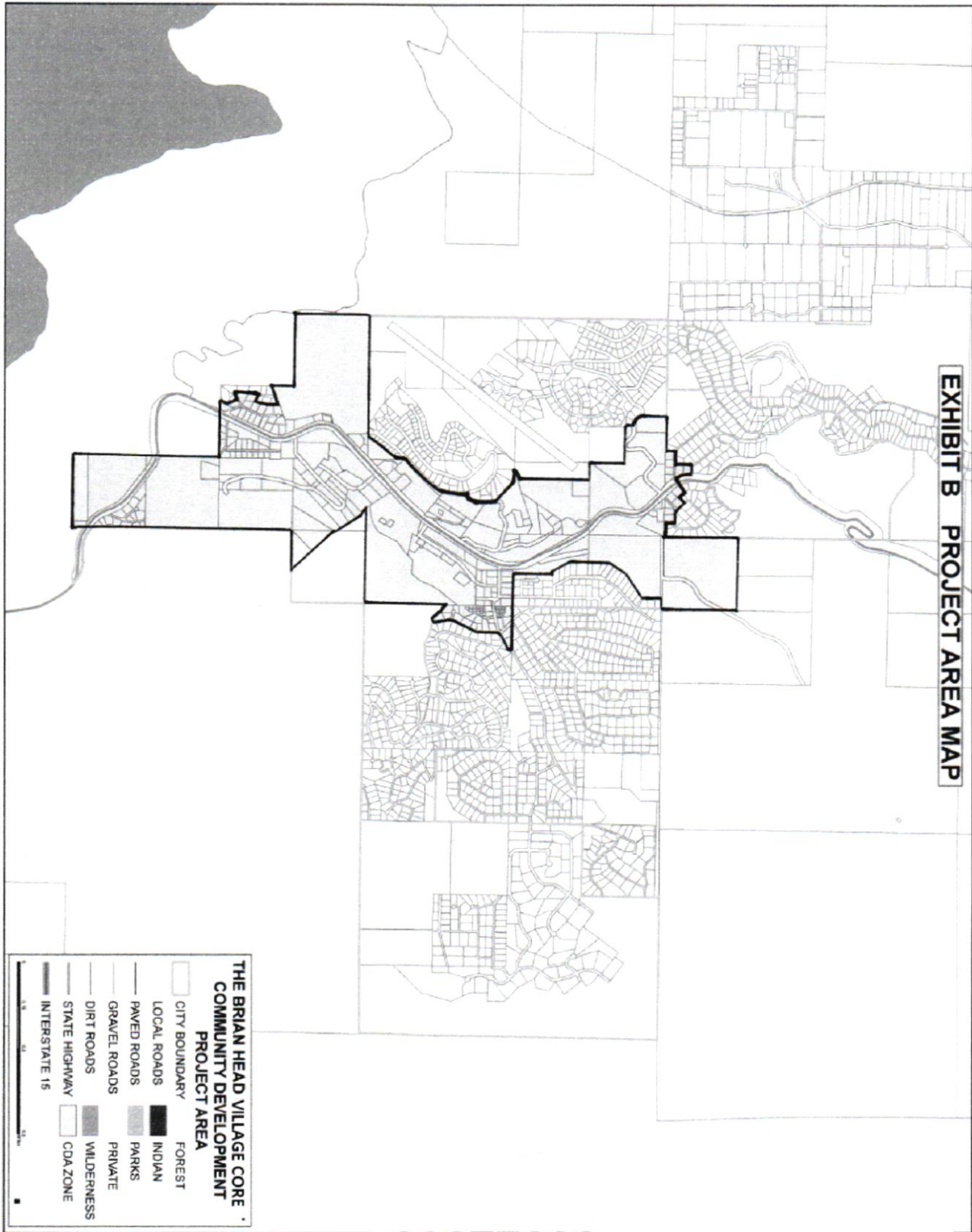
A project of the type contemplated herein, with its financial advantages to the Town in the form of increased property values and future tax revenues, together with the potential to attract additional commercial projects to the area, is critical to the continued economic prosperity of the community. The Town and the Agency have determined that construction costs were too high to expect private development of the Interconnect Bridge to occur without some public financial assistance. Therefore, in order to secure the desired development, the Agency proposed to fund a part of the development costs of the Project Area with a portion of the Town's incremental property tax revenues. The Agency also hopes that the School District and the County will contribute a portion of their incremental property taxes generated within the Project Area to pay for a portion of the costs of the Project. No existing tax revenues are or will be committed to develop the Project. Only a portion of those incremental property taxes resulting from future development within the Project Area will be used to finance Project costs. The financial incentives offered under this Plan have been deemed necessary for the success of the development of the Project Area.

