

**ORDINANCE NO. 2012-31**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL ADOPTING THE 2012 VERNAL TOWN CENTRE COMMUNITY DEVELOPMENT PROJECT AREA PLAN, AS APPROVED BY THE VERNAL CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PLAN FOR THE 2012 VERNAL TOWN CENTRE COMMUNITY DEVELOPMENT PROJECT AREA, AND DIRECTING THAT THE NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY THE UTAH COMMUNITY DEVELOPMENT AND RENEWAL AGENCIES ACT.**

**WHEREAS** the Vernal City Community Development and Renewal Agency (the "Agency"), having prepared a Draft Project Area Plan (the "Draft Plan") for the 2012 Vernal Town Centre Community Development Project Area pursuant to Utah Code Annotated ("UCA") §§ 17C-4-102 & -103, and having held the required public hearing on the Draft Plan on October 3, 2012, pursuant to UCA § 17C-4-102(1)(d), adopted the Draft Plan as the Official Plan for 2012 Vernal Town Centre Community Development Project Area (the "Project Area Plan"); and

**WHEREAS** Section 17C-4-105(1) of the Utah Community Development and Renewal Agencies Act (the "Act") mandates that, before a community development plan approved by a redevelopment agency under UCA § 17C-4-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency; and

**WHEREAS** Section 17C-4-106 of the Act also requires certain notice to be given by the community legislative body upon its adoption of a redevelopment project area plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY AS FOLLOWS:**

**SECTION 1. Adoption.**


1. The City Council of Vernal City hereby adopts and designates the Project Area Plan, as approved by the Agency, as the Official Plan for the 2012 Vernal Town Centre Community Development Project Area (the "Official Plan").
2. The City Staff is hereby authorized and directed to publish or cause to be published a notice as provided in UCA §§ 17C-4-106(1)(a) and (b) in a newspaper of general circulation within the City and in accordance with UCA § 45-1-101, whereupon the Official Plan shall become effective pursuant to UCA § 17C-4-106(2)(a).
3. Pursuant to UCA § 17C-4-106(4), the Agency may proceed to carry out the Official Plan as soon as it becomes effective.

**SECTION 2. Effective Date.** This ordinance shall take effect immediately upon publication and recording.

**SECTION 3. Repealer.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

**SECTION 4. Severability.** The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

**PASSED, ADOPTED AND ORDERED** published by the Vernal City Council this 3<sup>rd</sup> day of October, 2012.

  
\_\_\_\_\_  
Mayor Gary Showalter

Attest:

  
\_\_\_\_\_  
Kenneth L. Bassett, City Recorder



**2012 VERNAL TOWN CENTRE  
COMMUNITY DEVELOPMENT  
PROJECT AREA**

**Project Area Plan**

October 3, 2012

Vernal City Community Development and Renewal Agency  
374 East Main Street  
Vernal, Utah 84078

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## Introduction

The Vernal City Community Development and Renewal Agency (the “Agency”), following thorough consideration of the needs and desires of Vernal City, Utah (the “City”), and its residents, as well as the City’s need and capacity for new development, has prepared this 2012 Vernal Town Centre Community Development Project Area Plan (the “Plan”) for the 2012 Vernal Town Centre Community Development Project (the “Project”). This Plan is the end result of considerable discussion and negotiation with RC Gardner Development Company, Inc. (“RC Gardner”), a well-established and respected Utah real estate development company which is known for creating spaces that complement and enhance the environment and communities of which they are a part. For purposes of undertaking the development of the Project, RC Gardner created Gardner Towne Center, LLC, a Utah limited liability company (the “Developer”). In accordance with the terms of this Plan, the Developer will undertake the construction of a commercial retail shopping and commercial center consisting of approximately 247,000 square feet of retail, restaurant and professional office space located on approximately 28 acres within the 2012 Vernal Town Centre Community Development Project Area (the “Project Area”). It is the purpose of this Plan to clearly set forth the aims and objectives of this development, its scope, its mechanism, and its value to the residents of Vernal City.

The Project is undertaken as a community development project pursuant to the provisions of Chapters 1 and 4 of the Utah Community Development and Renewal Agencies Act, Title 17C of the Utah Code Annotated 1953, as amended (the “Act”). The requirements of the Act, including notice and hearing obligations, have been carefully observed at all times throughout the establishment of the Project and the Project Area.

