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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
10/10/2012 12:23 PM  
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REC'D FOR SYRACUSE CITY

ORDINANCE NO. 12-21

AN ORDINANCE OF THE CITY COUNCIL OF SYRACUSE CITY, UTAH ADOPTING THE SYRACUSE SR-193 ECONOMIC DEVELOPMENT PROJECT AREA PLAN, AND RELATED MATTERS.

WHEREAS, the Syracuse City Redevelopment Agency (the "Agency") is a community development and renewal agency (a public body, corporate and politic) duly created, established, and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the "Act"); and

WHEREAS, the Agency has authorized the preparation of a draft Syracuse SR-193 Economic Development Project Area Plan (the "Plan"), hereby incorporated by reference, for an Economic Development Project Area (the "Project Area") located west of 1000 West, north of 700 South, south of 200 South and east of approximately 1800 West in Syracuse City, Utah, the legal description of which is attached hereto as Exhibit B; and

WHEREAS, the Agency has prepared the Plan in order to promote economic development and job creation within the Project Area and to increase the property tax base within the Project Area through the development of a new business park within the Project Area; and

WHEREAS, pursuant to the Act, the Agency held a public hearing to receive comment regarding the Plan on August 21, 2012, and provided notice of such hearing in accordance with the Act;

WHEREAS, the Agency has found and determined that (a) there is a need to effectuate a public purpose; (b) there is a public benefit under the analysis shown by the Plan; (c) it is economically sound and feasible to adopt and carry out the Plan; (d) the Plan conforms to the general plan of Syracuse City, Utah; and (e) carrying out the Plan will promote the public peace, health, safety, and welfare of the community in which the Project Area is located; and

WHEREAS, by resolution adopted August 21, 2012, the Agency has approved the Plan, without revision, as the economic development project area plan for the Project Area; and

WHEREAS, pursuant to the Act, the City Council of Syracuse City, Utah (the "City Council") now desires to adopt the Plan as approved by the Agency;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and City officers and by the Board of Directors and Agency officers directed toward the preparation of the draft Plan are hereby ratified, approved, and confirmed.

Section 2. The City Council hereby adopts the Plan for the Project Area, the legal description of which is attached hereto as Exhibit B, and designates the Plan as the official economic development plan of the Project Area.

Section 3. Immediately after its adoption, this Ordinance shall be signed by the Mayor and attested by the City Recorder and shall be recorded in the ordinance book kept for that purpose. A summary of this Ordinance, in substantially the form attached hereto as Exhibit C, shall be published (A) one time in the Standard-Examiner, a newspaper of general circulation within the Agency's and City's boundaries, (B) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website ([www.utahlegals.com](http://www.utahlegals.com)) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with such publication to take place as soon as possible after the adoption of this Ordinance; and shall cause a copy of this Ordinance (together with all exhibits hereto) and the Plan to be kept on file in the office of the City Recorder for public examination during the regular business hours of the City Recorder for a period of at least thirty (30) days from and after the last date of publication thereof. This Ordinance shall take effect immediately upon its passage and approval and publication as required by law.

Section 4. The appropriate officers of the City and the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 5. If any one or more sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.

Section 6. All resolutions or ordinances of the City in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, by-law or regulation, or part thereof, heretofore repealed.

ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH THIS  
AUGUST 21, 2012.

(SEAL)



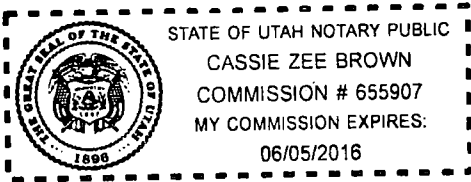
By: [Signature]  
Mayor

ATTEST:

By: [Signature]  
City Recorder

State of Utah  
County of Davis  
On this 21 day of August, 2012,  
Jame Nagle personally appeared before me,  
 who is personally known to me,  
 whose identity I verified on the basis of  
Drivers License  
whose identity I verified on the oath/affirmation of  
\_\_\_\_\_, a credible witness,

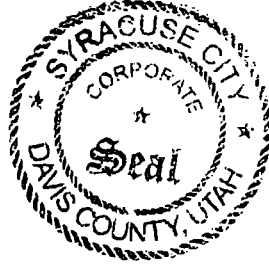
to be the signer of the foregoing document, and he/she  
acknowledged that he/she signed it.  
Cassie Zee Brown  
My Commission Expires June 5, 2016 Notary Public



(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the City Council adjourned.

