

IRON COUNTY

ORDINANCE 2017-1

AN ORDINANCE ADOPTING THE AMENDED PROJECT AREA PLAN FOR THE THREE PEAKS POWER COMMUNITY DEVELOPMENT PROJECT AREA, AS APPROVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE PROJECT AREA.

WHEREAS the Iron County Community Development and Renewal Agency (the "**Agency**"), having prepared the amended Project Area Plan (the "**Amended Plan**") for the Three Peaks Power Community Development Project Area (the "**Project Area**") pursuant to Utah Code Annotated ("**UCA**") § 17C-4, 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 Reinvestment Agency 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 THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Iron County Commission hereby adopts and designates the Amended Plan for the Three Peaks Power 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 respective boundaries of which are shown and described on the legal descriptions and map attached hereto as **Exhibit A** and incorporated herein by this reference.

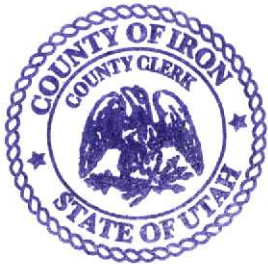
2. Iron County Commission and Agency staff are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106, substantially in the form attached hereto as **Exhibit B**, whereupon the Official Plan shall become effective under UCA § 17C-4-106.

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 27th day of March, 2017.

BY THE IRON COUNTY COMMISSION:







Dale Brinkerhoff, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk

Voting:

Alma Adams	
Dale Brinkerhoff	
Mike Bleak	

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EXHIBIT A

Three Peaks Power Community Development Project Area

AMENDED LEGAL DESCRIPTION:

PARCEL 1; (D-0433-0001-0000) SOUTHERN UTAH SOLAR PROPERTY, LLC
BEGINNING AT A POINT N00°02'28"E ALONG THE SECTION LINE 1329.89 FEET FROM THE EAST QUARTER CORNER OF SECTION 25, T34S, RANGE 12W, S.L.B.&M. RUNNING THENCE S89°30'53"W 875.85 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF LUND HIGHWAY; RUNNING THENCE N31°34'56"W ALONG SAID EAST LINE 300.00 FEET; THENCE DEPARTING SAID EAST LINE RUNNING N63°17'58"E 134.64 FEET; RUNNING THENCE N89°50'03"E 912.89 FEET TO A POINT ON THE EAST LINE SAID SECTION 25; THENCE DEPARTING SECTION 25 ENTERING INTO SECTION 30, T34S, R11W RUNNING N89°50'03"E 867.46 FEET; THENCE N00°03'22"E 1022.84 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 30; THENCE DEPARTING SAID SECTION 30 ENTERING INTO SECTION 19 RUNNING N00°03'22"E 221.39 FEET; THENCE N27°44'34"E 496.23 FEET; THENCE N65°52'22"E 120.00 FEET; THENCE N89°55'12"E 101.23 FEET; THENCE N45°01'21"E 90.25 FEET; THENCE N00°00'47"W 121.78 FEET; N45°01'36"W 90.75 FEET; THENCE N89°58'33"W 645.90 FEET; THENCE N00°00'08"W 1387.52 FEET; THENCE S89°59'00"E 646.12 FEET; THENCE N44°59'49"E 90.59 FEET; THENCE N00°00'48"E 1548.32 FEET; THENCE N89°59'29"E 1295.86 FEET; THENCE N44°51'53"E 90.43 FEET; THENCE N00°00'23"W 627.26 FEET; THENCE N89°38'32"E 2614.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 19; THENCE DEPARTING SECTION 19 AND ENTERING INTO SECTION 20 RUNNING N89°38'32"E 1651.18 FEET; THENCE S00°06'42"E 4638.00 FEET TO A POINT ON THE SOUTH LINE SAID SECTION 20; THENCE DEPARTING SAID SECTION 20 ENTERING INTO SECTION 29 RUNNING S00°32'02"W 1326.30 FEET; THENCE S89°50'03"W 1651.17 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 29; THENCE DEPARTING SAID SECTION 29 ENTERING SAID SECTION 30 RUNNING S89°30'53"W 5345.25 FEET TO THE POINT OF BEGINNING CONTAINING 807.13 ACRES.

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Three Peaks Power Community Development Project Area
ORIGINAL Legal Description **

