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When Recorded Mail to:
Molly Spira
Sandy City Recorder
10000 S. Centennial Parkway
Sandy, Utah 84070

11067566

11/03/2010 02:33 PM \$0.00
Book - 9875 Ps - 7757-7767
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SANDY CITY
10000 CENTENNIAL PARKWAY
SANDY UT 84070
BY: KSR, DEPUTY - MA 11 P.

**Notice of Adoption
of the 114th South Community Development Plan**

In accordance with Section §17C-4-107, of the Community Development and Renewal Agencies Act, the following information has been recorded with the Salt Lake County Recorder, in regards to the adoption of a Project Area Plan for the 114th South Community Development Project Area.

1. Description of the Land within the Project Area:

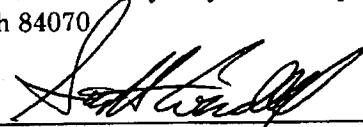
The boundaries of 114th South Community Development Project Area are: See Attached Boundary Description and map.

2. Date of Adoption

The Project Area Plan, creating the 114th South Community Development Project Area was adopted by the Sandy City Redevelopment Agency by Resolution No. RD 10-06 and by the Sandy City Council by Ordinance No. 10-39, on October 12, 2010.

3. Statement of Adoption

The Project Area Plan for the 114th South Community Development Project Area was adopted in accordance with the requirements of the Community Development and Renewal Agencies Act, Title 17C, of the Utah Code Annotated, as amended, on October 12, 2010. A copy of the Plan is available at the office of the Sandy City Redevelopment Agency, 10000 S. Centennial Parkway, Sandy, Utah 84070.

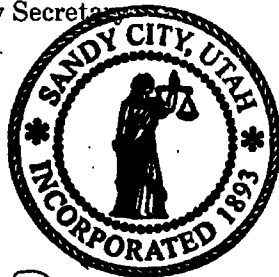


Chairman

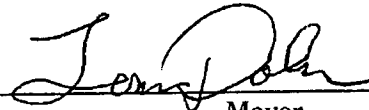
ATTEST:



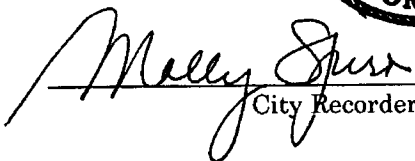
Agency Secretary



ATTEST:



Mayor

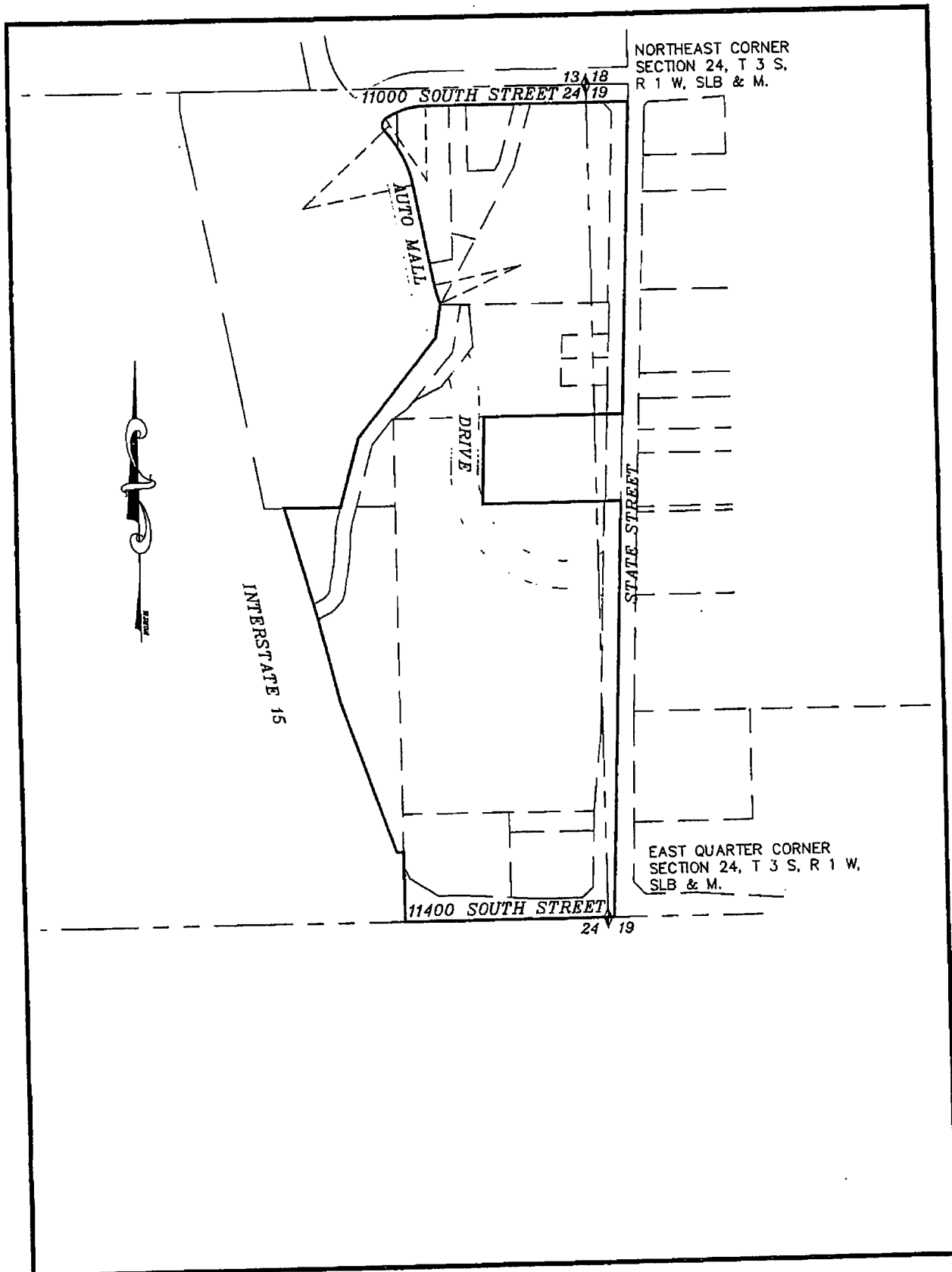


City Recorder

Attachment "A"
Project Area Description

Beginning at a Salt Lake County monument representing the East Quarter Corner of Section 24, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence along the quarter section line and Sandy City – Draper City boundary, South 89°59'00" West 660.65 feet; thence North 0°01'14" West 223.39 feet; thence South 89°58'48" West 22.11 feet to the easterly right-of-way line of Interstate 15; thence along said easterly right-of-way line the following three (3) courses; (1) North 19°33'50" West 513.27 feet; (2) North 14°04'52" West 265.48 feet; (3) North 15°50'43" West 377.31 feet, more or less; thence North 89°50'52" East 181.71 feet; thence North 15°57'03" East 228.49 feet; thence North 39°43'20" East 407.78 feet; thence North 9°48'28" East 110.64 feet to the easterly line of Auto Mall Drive; thence along said easterly line the following four (4) Courses: (1) Northwesterly 61.30 feet along the arc of a curve to the right whose center bears North 66°39'33" East 290.00 feet, has a central angle of 12°06'40" and a chord bearing and length of North 17°17'07" West 61.19 feet; (2) North 11°13'47" West 325.44 feet; (3) Northwesterly 200.78 feet along the arc of a curve to the left whose center bears South 78°46'13" West 370.00 feet, has a central angle of 31°05'28" and a chord bearing and length of North 26°46'31" West 198.32 feet to a point of reverse curvature; (4) Northeasterly 43.36 feet along the arc of a curve to the right whose center bears North 47°40'45" East 25.00 feet, has a central angle of 99°22'50" and a chord bearing and length of North 7°22'10" East 38.13 feet to the south line of 11000 South Street and a point of compound curvature; thence along said south line of 11000 South Street the following two (2) courses: (1) Northeasterly 138.88 feet along the arc of a curve to the right whose center bears South 32°56'25" East 242.50 feet, has a central angle of 32°48'45" and a chord bearing and length of North 73°27'58" East 136.99 feet; (2) North 89°52'20" East 659.16 feet, more or less, to the centerline of State Street; thence along said centerline, South 2°20'55" West 994.24 feet, more or less, to intersect an easterly extension of the north line of the Arrowhead 11170, LLC property; thence along said easterly extension and the boundary of said property the following three courses: (1) South 89°48'45" West 449.56 feet; (2) South 2°20'55" West 280.00 feet; (3) North 89°48'45" East 449.56 feet to the centerline of State Street; thence along said centerline, South 2°20'55" West 1330.07 feet to a Salt Lake County monument defining said centerline of State Street; thence South 87°05'36" West 19.40 feet to the point of beginning. The above described area contains approximately 45.08 acres.