## Section 1 Description of the Project Area

The 2012 Vernal Town Centre Community Development Project Area lies entirely within the boundaries of Vernal City and is located along the southeastern edge of U.S. Highway 40 near the west entrance to the City. The Project Area is generally bounded on the northwest by U.S. Highway 40, on the north and northeast by the property on which Wal-Mart is located, on the east by undeveloped property, and on the south and southeast by undeveloped property and the properties on which Lowe’s and Birrell Bottling Company are located. The legal description<sup>1</sup> of the Project Area is attached hereto as Appendix A.

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<sup>1</sup> The legal description attached hereto is subject to an actual survey on the ground to verify dimensions and location of existing property lines of record and use. Inclusion of land within the Project Area does not preclude, foreclose, supersede, or otherwise affect existing restrictions or servitudes (easements, rights-of-way, and the like) of record and use.

As delineated in the office of the Utah County Recorder, the Project Area encompasses the following twelve (12) parcels.

05-075-0113	05-078-0001	05-078-0017	05-078-0019	05-078-0024
05-075-0114	05-078-0016	05-078-0018	05-078-0020	05-078-0025
			05-081-0021	05-080-0013

A map of the Project Area is attached hereto as **Appendix B** (the "Project Area Map") and a Site Plan of the Project is attached hereto as **Appendix C** (the "Site Plan"). A map of the City which includes the zoning for the Project Area is attached hereto as **Appendix D** (the "Land Use Map"). All Appendices are incorporated herein in their entirety by this reference.

## **Section 2 Affect of Community Development on the Character of the Project Area**

### **A. Land Uses in the Project Area**

At present, land use within the Project Area is zoned as CP2, proposed commercial use and is approximately 91% agriculture or undeveloped and 9% commercial. Presently, Roofing World, a retail construction business consisting of three existing buildings is located within the Project Area. In addition, there are light fixtures appropriate for parking lot lighting.

The development presently proposed by the Developer hereunder focuses on the construction of 6-9 large anchor retail stores, with 8-10 mid-size retail stores or restaurants, and 1 hotel, these will be in-line retail/office space and retail and/or office space pads along U.S. Highway 40 and bordering the Project Area, along with ample parking areas. The contemplated land uses set forth herein are depicted on the Site Plan. All uses will be compatible with the City's General Plan and the goals and objectives of this Plan.

### **B. Layout of Principal Streets in the Project Area**

As shown on the Project Area Map, there are currently no streets located within the Project Area and none are contemplated in connection with the development of the Project. The Agency does not expect that development in the Project Area will alter any streets except by possible improvement. Such improvements are projected to include a traffic signal and turn line on U.S. Highway 40, an intersection improvements to enhance traffic flow and safety.

C. Population Densities in the Project Area

Presently, there are no dwelling units within the Project Area and the Project does not contemplate the development of any residential space. Thus, population within the Project Area is not expected to change as a result of the Project or future development within the Project Area

D. Building Intensities in the Project Area

There are presently within the Project Area the following buildings and structures: three (3) commercial buildings being used by a roofing business. At present it is expected that all three buildings will remain and be used for the foreseeable future as they are at present. In addition, and as part of the Project, the Developer plans to construct retail and office buildings of varying sizes consisting of a total of almost 247,000 square feet of space. This change in the building intensities within the Project Area will result in utilizing the land therein for its highest and best use as a commercial retail shopping and office center.

### **Section 3 Standards That Will Guide Community Development**

A. Development Objectives

As noted above, the development contemplated within the Project Area consists of the construction of a commercial retail shopping and office center consisting of approximately 6-9 large anchor retail stores, with 8-10 mid-sized retail stores or restaurants, and 1 hotel, which will be in-line retail/office space and retail and/or office space pads along U.S. Highway 40 bordering the Project Area. While all of the utilities for the Project Area are readily available, substantial upgrades and extensions will likely be required for (1) a culinary water line loop for general water service and fire protection, (2) sewer mains to provide sanitary sewer service, (3) storm drain piping and facilities to handle storm water run-off, and (4) electrical distribution lines to provide power. In addition, changes to site elevations will likely be required to match the view corridor of U.S. Highway 40. Furthermore, development of the Project Area may require certain street improvements including a traffic signal.

B. Design Objectives

Development within the Project Area will be held to high quality design and construction standards and will be subject to (1) appropriate elements of the City's General Plan; (2) the land use code of the City; (3) other applicable building codes and ordinances of the City; (4) Planning Commission review and recommendation; (5) and Agency review to ensure consistency with this Plan.

All development will be accompanied by site plans, development data, and other appropriate material clearly describing the development, including land coverage,



setbacks, heights, off-street parking to be provided, and any other data determined to be necessary or requested by the City or the Agency.

