

Entry 2012001503
Book 1266 Page 183-214 \$0.00
23-FEB-12 02:01
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
VERNAL CITY CORP
1222 E MAIN VERNAL, UT 84078
Rec By: SYLENE ACCUTTOROOP , DEPUTY

VERNAL CITY COUNCIL
January 18, 2012 & February 1, 2012

Ordinance No. 2012-05

Entry 2012001503
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AN ORDINANCE OF VERNAL CITY, UTAH, APPROVING THE CREATION OF A COMMUNITY DEVELOPMENT AND RENEWAL AGENCY IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH CODE.

WHEREAS the City Council of Vernal City, Utah, (the “City Council” and “City,” respectively) has determined that it is in the best interests of the City to undertake community development, economic development and/or urban renewal in such areas of the City as may hereafter become necessary or desirable;

WHEREAS the City Council deems it advisable that any community development, economic development and/or urban renewal project undertaken within the City be carried out in accordance with the provisions of Title 17C of the Utah Code, “Limited Purpose Local Government Entities-Community Development and Renewal Agencies Act,” as amended (the “Act”); and

WHEREAS Section 17C-1-201 of the Act authorizes the legislative body of a community to approve the creation of a community development and renewal agency for the purposes of undertaking or promoting community development, economic development, urban renewal or any combination thereof within the geographic boundaries of the agency, which shall be coterminous with the boundaries of the community creating the agency, or as otherwise authorized by the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UINTAH COUNTY, UTAH, AS FOLLOWS:

Section 1. Pursuant to the provisions of Section 17C-1-201(1) of the Act, Vernal City hereby approves the creation of a community development and renewal agency (the “Agency”), contingent upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Section 67-1a-6.5 of the Utah Code.

Section 2. The name of the Agency shall be the Vernal City Community Development and Renewal Agency.

Section 3. The geographic boundaries of the Agency shall be coterminous with the geographic boundaries of the City.

Section 4. Upon creation, the Agency shall be vested with all the powers set forth in the Act and as otherwise provided by law.

EXHIBIT A

NOTICE OF IMPENDING BOUNDARY ACTION

CREATION AND ESTABLISHMENT OF THE BOUNDARIES FOR THE VERNAL CITY
COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

To the Utah Lieutenant Governor:

Enclosed please find a copy of Ordinance No. 2012-05 adopted by the Vernal City Council approving the creation of the Vernal City Community Development and Renewal Agency (the "Agency"). The boundaries of the Agency are as depicted on the plat included and filed together with this Notice. Vernal City requests that a certificate of creation be issued for the Agency in accordance with Sections 17C-1-201(2)(a)(ii) and 67-1a-6.5 of the Utah Code.

In accordance with Section 67-1a-6.5(3)(d)(i) of the Utah Code, I certify as of this 1st day of February, 2012, that Vernal City has met all of the requirements for the creation of the Agency.

VERNAL CITY, UTAH

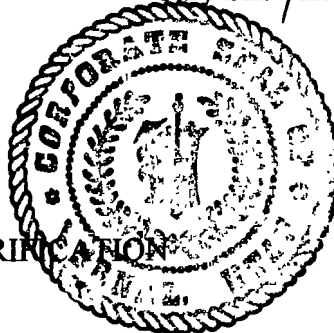
Gary Showalter

Gary Showalter, Mayor

ATTEST:

Ken Bassett

Ken Bassett, City Manager/Recorder



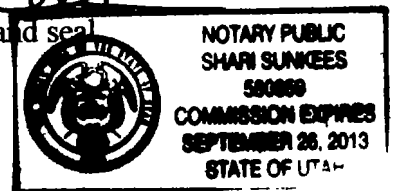
VERIFIED AND NON

STATE OF UTAH)
 : ss
COUNTY OF UINTAH)

In the County of Uintah, State of Utah, on this 7 day of February, 2012, before me, the undersigned notary, personally appeared Gary Showalter and Ken Bassett, the Mayor and the City Manager/Recorder, respectively, of the Vernal City, Utah, who are personally known to me or who proved to me their identities through documentary evidence to be the persons who signed the preceding document in my presence and who swore or affirmed to me that their signatures are voluntary.

Shari Sunkees

Notary signature and seal



Section 5. The governing body of the Agency shall be a board consisting of the members of the City Council as may serve from time to time on the City Council.

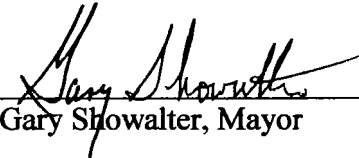
Section 6. Within 10 days of the adoption of this Ordinance, the City Council shall file or cause to be filed with the Utah Lieutenant Governor a copy of a notice of impending boundary action (the "Notice") and a copy of an approved final local entity plat (the "Plat") as required by Section 17C-1-201(2)(a) of the Act. The Notice, in substantially final form, is attached hereto as Exhibit A and the Plat, in substantially final form, is attached hereto as Exhibit B. Having reviewed the Notice and the Plat, the City Council hereby authorizes and directs the appropriate officials of the City to sign and seal both the Notice and the Plat when finalized in proper form. The Notice must comply with the requirements of Section 67-1a-6.5(3) of the Utah Code and the Plat must comply with the requirements of Section 17-23-20(4) of the Utah Code.

Section 7. Upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Section 67-1a-6.5 of the Utah Code, the Agency shall be created and incorporated. Upon the issuance by the Lieutenant Governor of a certificate of creation, the City Council shall submit or cause to be submitted to the Uintah County Recorder (a) the original Notice, (b) the original certificate of creation, (c) the original Plat, and (d) a certified copy of this Ordinance.

Section 8. The City Council authorizes the Mayor to sign and the City Manager/Recorder to attest to an inducement agreement (in substantially the form as present herewith as Exhibit C) between the City and Gardner Town Center, LLC, a Utah limited liability company or any affiliate whereby Gardner Towne Center, LLC agrees to reimburse the City for its costs and expenses related to the creation of the Agency and consideration of any project areas by the City.

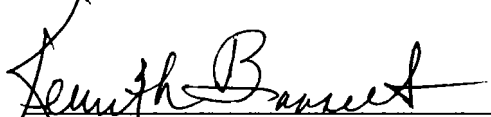
THIS ORDINANCE SHALL TAKE EFFECT UPON RECORDING AND PUBLICATION.

Approved and adopted this January 18, 2012, and reapproved February 1, 2012 by the City Council of Vernal City, Utah.



Gary Showalter, Mayor

ATTEST:



Ken Bassett, City Manager/Recorder