Attachment "B"
Project Area Map



NORTHEAST CORNER
SECTION 24, T 3 S,
R 1 W, SLB & M.

11000 SOUTH STREET

AUTO MALL
DRIVE

DRIVE

STATE STREET

INTERSTATE 15

11400 SOUTH STREET

EAST QUARTER CORNER
SECTION 24, T 3 S, R 1 W,
SLB & M.

RESOLUTION NO. ^{PD} 10-06

RESOLUTION OF THE SANDY CITY REDEVELOPMENT AGENCY, ADOPTING THE COMMUNITY DEVELOPMENT PROJECT AREA PLAN ENTITLED, "THE 114th SOUTH COMMUNITY PROJECT AREA PLAN" DATED OCTOBER, 2010

WHEREAS, the Sandy Redevelopment Agency (the "Agency") was created to transact the business and exercise the powers provided for in the former Utah Neighborhood Development Act and Utah Redevelopment Agencies Act, and the current Utah Community Development and Urban Renewal Agencies Act and any successor law or act (the "Act"); and

WHEREAS, Sandy City has a planning commission and has adopted a general plan pursuant to applicable law; and

WHEREAS, the Agency by Resolution has authorized the preparation of a draft project area plan as provided in Section 17C-4-101, Utah Code Annotated 1953, as amended; and

WHEREAS, pursuant to Section 17C-4-103 the Agency has (a) prepared a draft of the 114th South Community Development Project Area Plan (the "Project Area Plan" or "Plan") and (b) made the draft Project Area Plan available to the public at the Agency's offices during normal business hours; and

WHEREAS, the Agency has provided notice of the Plan hearing as provided in Sections 17C-4-401 and 17C-4-402; and

WHEREAS, the Agency has held a public hearing on the draft Project Area Plan and at that Plan hearing (a) allowed public comment on the draft Project Area Plan and whether the draft Project Area Plan should be revised, approved, or rejected, and (b) received all written and heard all oral objections to the draft Project Area Plan; and

WHEREAS, thirty (30) days before holding the Plan hearing, the Agency provided a copy of the Plan and notice of the hearing, to each taxing entity that levies a tax on property within the 114th South Community Development Project Area, the State Tax Commission, the Salt Lake County Auditor, and Assessor, and the State Board of Education, and allowed for an opportunity to consult with the Agency regarding the draft Project Area Plan.

NOW, THEREFORE, BE IT RESOLVED by the Sandy City Redevelopment Agency.

Section 1. Adoption of Project Area Plan. The 114th South Community Development Project Area Plan is hereby designated as the official Project Area Plan for the 114th South Community Development Project Area. The Agency hereby officially adopts the Project Area Plan by this Resolution and shall submit the adopted Project Area Plan, together with a copy of this Resolution, to the Sandy City Council requesting that the Project Area Plan be adopted by ordinance of the 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 114th South Community Development Project Area (the "Project Area") covered by the Project Area Plan is attached hereto and incorporated here in as Exhibit "A". The 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 are to accomplish the following:

- A. Encourage and accomplish appropriate community and economic development and within the Project Area.
- B. Promote and market the Project Area for economic development that would be complimentary to the general plan and will enhance the economic base of the City.
- C. Provide for the strengthening of the tax base and economic health of the community.
- D. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of social and economic activity for the City.