The proposed design for the Project Area provides for an attractive shopping center environment, including well-landscaped areas as appropriate within the Project Area, offers sufficient off-street parking, and complies with the provisions of this Plan and the City's General Plan. The result will be to transform the Project Area to its highest and best use given its location, exposure and accessibility from a high traffic volume highway.

C. Specific Design Objectives

1. Overall Design:

The contemplated development shall be of a design and materials in harmony with the adjoining area and subject to design review and approval by the Agency and/or the City pursuant to a development agreement with the Developer specifically addressing these points.

Coordinated and attractive landscaping shall also be provided. A design theme shall apply throughout new development in the entire Project Area, incorporating landscaped treatment for the highway right-of-way, sidewalks and parking areas. The landscape design is intended to enhance the Project Area without obstructing the view of the retail components of the Project.

Primary landscape treatment may consist of shrubs, ground cover, and shade trees as appropriate for the character of the Project Area. Materials and design paving, and any retaining walls, fences, curbs, and other items shall have an attractive appearance, be easily maintained, and indicative of their purpose.

Parking areas shall be designed with careful regard to orderly arrangement, topography, relationship to view, ease of access, and as an integral part of the overall site design. No multi-story parking facility is contemplated in the development of the Project Area.

2. Infrastructure Improvements:

a. Public rights-of-way. All streets, sidewalks and walkways within public rights-of-way will be designed or approved by the appropriate governmental authority and will be consistent with all design objectives.

b. Street lighting and signs. Lighting and sign standards shall be provided as necessary and approved by the appropriate governmental authority.

D. Approvals:

The Agency shall have the right to approve the design and construction documents of all development with the Project Area to ensure that development within the Project Area is consistent with this Plan. The City shall notify the Agency of all requests for (1) zoning changes; (2) design approval; (3) site plan approval; and (4) building permits within the Project Area. Development within the Project Area shall be implemented as approved by the Agency and the City.

#### **Section 4 The Purposes of State Law Will Be Attained by the Community Development Contemplated by the Plan**

The Project Area was previously designed to establish a retail presence in the shadow of two big box national chain stores, but to date, has failed to do so. At least one developer has gone out of business while attempting to develop land which is now included within the Project area. It is the intent of the Agency, with assistance from the City and in participation with the Developer, to accomplish the planned development of a much needed retail shopping center within the City at the site of the Project Area. This Plan includes the construction of new facilities, the extension, upgrade and efficient use of already existing utility infrastructure and the appropriate use of incentives permitted under the Act. Consistent with the purposes of the Act, once fully implemented, this Plan will not only strengthen the community's tax base and create new jobs but should provide an attractive entrance to Vernal City and encourage further development in the City.

#### **Section 5 The Plan is Consistent With the City's General Plan**

This Plan and the development contemplated hereby conform to the City's General Plan in the following respects. First, the retail commercial shopping center proposed under this Plan is consistent with the General Plan's designation of the Project Area as a Planned Commercial Zone. Second, the planned development is consistent with the City's long term goals of increasing commercial development within the City. Third, the proposed development of the Project Area creates an attractive commercial entrance to the City which furthers the objectives of the General Plan and benefits the entire area.

##### **A. Zoning Ordinances**

The Project Area is currently zoned CP2 – Planned Commercial which is consistent with the City's General Plan and the planned development under this Plan.

##### **B. Building Codes**

Construction within the Project Area shall comply with the standards set forth in the General Plan of the City and with the applicable building codes. All building permits for construction will be issued by the City in order to assure that new development is consistent with site plan review.

##### **C. Planning Commission**

In connection with the planned development pursuant to this Plan, the Planning Commission will review and provide recommendations on the approval of the Project, consistent with any other commercial development.

## **Section 6 Description of the Specific Projects That are the Object of the Proposed Community Development**

The contemplated Project entails the construction of a retail shopping and potentially office center consisting of approximately 247,000 square feet of improved space to accommodate approximately 6-9 large anchor retail stores, with 8-10 mid-size retail stores and restaurants, and 1 hotel, with in-line retail/office space and retail and/or office pads along U.S. Highway 40 which borders the Project Area. The proposed location of these buildings is reflected in the Site Plan. The Agency believes that the proposed development will greatly benefit the City's residents by not only enhancing the City's property tax base and increasing sales tax revenues, but also by offering much needed retail shopping services, including national retail chains, not otherwise available in the area. In addition, with a location near the west entrance of the City, the Project will reflect positively on the community by enhancing the appearance of an area that has sat idle for a number of years.