*Iron County
Ordinance 2015-5
was originally
recorded on Bk. 1328/929

BOUNDARY DESCRIPTION

PARCEL 1

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 25, T34S-R12W, S.L.B.&M., RUNNING THENCE N89°41'16"W 122.27 FEET TO A POINT ON THE CENTERLINE OF LUND HIGHWAY; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: RUNNING N31°32'27"W 1567.90 FEET; THENCE N31°34'56"W 2583.81 FEET; THENCE DEPARTING SAID ROAD CENTERLINE, RUNNING N00°00'48"W 3768.54 FEET; THENCE S89°50'44"E 2298.64 FEET TO A POINT ON EAST SECTION LINE, SAID SECTION 24, SAID POINT ALSO BEING ON THE RANGE LINE OF 11 AND 12 WEST; THENCE DEPARTING SAID SECTION 24, RANGE 12 WEST, ENTERING SECTION 19, RANGE 11 WEST, RUNNING N89°39'33"E 5343.75 FEET TO A POINT ON THE EAST LINE SAID SECTION 19; THENCE DEPARTING SAID SECTION 19, ENTERING SECTION 20, SAID TOWNSHIP AND RANGE, RUNNING N89°39'33"E 1651.18 FEET; THENCE S00°09'20"E 4638.00 FEET TO A POINT ON THE SOUTH LINE, SAID SECTION 20; THENCE DEPARTING SAID SECTION 20, ENTERING SECTION 29, SAID TOWNSHIP AND RANGE, RUNNING S00°32'04"W 1325.78 FEET; THENCE S89°48'42"W 1651.17 FEET TO A POINT ON THE WEST LINE SAID SECTION 29; THENCE DEPARTING SAID SECTION 29, ENTERING SECTION 30, SAID TOWNSHIP AND RANGE, RUNNING S89°32'22"W 4008.91 FEET; THENCE S00°09'51"W 1328.73 FEET TO A POINT ON THE EASTWEST CENTER QUARTER SECTION LINE SAID SECTION 30; THENCE S89°29'12"W ALONG SAID EASTWEST CENTER QUARTER SECTION LINE, 1333.46 FEET TO THE POINT OF BEGINNING LESS AND ACCEPTING LUND HWY AND CONTAINING 1291.40 ACRES.

PARCEL 2

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 25, T34S-R12W, S.L.B.&M., RUNNING THENCE N00°00'11"E ALONG THE WEST SECTION LINE, SAID SECTION 25, 1998.17 FEET; THENCE DEPARTING SAID WEST SECTION LINE RUNNING S89°49'43"E 1650.00 FEET; THENCE S35°41'18"E 720.54 FEET TO A POINT ON A 100.00 FOOT RADIUS CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING S00°00'00"E 100.00 FEET TO THE CENTER OF SAID CUL-DA-SAC; THENCE N90°00'00"W 100.00 FEET TO A POINT ON SAID CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING S56°25'23"W 2365.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 59.421 ACRES.

PARCEL 3

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 25, T34S-R12W, S.L.B.&M., RUNNING S89°35'00"E ALONG SAID NORTH LINE, 888.28 FEET TO A POINT ON THE CENTERLINE OF LUND HIGHWAY; THENCE S31°34'56"E ALONG SAID CENTERLINE OF LUND HIGHWAY, 1568.00 FEET TO THE INTERSECTION OF A 66.00 FOOT ROAD; THENCE DEPARTING SAID CENTERLINE OF LUND HIGHWAY RUNNING N90°00'00"W ALONG THE CENTERLINE OF SAID 66.00 FOOT ROAD, 2294.37 FEET TO THE CENTER OF A 100.00 FOOT RADIUS CUL-DA-SAC; THENCE DEPARTING SAID CENTERLINE RUNNING N00°00'00"E 100.00 FEET TO A POINT ON SAID CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING N35°41'18"W 720.54 FEET; THENCE N00°00'11"E 660.00 FEET TO A POINT ON THE NORTH SECTION LINE SAID SECTION 25; THENCE S89°49'43"E ALONG SAID NORTH LINE, 1005.23 FEET TO THE POINT OF BEGINNING LESS AND ACCEPTING LUND HWY AND CONTAINING 65.31 ACRES.

PARCEL 4

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 25, T34S-R12W, S.L.B.&M., RUNNING THENCE N56°25'23"E 2365.07 FEET TO A POINT ON A 100.00 FOOT RADIUS CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING N90°00'00"E 100.00 FEET TO THE CENTER OF SAID CUL-DA-SAC; THENCE N90°00'00"E ALONG THE CENTERLINE OF A 66.00 FOOT ROAD, 94.40 FEET; THENCE DEPARTING SAID 66.00 FOOT ROAD RUNNING S00°00'00"E 33.00 FEET TO A POINT ON SAID CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING S29°55'12"E 1489.36 FEET TO A POINT ON THE EASTWEST QUARTER SECTION LINE; THENCE N89°41'16"W ALONG SAID EASTWEST QUARTER SECTION LINE, 2907.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 46.687 ACRES.