Section 4. Project Area Plan Incorporated by Reference. The Project Area Plan, together with supporting documents is 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 City Recorder for public inspection.

Section 5. Agency Board Findings. The Agency Board hereby determines and finds that the adoption of the Project Area will:

- A. Satisfy a public purpose by, among other things, encouraging and accomplishing appropriate development and economic development within the Project Area;
- B. Provide a public benefit, as shown by the benefit analysis that was performed for the Project Area as required pursuant to Subsection 17C-4-103(11) of the Act;
- C. Be economically sound and feasible; in that the revenue needed for the implementation of the plan will come from property taxes generated by new private development within the Project Area.
- D. Conform to the Sandy City general plan.
- E. Promote the public peace, health, safety and welfare of Sandy City.

Section 6. Acquisition of Property. The Agency may acquire (but is not required to acquire) property in the Project Area by negotiation, gift, devise, exchange, purchase, or other lawful method, but not by **eminent domain (condemnation)** except from an Agency board member or officer with their consent. The Agency is authorized to acquire (but is not required to acquire) any other interest in real property in the Project Area less than fee title such as leasehold interests, easements, rights of way, etc. by negotiation, gift, devise, exchange, purchase or other lawful method, but not by **eminent domain (condemnation)** except from an Agency board member or officer with their consent.

Section 7. Financing.

- A. Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Resolution hereby specifically incorporates all of the provisions of the Act that authorize or permits the Agency to receive funding for the Project Area and that authorize the various uses of such funding by the Agency, and to the extent greater (or more beneficial to the Agency) authorization for receipt of funding by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Resolution that the Agency shall have the broadest authorization and permission for receipt of and use of sales tax, tax increment and other funding as is authorized by law, whether by existing or amended provisions of law. This Resolution also incorporates the specific provisions relating to funding of community development project areas permitted by Title 17C, Chapter 4, Part 2, Utah Code Annotated, 1953, as amended, which provide in part as follows:

17C-4-201. Consent of a taxing entity or public agency to an agency receiving tax increment or sales tax funds for community development project. (1) An agency may negotiate with a taxing entity and public agency for the taxing entity's or public agency's consent to the agency receiving the entity's or public agency's tax increment or sales tax revenues, or both, for the purpose of providing funds to carry out a proposed or adopted community development project area plan. (2) The consent of a taxing entity or public agency under Subsection (1) may be expressed in: (a) a resolution adopted by the taxing entity or public agency; or (b) an interlocal agreement, under Title 11, Chapter 13, Interlocal Cooperation Act, between the taxing entity or public agency and the agency. (3) A school district may consent to an agency receiving tax increment from the school district's basic levy only to the extent that the school district also consents to the agency receiving tax increment from the school district's local levy. (4) (a) A resolution or interlocal agreement under this section may be amended from time to time. (b) Each amendment of a resolution or interlocal agreement shall be subject to and receive the benefits of the provisions of this part to the same extent as if the amendment were an original resolution or interlocal agreement. (5) A taxing entity's or public agency's consent to an agency receiving funds under this section is not subject to the requirements of Section 10-8-2."

- B. The particulars as to the amount and duration of funding for the Project Area shall be as provided for in the funding resolutions or interlocal agreements of taxing entities and public agencies, unless another method is provided by law that is more beneficial to the Agency.


Section 8. This Resolution shall take effect immediately upon adoption, and pursuant to the provisions of the Act, the Project Area Plan shall become effective upon adoption by Ordinance of the legislative body of Sandy City and the publication of a notice as required under 17C-4-106 of the Act.

IN WITNESS WHEREOF, the Sandy City Redevelopment Agency has approved, passed and adopted this Resolution this 12th day of October, 2010.





