

RDA RESOLUTION NO. 07-02

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(VOTES ONLY IN CASE OF TIE)</i>	absent	
G. WAYNE ANDERSEN <i>Boardmember</i>	X	
MATTHEW D. BARBER <i>Boardmember</i>	X	
STEVE LEIFSON <i>Boardmember</i>	X	
SETH V. SORENSEN <i>Boardmember</i>	X	
CHRIS C. WADSWORTH <i>Boardmember</i>	absent	

ENT 49957:2007 PG 1 of 5
 RANDALL A. COVINGTON
 UTAH COUNTY RECORDER
 2007 Apr 05 12:31 pm FEE 0.00 BY SS
 RECORDED FOR SPANISH FORK CITY CORPORATI

I MOVE this resolution be adopted: Sorensen
 I SECOND the foregoing motion: Leifson

REDEVELOPMENT AGENCY OF
 SPANISH FORK, UTAH
 RESOLUTION NO. 07-02

**A RESOLUTION OF THE SPANISH FORK CITY REDEVELOPMENT AGENCY
 APPROVING AND ADOPTING THE DRAFT COMMUNITY DEVELOPMENT
 PROJECT AREA PLAN FOR THE SPANISH FORK NORTH PARK COMMUNITY
 DEVELOPMENT PROJECT AREA AS THE OFFICIAL COMMUNITY
 DEVELOPMENT PROJECT AREA PLAN FOR THE SPANISH FORK NORTH PARK
 COMMUNITY DEVELOPMENT PROJECT AREA.**

WHEREAS, pursuant to the provisions of the Utah Community Development and Renewal Agencies Act (the "Act"), specifically Utah Code Annotated ("UCA") § 17C-4-101, the Spanish Fork City Redevelopment Agency (the "Agency") adopted Resolution NO. 06-11, calling for and authorizing the preparation of the Draft Community Development Project Area Plan for the Spanish Fork North Park Community Development Project Area (the "Draft Plan" and "Project Area," respectively); and

WHEREAS, the Draft Plan having been prepared for the Project Area pursuant to UCA § 17C-4-102 & -103, the Agency held, on February 20, 2007, a duly noticed public hearing

pursuant to UCA § 17C-4-102(1)(d) to allow public comment on the Draft Plan as to whether it should be revised, approved, or rejected; and to receive all written and hear all oral objections to the Draft Plan; and

WHEREAS, having received and heard all commentary on and objections to the Draft Plan submitted for its consideration, the Agency has passed upon such objections as it has received, and has made such modifications, amendments, and/or emendations to the Draft Plan as it deems appropriate, if any.

NOW, THEREFORE, BE IT RESOLVED BY THE SPANISH FORK CITY REDEVELOPMENT AGENCY AS FOLLOWS:

SECTION 1 LEGAL DESCRIPTION.

§ 1.1 As set forth in Section 1 of the Draft Plan, the boundaries of the Project Area are delineated on the Land Use Map attached as Appendix B to the Draft Plan, and are legally described as follows:

BEGINNING AT A POINT WHICH IS LOCATED EAST 954.64 FEET AND NORTH 1336.25 FEET FROM WEST QUARTER CORNER OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE FOLLOWING COURSES AND DISTANCES:

THENCE 1291.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
RADIUS 800 FEET, CHORD BEARING S88°45'59"E 1104.86 FEET;

S44°33'24"E	2816.41'
S52°11'23"W	141.18'
N89°59'58"W	329.86'
NORTH	89.50'
N89°59'58"W	99.00'
NORTH	112.00'
N89°59'58"W	103.87'
N88°40'57"W	65.26'
N89°51'20"W	198.87'
N89°59'58"W	61.62'
NORTH	2.50'
N89°59'58"W	199.37'
NORTH	199.50'
N05°20'18"E	53.73'
N00°33'20"E	411.36'
N89°44'41"W	934.08'
N89°20'39"W	299.34'

THENCE 93.67 FEET ALONG THE ARC OF A CURVE TO THE RIGHT,
RADIUS 550 FEET, CHORD BEARING N84°27'54"W 93.56 FEET;

N79°35'10"W 130.30'
 N84°52'28"W 55.97'
 N89°36'42"W 265.93'
 N17°35'45"E 57.41'

THENCE 171.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT,
 RADIUS 575 FEET, CHORD BEARING N09°02'58"E 170.90 FEET;

N00°30'11"E 505.71'
 N16°15'32"E 9.37'
 N00°14'48"E 376.50'
 N03°53'59"E 88.20'
 S89°12'32"W 202.85'

TO THE POINT OF BEGINNING
 CONTAINING 59.28 ACRES

SECTION 2 AGENCY PURPOSES AND INTENT WITH RESPECT TO THE PROJECT AREA.