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APPENDIX A



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APPENDIX B

Brian Head Village Core Development Project Area Parcel Numbers

A-1138-0005-0000	A-1145-0000-000A-011	A-1148-0001-0004	A-1148-0006-0001-02	A-1150-0001-0004
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APPENDIX C

**THE BRIAN HEAD VILLAGE CORE
COMMUNITY DEVELOPMENT PROJECT AREA**

LEGAL DESCRIPTION

Beginning at the West 1/4 corner Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian, said point being the POINT OF BEGINNING; thence North 89°20'58" West 1,004.75 feet along the east 1/4 Section Line of Section 10, Township 36 South, Range 9 West, Salt Lake Base and Meridian to the southwest corner of the Brian Head Unit 3 Subdivision lot 6; thence the following eight courses through the Brian Head Unit 3 Subdivision; (1) thence North 24°54'00" East 124.94 feet; (2) thence North 22°38'00" West 244.74 feet; (3) thence South 67°12'00" West 124.61 feet; (4) thence northwesterly 62.09 feet along the arc of a 30.00 foot radius curve to the right, chord bears North 53°30'30" West 51.59 feet; (5) thence North 05°47'00" East 375.65 feet; (6) thence South 65°06'00" East 157.10 feet; (7) thence North 15°16'00" East 202.90 feet; (8) thence North 00°55'00" West 230.60 feet to the northwest corner of lot 13 of said Subdivision; thence South 71°14'26" West 364.07 feet along the northerly Boundary Line of said Subdivision; thence North 00°12'03" East 382.40 feet; thence North 89°30'14" West 1316.25 feet; thence North 00°24'10" East 1313.67 feet to south Section Line of Section 3, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°39'35" East 1311.31 feet along said Section Line; thence South 89°39'35" East 699.52 feet along said Section Line to the western corner of the Woodbridge Subdivision southerly Boundary Line, thence the following eight courses along said subdivision Boundary Line; (1) thence South 89°39'35" East 184.22 feet along the Section Line; (2) thence North 37°34'09" East 550.79 feet; thence (3) North 47°49'12" East 130.93 feet to west Section Line of Section 2, Township 36 South Range 9 West, Salt lake Base and Meridian; (4) thence North 00°01'42" East 149.32 feet more or less along said Section Line, (5) thence North 47°49'12" East 113.55 feet; (6) thence northeasterly 101.43 feet along the arc of a 2,308.28 foot radius curve to the left, chord bears North 46°33'40" East 101.42 feet; (7) thence North 45°18'08" East 207.01 feet; (8) thence North 57°33'30" West 67.70 feet to the southeast corner of Eagles Roost Subdivision; thence the following eight courses along the southern boundary of said subdivision, (1) thence North 45°18'08" East 120.38 feet; (2) thence northeasterly 95.38 feet along the arc of a 704.83 foot radius non tangent curve to the left, chord bears North 41°25'31" East 95.31 feet; (3) thence North 37°32'55" East 169.89 feet; (4) thence northeasterly 85.42 feet along the arc of a 213.04 foot radius non tangent curve to the left, chord bears North 26°03'39" East 84.85 feet; (5) thence North 14°34'27" East 54.99 feet; (6) thence northerly 92.82 feet along the arc of a 448.92 foot radius curve to the left, chord bears North 08°39'03" East 92.65 feet; (7) thence North 02°43'39" East 283.87 feet; (8) thence northwesterly 39.55 feet along the arc of a 104.16 foot radius non tangent curve to the right, chord bears North 32°45'07" West 39.31 feet; thence North 68°07'32" East 66.00 feet to a point along the Brooke Hill Subdivision Boundary Line; thence the following four courses along said subdivision; (1) thence easterly 96.99 feet along the arc of a 38.16 foot radius non tangent curve to the left, chord bears North 85°18'44" East 72.91 feet; (2) thence North 12°29'56" East 135.86 feet; (3) thence northerly 88.96 feet along the arc of a 286.87 foot radius non tangent curve to the left, chord bears North 03°36'51" East 88.60 feet; (4) thence North 05°16'11" West 243.75 feet to the southeast corner of the Aspen View Subdivision; thence North 45°00'00" West 432.50 feet along the Boundary Line of said Subdivision to west 1/4 Section Line of said Section 2; thence North 89°31'46" West 242.48 feet along said 1/4 Section Line; thence North 74°11'45" East 195.12 feet; thence North 00°28'32" East 1,267.66 feet more or less to the north 1/16th Section Line of said Section 2; thence North 89°29'44" West 324.30 feet along said 1/16th Section Line to the east Section Line of Section 3, Township 36 South, Range 9 West; Salt Lake Base and Meridian thence North 89°44'19" West 554.30 feet along the north 1/16th Section Line of said Section 3; thence North 89°43'57" West 104.85 feet along said 1/16th Section line to the southeast corner of Phase I-