Chairman



Executive Director

ATTEST:



Secretary

AN ORDINANCE OF THE SANDY CITY COUNCIL, STATE OF UTAH, ADOPTING THE COMMUNITY DEVELOPMENT PROJECT AREA PLAN ENTITLED, "114TH SOUTH COMMUNITY DEVELOPMENT PROJECT AREA PLAN," DATED OCTOBER, 2010.

BE IT ORDAINED BY THE SANDY CITY COUNCIL,
STATE OF UTAH AS FOLLOWS:

SECTION I. This Ordinance pertaining to the "114th South Community Development Project Area Plan" is hereby enacted to read as follows:

114TH SOUTH COMMUNITY DEVELOPMENT PROJECT AREA PLAN

Sections:

1. Adoption of Project Area Plan.
2. Project Boundaries.
3. Purposes of Project Area Plan.
4. Project Area Plan Incorporated by Reference.
5. Findings.
7. Effective Date.

Section 1. Adoption of Project Area Plan. The Sandy City Redevelopment Agency (the "Agency") has adopted the Project Area Plan entitled, "114th South Community Development Project Area Plan," dated October, 2010 (the "Project Area Plan"). The Project Area Plan is hereby designated as the official Community Development Project Area Plan of the 114th South Community Development Project Area. The City, after review of the Agency's findings, as set forth herein, hereby adopts by Ordinance the Project Area Plan pursuant to Section 17C-4-105 of the Utah Community Development and Renewal Agencies Act.

Section 2. Project Boundaries. The legal description of the boundaries of the project area (the "Project Area") covered by the Project Area Plan is attached hereto and incorporated herein as Attachment "A". The map of the Project Area is attached and incorporated herein as Attachment "B".

Section 3. Purposes of Project Area Plan. The purposes and intent of the Sandy City Council with respect to the Project Area are to accomplish the following purposes by adoption of the Project Area Plan:

- A. Encourage and accomplish appropriate community and economic development within the Project Area.
- B. Promote and market the Project Area for mixed-use development that would be complimentary to the general plan and will enhance the economic base of the City.
- C. Provide for the strengthening of the tax base and economic health of the community.
- D. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of social and economic activity for the City.

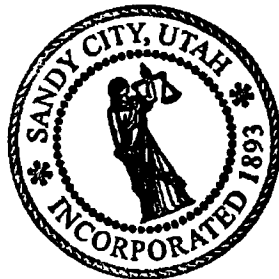
Section 4. Project Area Plan Incorporated by Reference. The Project Area Plan, together with supporting documents, is incorporated herein by reference and made a part of this Ordinance. Copies of the Project Area Plan shall be filed and maintained in the office of the City Recorder and the Sandy City Redevelopment Agency for public inspection.


Section 5. Findings. The City concurs with the findings of the Sandy City Redevelopment Agency in that the adoption of the Project Area Plan will:

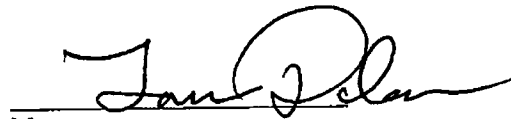
- A. Satisfy a public purpose by, among other things, encouraging and accomplishing appropriate community and economic development within the Project Area;
- B. Provide a public benefit, as shown by the benefit analysis that was performed for the Project Area as required pursuant to Subsection 17C-4-103(11) of the Act;
- C. Be economically sound and feasible;
- D. Conform to Sandy City's general plan;
- E. Promote the public peace, health, safety and welfare of Sandy City.

Section 6. Effective Date. This Ordinance shall take effect upon its first publication or posting.

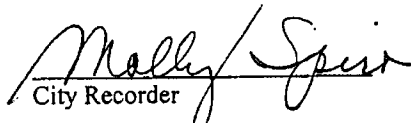
PASSED and APPROVED by the Sandy City Council, State of Utah, this 12th day of October, 2010.




Council Chair


Mayor

ATTEST:


City Recorder