The purpose and intent of the Agency with respect to the Project Area are as follows:

- § 2.1 To satisfy the purposes of the Act, as defined therein, by encouraging, promoting, and providing for retail commercial development within the Project Area, as well as the provision of another improvements that benefit the community;
- § 2.2 To increase the tax base of Spanish Fork City, Utah (the "City") as well as its retail commercial base so as to improve both opportunity and quality of life for all of its citizens:
- § 2.3 To promote, encourage, and bring to fruition within the Project Area the development contemplated by the Draft Plan, which includes the construction of retail and related commercial buildings for reputable tenants and the relocation and improvement of a public park;
- § 2.4 To simulate the economy of the City and the surrounding area;
- § 2.5 To provide for the installation of infrastructure needed for development within the Project Area.
- §2.6 To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, of surrounding areas).

SECTION 3 DESIGNATION, ADOPTION, AND INCORPORATION OF THE PLAIN.

- § 3.1 The Draft Plan for the Spanish Fork North Park Community Development Project Area, as amended (if amended), is hereby designated the *Official Community*

Development Project Area Plan for the Spanish Fork North Park Community Development Project Area (the “Official Plan”), and is incorporated herein by this reference.

- § 3.2 The Agency hereby officially approves and adopts the Official Plan for the Spanish Fork North Park Community Development Project Area.

SECTION 4 REQUIRED FINDINGS.

- § 4.1 A need exists to effectuate a public purpose, to wit, the exercise of the statutorily enacted community development mechanism for the benefit of the citizens of Spanish Fork City.
- § 4.2 Execution of the Official Plan shall benefit Spanish Fork City’s residents, as each project undertaken thereunder shall be subject to the public benefit analysis described in UCA §17C-4-103(11) and which is included in Section 11 of the official Plan.
- § 4.3 The adoption and carrying out of the Official Plan is economically sound and feasible.
- § 4.4 The Official Plan conforms to the Spanish Fork City General Plan.
- § 4.5 Carrying out the Official Plan will promote the public peace, health, safety, and welfare of Spanish Fork City.

SECTION 5 SUBMISSION OF THE OFFICIAL PLAN TO THE SPANISH FORK CITY COUNCIL FOR ADOPTION BY ORDINANCE.

- § 5.1 Pursuant to UCA § 17C-4-105, the Agency Board hereby submits the Official Plan to the Spanish Fork City Council for review and adoption.

SECTION 6 Recording and Transmittal.

- § 6.1 Pursuant to UCA § § 17C-4-106(5), the Agency Staff is hereby directed to make the adopted Official Plan available to the general public at its offices during normal business hours.
- § 6.2 Pursuant to UCA § § 17C-4-107, the Agency Staff is hereby directed and authorized to take the following actions within 30 days after adoption of the Official Plan by the Spanish Fork City Council:
- a/ record with the Utah County Recorder a document containing a description of the land within the Project Area, a statement that the Official Plan for the Project Area has been adopted, and the date of its adoption by the City Council;
 - b/ transmit a copy of the description of the land within the Project Area and an accurate map or plat indicating the boundaries of the Project Area to the

Automated Geographic Reference Center created under UCA § 63F-1-506;

- c/ transmit a copy of the description of the land within the Project Area, a copy of the City Council ordinance adopting the Official Plan, and a map or plat indicating the boundaries of the Project Area to each of the following: (i) the Utah County Auditor, Assessor, Recorder, Attorney, and Surveyor; (ii) the officer or officers performing the function of auditor or assessor for each taxing entity, if any, that does not use the county assessment roll or collect its taxes through the county; (iii) the legislative body or governing board of each taxing entity; (iv) the State Tax Commission; and (v) the State Board of Education.

SECTION 7 EXECUTION OF THE PLAN.

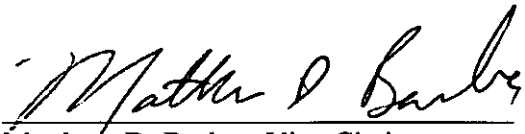
§ 7.1 Following adoption of the Official Plan by the Spanish Fork City Council, the Agency shall proceed to carry out the Official Plan.

§ 7.2 The Agency Staff is hereby directed and authorized to take all such actions as necessary to effectuate the purposes and aims of this resolution.

SECTION 8 EFFECTIVE DATE

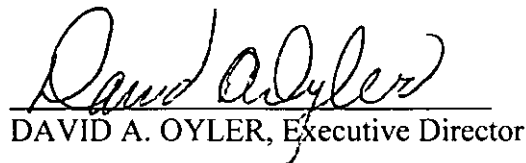
§ 8.1 This Resolution shall take effect upon its adoption.

APPROVED AN ADOPTED this 20th day of February, 2007.



Matthew D. Barber, Vice Chair,
Spanish Fork City Redevelopment Agency

Attest:



DAVID A. OYLER, Executive Director