(SEAL)



By: [Signature]  
Mayor

ATTEST:

By: [Signature]  
City Recorder

*[Mirrored/Inverted text from the reverse side of the page, including "City Commission Expires" and "Notary Public"]*

SYRACUSE  
B

12-025-0006, 0011, 0013  
12-026-0013, 0018, 0020  
12-761-0001, 0002, 0003, 0004, 0005  
STREETS

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Cassie Brown, the undersigned City Recorder of Syracuse City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the August 21, 2012, public meeting held by the City Council of the City (the "City Council") as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City on August 17, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Standard-Examiner, on August 17, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

In addition, the Notice of 2012 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (i) posted on January 3, 2012 at the principal office of the City Council, (ii) provided to at least one newspaper of general circulation within the City on January 3, 2012 and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this August 21, 2012.

(SEAL)



By: Cassie Brown  
City Recorder

[To be attached: ]  
SCHEDULE 1-NOTICE OF MEETING  
SCHEDULE 2-NOTICE OF ANNUAL MEETING SCHEDULE

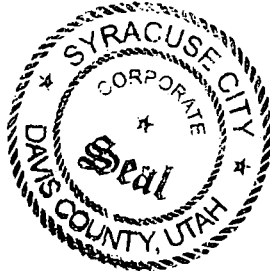
STATE OF UTAH            )  
                                  ) ss.  
COUNTY OF DAVIS        )

I, Cassie Brown, the duly qualified and acting City Recorder of Syracuse City, Utah (the "City"), do hereby certify according to the records of the City in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the regular meeting of the City Council of the City (the "City Council ") held on August 21, 2012, as it pertains to an ordinance (the "Ordinance") adopted by the City Council at said meeting, including the Ordinance, as said minutes and Ordinance are officially of record in my possession.

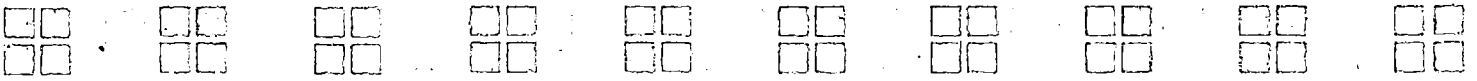
I further certify that a Summary of Ordinance was published one time in the Standard-Examiner on ~~August~~ 2, 2012.  
September

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the City this August 21, 2012.

(SEAL)



By: OBrown  
City Recorder



# APPENDIX A: PROJECT AREA MAP

The entire Study Area is represented on the map below. The westernmost area, shaded in salmon color, is not included in the Project Area. The rest of the map is included in the Project Area. Only the easternmost portion of the map, shaded in blue, represents the Tax Increment Collection Area.