## **Section 7 Selection of Private Developers to Undertake the Community Development**

The Developer approached the Agency in connection with its desire to undertake the proposed shopping center development. The Agency in turn was favorably impressed with the concept plan presented by the Developer for the Project Area. As a result, the Developer was selected to participate in the development of the Project Area. If needed or deemed desirable in the future, additional potential developers may be identified by one or more of the following processes: (1) public solicitation, (2) requests for proposals (RFP), (3) requests for bids (RFB), (4) private negotiation, or (5) some other method of identification approved by the Agency.

## **Section 8 Reasons for the Selection of the Project Area**

The Agency selected the Project Area for the development contemplated by this Plan for following reasons. First, the Project Area was already zoned commercial and previous plans to develop the area went unfulfilled. Second, development of the Project Area affords an immediate opportunity to strengthen the economic base of the community, broaden the City's tax base, enhance the appearance of the western entrance to the City and provide shopping alternatives and needed services to the area. Third, the development of the Project Area as proposed by this Plan is consistent with the City's goals of increasing commercial development within the City and, being adjacent to U.S. Highway 40, the Project Area is conducive to such development. Fourth, much of the land within the Project Area is currently undeveloped or under utilized, unattractive and

yet is served by utilities, making the cost of providing utility services at this location more economical than at alternate sites within the City. The Project Area offers the combination of location, exposure and accessibility that is needed for a development of the magnitude contemplated by this Plan.

## **Section 9 Description of the Physical, Social and Economic Conditions Existing in the Area**

The Project Area consists of approximately 28 acres. Currently, there are total of three structures at the north end of the Project Area, consisting of three commercial buildings. The Developer has negotiated with the owner of those three buildings to purchase the land and the buildings and help relocate its business to area outside of the Project Area. However, at this time no agreement has been reached and it is contemplated that the existing structures and roofing business will remain.

The balance of the land within the Project Area, consisting of approximately 25.5 acres, is vacant and undeveloped, and for the most part Parking lot light poles dot the area which is otherwise simply dirt.

Currently, the Project Area lacks any sort of neighborhood feeling or the characteristics indicative of an identifiable social group. While this Plan has no residential component, once fully developed, the Project Area will create a community of retail stores, restaurants and professional office space that will attract residents and visitors alike to work, shop, eat and gather there.

Given its location, the land within the Project Area is substantially underutilized economically. In fact, the Project Area was created in part to revitalize the area and bring to fruition a shopping and office center complex that had earlier been started but then abandoned. Once the shopping center is constructed, the Project Area will provide for the shopping needs of area residents and visitors, enhance the property and sales tax base of the City, create jobs and generally allow the property to be utilized for its highest and best use.

## **Section 10 Tax Incentives Offered to Private Entities for Development within the Project Area**

The Agency intends to use a portion of the City's property tax and/or general sales tax increment from the Project Area to pay part of the costs associated with development of the Project Area. The Agency and City would enter into an interlocal agreement pursuant to which the City would share some of its tax revenues. Those tax revenues may be used to pay for public infrastructure improvements, Agency-requested improvements and upgrades, developer incentives, desirable Project Area improvements, and other items as approved by the Agency. The Agency may also enter into interlocal agreements with the other taxing entities, like Uintah County and the Uintah County School District to secure receipt of a portion of their tax revenues. Subject to the provisions of the Act, the Agency

may agree to pay for eligible development costs and other items from such tax revenues for any period of time the Agency may deem appropriate under the circumstances. In addition, the Developer may be reimbursed for certain development costs from those tax revenues pursuant to an agreement to be negotiated between the Agency and the Developer.

## **Section 11 Analysis of the Anticipated Public Benefit to be Derived from the Community Development**

The public will realize significant benefits from the development of the Project Area as proposed by this Plan. The primary objective of the Agency and the City in developing the Project Area is the realization of increased economic activity, by encouraging, promoting and providing for development. The development proposed by the Developer for the Project Area will include approximately 28 acres of commercial use as compared to approximately 2.5 acres of commercial use currently.

In order to encourage new development and the location of new businesses in Vernal City, the City and the Agency created the Project Area. The City and the Agency also saw the development of the Project Area as an opportunity to attract other quality commercial developments to the area surrounding the Project Area and elsewhere in the City.

The land within the Project Area is presently underutilized. Current uses have not and cannot be expected to provide the property and sales tax revenue that the development proposed for the Project Area will provide. Development of the Project Area as contemplated herein will result in increased property tax revenue from higher land values and increased sales tax revenue from new retail sales occurring within the Project Area.

### **A. Project Description**

The 2012 Vernal Town Centre Community Development Project will be the first community development project in Vernal City. It is anticipated that development within the Project Area will consist of constructing a shopping and commercial center that will include retailers offering goods and services that are not currently available in the community, including national retailers, but for which a demand exists.