A of The Trails at Navajo Subdivision; thence North 00°23'35" East 660.96 feet along the Boundary Line of said Subdivision; thence North 89°44'24" West 15.00 feet to the western lot line of Lot 1 of said subdivision; thence North 00°23'35" East 174.63 feet along said lot line to the northerly right-of-way line of Hunter Ridge Drive; thence the following four courses along said right-of way; (1) thence North 87°39'16" West 57.48 feet; (2) thence northwesterly 73.19 feet along the arc of a 82.08 foot radius curve to the right, chord bears North 62°06'34" West 70.79 feet; (3) thence North 36°34'01" West 87.18 feet; (4) thence northwesterly 24.22 feet along the arc of a 121.03 foot radius curve to the left, chord bears North 42°17'57" West 24.18 feet; thence North 00°28'32" East 415.15 feet more or less to the south Section Line of Section 34, Township 35 South, Range 9 West, Salt Lake Base and Meridian said Section Line also being the southern Township Line for Township 35 South, Range 9 West, Salt Lake Base and Meridian; thence South 89°09'10" East 288.99 feet along said Township Line; thence continue along said Township Line South 89°09'10" East 373.95 feet to the southwest corner of Block D Lot 4 of the Mountair Evergreen Estates Subdivision; thence the following six courses through said Subdivision; (1) thence North 00°52'32" East 149.74 feet; (2) thence South 89°07'28" East 221.19 feet; (3) thence North 00°52'32" East 30.00 feet; (4) thence continue along said line North 00°52'32" East 137.75 feet; (5) thence continue along said line North 00°52'32" East 150.00 feet; (6) thence South 86°09'28" East 124.00 feet more or less to the westerly Right of Way Line of Utah Highway 143; thence southerly 347.48 feet along the arc of a 557.50 foot radius non tangent curve to the left, chord bears South 19°42'04" East 341.88 feet along said Right of Way Line; thence North 52°26'36" East 160.38 feet to the southwest corner of Block A Lot 11 of the Mountair Evergreen Estates Subdivision; thence the following eleven courses through said Subdivision; (1) thence North 56°46'32" East 150.31 feet; (2) thence southeasterly 19.10 feet along the arc of a 247.50 foot radius non tangent curve to the left, chord bears South 42°23'49" East 19.10 feet; (3) thence South 44°36'28" East 121.00 feet; (4) thence North 45°23'32" East 150.00 feet; (5) thence South 44°36'28" East 90.00 feet; (6) thence southerly 78.54 feet along the arc of a 50.00 foot radius curve to the right, chord bears South 00°23'32" West 70.71 feet; (7) thence South 45°23'32" West 11.70 feet; (8) thence South 44°36'28" East 30.00 feet; (9) thence South 89°07'28" East 342.80 feet; (10) thence South 23°04'28" East 186.30 feet; (11) thence South 89°07'28" East 135.00 feet to southwest corner of Section 35, Township 35 South, Range 9 West; Salt Lake Base and Meridian, thence North 00°35'00" West 1,354.32 feet more or less to the southwest 1/16th corner of said Section; thence South 89°57'00" East 1,329.00 feet more or less along said 1/16th Section line to the west 