PARCEL 5

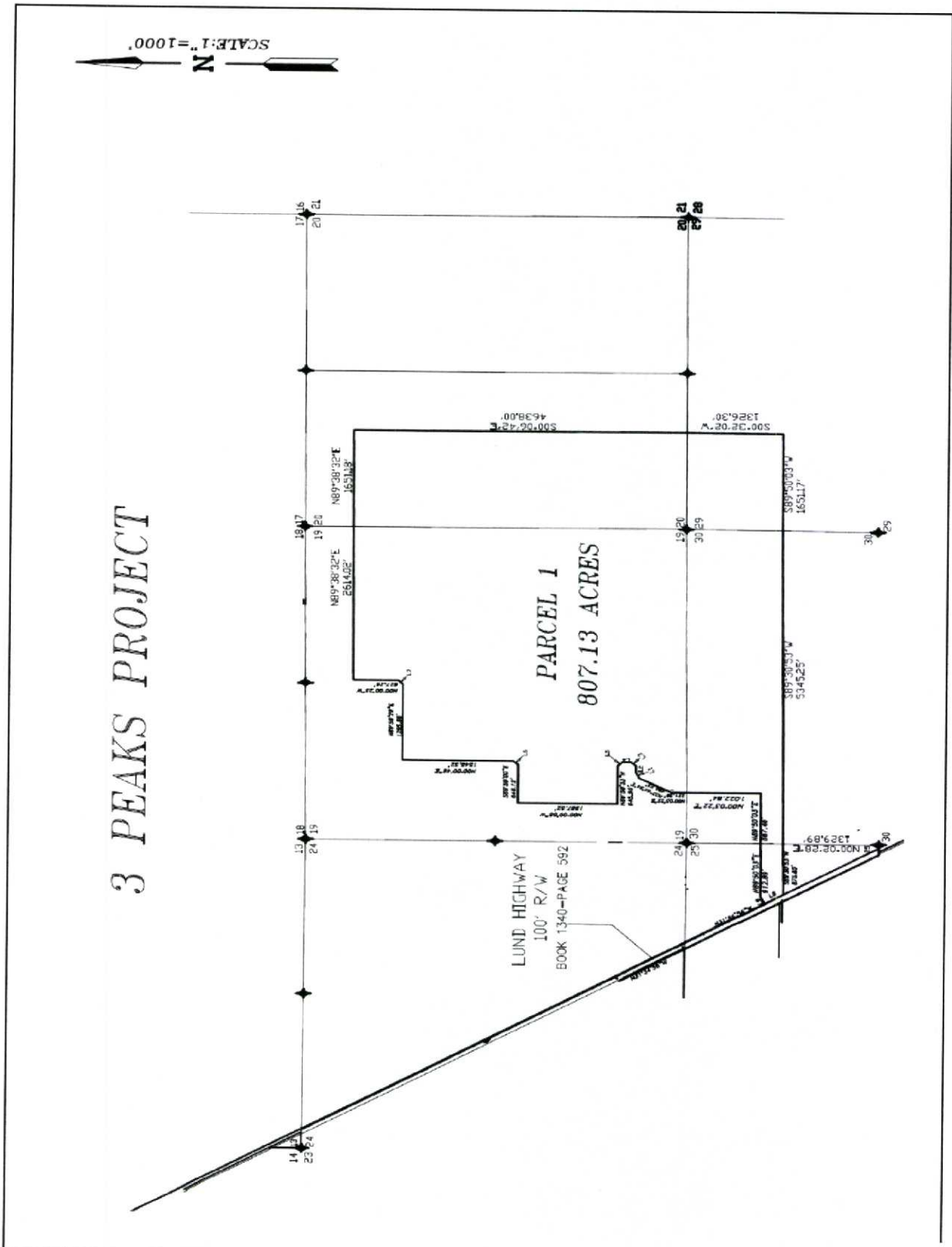
BEGINNING AT A POINT N89°41'16"W 122.27 FEET FROM THE EAST QUARTER CORNER OF SECTION 25, T34S-R12W, S.L.B.&M.; THENCE N89°41'16"W ALONG THE EASTWEST QUARTER SECTION LINE OF SAID SECTION 25, 2277.31 FEET; THENCE N29°55'12"W 1489.36 FEET TO A POINT ON A 100.00 FOOT RADIUS CUL-DA-SAC; THENCE DEPARTING SAID CUL-DA-SAC RUNNING N00°00'00"E 33.00 FEET TO A POINT ON THE CENTERLINE OF A 66.00 FOOT ROAD; THENCE N90°00'00"E ALONG SAID CENTERLINE 2199.97 FEET TO AN INTERSECTION OF LUND HIGHWAY; THENCE DEPARTING SAID CENTERLINE RUNNING S31°32'27"E ALONG THE CENTERLINE OF SAID LUND HIGHWAY, 1567.90 FEET TO THE POINT OF BEGINNING LESS AND ACCEPTING LUND HWY AND CONTAINING 66.73 ACRES.

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AMENDED MAP:



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EXHIBIT B

Notice of Adoption of Ordinance 2017-1 by the Iron County Commission

Pursuant to Section 17C-4 of the Utah Code Annotated, the Iron County Commission (the "County Commission") is providing this notice with respect to Ordinance 2017-1 which was passed by the County Commission on March 27th 2017, adopting the amended Plan for the Three Peaks Power Community Development Project Area (the "Plan"), as approved by the Iron County Community Development and Renewal Agency (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 Iron County offices, 68 South 100 East, Parowan, UT, during regular office hours of 9:00 am to 5:00 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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