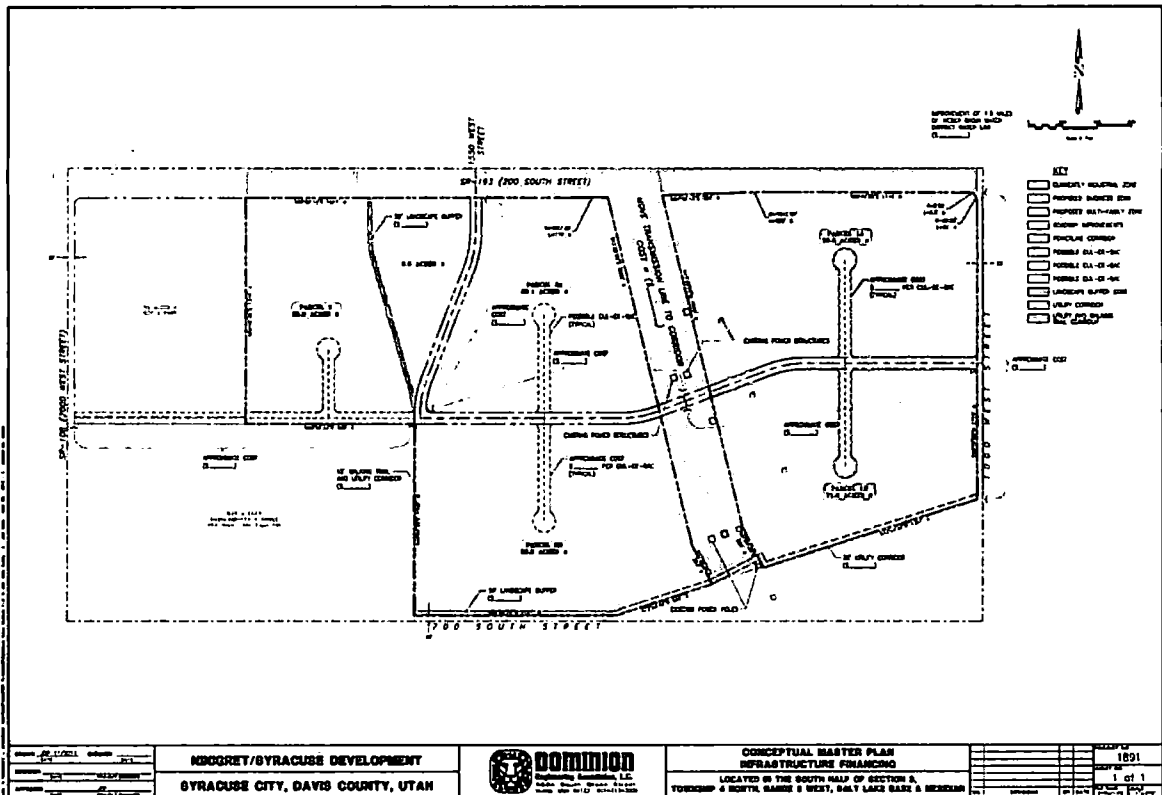


EXHIBIT B

LEGAL DESCRIPTION OF PROJECT AREA

A parcel of land located in the South Half of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:  
BEGINNING at the East Quarter Corner of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and thence along the east line of said Section and the easterly line of the Syracuse City boundary South 00°06'46" West 1,921.36 feet to the northeast corner of property described in that certain Correction Quit Claim Deed recorded October 29, 2001 as Entry No. 1699015 in Book 2914 at Page 910 of the Davis County records; thence along the north line of said property and the southerly line of the Syracuse City boundary the following two courses: 1) South 72°12'57" West 2,191.75 feet and 2) South 72°12'01" West 45.02 feet to the north line of the 700 South Street right-of-way; thence South 00°03'43" West 66.00 feet to the south line of said right-of-way; thence along said south line the following two courses: 1) North 89°56'17" West 526.87 feet and 2) North 89°56'56" West 642.32 feet to the southerly extension of the east line of property described in that certain Special Warranty Deed recorded March 9, 1993 as Entry No. 1021678 in Book 1588 at Page 130 of said records; thence along said line and the northerly extension thereof North 00°09'58" East 1,236.48 feet to a point of tangency of a 567.00 feet radius curve to the left; thence Northerly 159.68 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 159.16 feet; thence North 15°58'12" West 760.62 feet to a point of tangency of a 633.00 feet radius curve to the right; thence Northerly 178.27 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 177.68 feet; thence North 00°09'58" East 371.18 feet to the north line of the South Half of said Section 3; thence along said line South 89°56'57" East 3,553.84 feet to the POINT OF BEGINNING. Said parcel contains 8,174,635 square feet or 187.66 acres, more or less.



EXHIBIT C

SUMMARY OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, August 21, 2012, the City Council of Syracuse City, Utah (the "City Council"), adopted an ordinance (the "Ordinance") adopting the Syracuse SR-193 Economic Development Project Area Plan (the "Plan") for an Economic Development Project Area (the "Project Area") located west of 1000 West, north of 700 South, south of 200 South and east of approximately 1800 West in Syracuse City, Utah and designating the Plan as the official economic development plan of the Project Area. The Syracuse City Redevelopment Agency has found and determined that (a) there is a need to effectuate a public purpose; (b) there is a public benefit under the analysis shown by the Plan; (c) it is economically sound and feasible to adopt and carry out the Plan; (d) the Plan conforms to the general plan of Syracuse City, Utah; and (e) carrying out the Plan will promote the public peace, health, safety, and welfare of the community in which the Project Area is located.

Complete copies of the Ordinance and the Plan are available for public inspection in the office of the Syracuse City Recorder at the City offices at 1979 West 1900 South, Syracuse City, Utah, where they may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m., Monday through Friday for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the Plan or the procedure used to adopt the Plan, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

DATED this 21<sup>st</sup> day of August, 2012.

/s/ Cassie Brown  
City Recorder

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OR NOT FILLED IN AT  
TIME OF RECORDING  
RICHARD T. MAUGHAN  
Davis County Recorder