1/16th Section Line; thence South 00°31'16" West 1,363.38 feet along said 1/16th Section Line to the northerly Section Line of Section 2, Township 36 South, Range 9 West, Salt Lake Base and Meridian; thence North 89°33'01" West 190.29 feet along said Section Line; thence South 00°34'14" West 34.62 feet to the northwest corner of Brian Head Unit 1 Subdivision; Thence the following seven courses along the western boundary of said Subdivision; (1) thence South 00°34'14" West 331.40 feet; (2) thence South 56°47'14" West 502.60 feet; (3) thence South 34°17'14" West 400.80 feet; (4) thence South 01°46'14" West 705.90 feet; (5) thence South 30°55'46" East 351.00 feet; (6) thence South 89°25'46" East 50.60 feet; (7) thence South 00°34'14" West 693.92 feet more or less to the west 1/4 Section Line of said Section 2 ; thence South 89°31'46" East 610.53 feet along said 1/4 Section Line to the northwest corner of the Ski Haven Chalets Unit A Subdivision; thence South 89°55'00" East 776.16 feet along the northerly Boundary Line of said Subdivision; thence the following ten courses through said Subdivision; (1) thence South 20°17'00" West 54.62 feet; (2) thence southwesterly 47.56 feet along the arc of a 62.51 foot radius curve to the right, chord bears South 42°04'47" West 46.42 feet; (3) thence South 63°54'00" West 192.14 feet; (4) thence South 36°36'00" West 154.00 feet; (5) thence South 01°43'00" West 322.03 feet; (6) thence southerly 98.12 feet along the arc of a 207.18 foot radius non tangent curve to the right, chord bears South 15°16'57" West 97.21 feet; (7) thence South 28°51'00" West 384.53 feet; (8) thence South 01°10'58" West 84.93 feet; (9) thence South 06°21'00" East 80.00 feet; (10) thence South 08°43'00" East 212.26 feet to the southerly Boundary Line of said Subdivision, thence the following three courses along the Boundary Line of said Subdivision; (1) thence North 82°57'00" West 33.55 feet; (2) thence North 40°18'00" West 190.09 feet; (3) thence North 51°17'00" West 173.72 feet more or less to the south 1/4 Section Line of said Section 2; thence South 00°34'14" West 1489.99 feet along said 1/4 Section Line to the northerly Section Line of Section 11, Township 36 South, Range 9 West, Salt Lake Base and Meridian; Thence Nort

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567.78 feet along the west 1/16th Section Line of said Section; thence South 43°27'36" East 1,045.78 feet to the north 1/16th Section Line of said Section; thence North 89°16'50" West 723.01 feet along said 1/16th Section Line to the west 1/16th Section Line; thence South 00°16'34" West 1,317.79 feet along the west 1/16th Section Line; thence South 00°43'14" West 2,636.81 feet along the west 1/16th Section Line to the south Section Line of said Section 11; thence North 89°31'52" West 1,317.15 feet along said Section Line to the southwest corner of said section 11; thence North 00°53'15" East 2,639.60 feet to the POINT OF BEGINNING.

Containing 619.40 acres, more or less.

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