### **B. Tax Base**

#### **1. Real and Personal Property Tax**

The Project Area falls within two tax districts, tax district #4 and tax district #24. The combined real and personal property tax rate for the property located in tax district #4 in the Project Area is currently 1.1271%. The combined real and personal property tax rate for the property located in tax district #24 in the Project Area is currently 1.1502%. This combined rate is the sum of the 2011 tax rates for the City, School District, the County and all other overlapping taxing entities, which include the Uintah County Water

Conservancy District, and Uintah County Mosquito Abatement District, among others . During the fifteen (15)-year period following the adoption of the Plan, real and personal property values within the Project Area are expected to increase by approximately \$30,000,000 as a result of new private development undertaken as part of this Plan. As a result of such development, the combined property tax increment to be generated within the Project Area over that same period is projected to be \$3,937,000. Assuming that the City, the School District and the County each contribute to the Project an average of 75% of their respective tax increment over that 15-year period, it is projected that the Agency would receive in the aggregate a total of \$2,952,750 of property tax increment to pay for costs related to the Project.

## 2. Sales Tax

Incremental sales tax revenue projected to be paid to Vernal City annually from sales generated within the Project Area is projected to total in the aggregate \$2,040,160 over the fifteen (15)-year period. Accordingly, a maximum sales tax increment of approximately this amount is expected to be available to pay a portion of the costs of developing the Project Area.

## 3. Payment of Tax Increment and Sales Tax Revenue

The Agency intends to negotiate and enter into interlocal agreements with one or more taxing entity for the sharing of property tax increment and sales tax revenue. Among other things, each such interlocal agreement shall provide the method of calculating the amount of tax increment (and/or sales tax revenue) that will be paid to the Agency, the number of years the Agency will be paid tax increment (and/or tax increment), and the percentage of the tax increment (and/or sales tax revenue) or the maximum cumulative dollar amount of the tax increment (and/or sales tax revenue) generated by the Project Area that will be paid to the Agency. Before the Agency may use tax increment (and/or sales tax revenue) under any interlocal agreement, the Agency shall obtain and provide to each participating taxing entity, an attorney's certification regarding the adoption of such interlocal agreement as required by the Act.

## C. Associated Economic Activity

The economic activities associated with the development of the Project Area could take any one or more of the following forms. Businesses and professional offices currently located in the area surrounding the Project Area will likely benefit from exposure to new customers and clients traveling to and within the vicinity of the Project Area. This influx of new customers and clients will have the positive effect of encouraging businesses and professionals to remain in and around the community. Currently existing businesses and professionals may even be inclined to expand their facilities to take advantage of the new demographic resulting from the development of the Project Area. Businesses and professionals seeking to locate new facilities will likewise be drawn to the vicinity of the Project Area for similar reasons. As proposed in this Plan, the developed Project Area

will serve the immediate retail needs of the community and can reasonably be expected to encourage additional development in the surrounding area and other parts of the City.

D. Net Benefit of and Need for Public Financial Assistance

The Agency has offered certain financial assistance in connection with the development of the Project Area primarily to ensure that a shopping center would be completed on land previously zoned for such use and for which preliminary site work had been undertaken. Land within the Project Area has been in a state of neglect for several years, following the inability of a previous developer to move forward with its project. From the City's perspective, it was unlikely in these uncertain economic times that a project of the magnitude contemplated by this Plan would be undertaken without some financial incentives. The retail commercial development proposed for the Project Area is consistent with the City's goal of increasing commercial development generally and the City is interested in working with the Developer to achieve that goal.

A project of the magnitude contemplated by this Plan, with its financial advantages to the City in terms of increased property values and future tax revenues, plus the potential to attract additional commercial projects to the area, is critical to the continued economic prosperity of the community. The City and the Agency have determined, however, that in light of the current national economic slowdown and the difficulty of attracting national retailers to a rural community they could not expect private development to occur within the Project Area for some time without some public financial assistance. Therefore, in order to attract and secure the desired development, including national retailers that provide a quality of merchandise not currently available in the community, the Agency proposed to fund a portion of the development costs of the Project Area, including possible developer incentives, using a portion of the City's incremental sales tax revenues and/or property tax revenues. The Agency also intends to work with other taxing entities in an effort to secure a portion of their property tax increment. No existing tax revenues are or will be committed to create or maintain the Project Area, other than public facilities. Only a portion of those incremental property taxes resulting from future development within the Project Area will be used to finance Project costs. The financial incentives offered under this Plan have been deemed necessary for the success of the development of the Project Area.

**APPENDIX A**

**Legal Description of the Project Area**



Description of Vernal Town Center Parcel

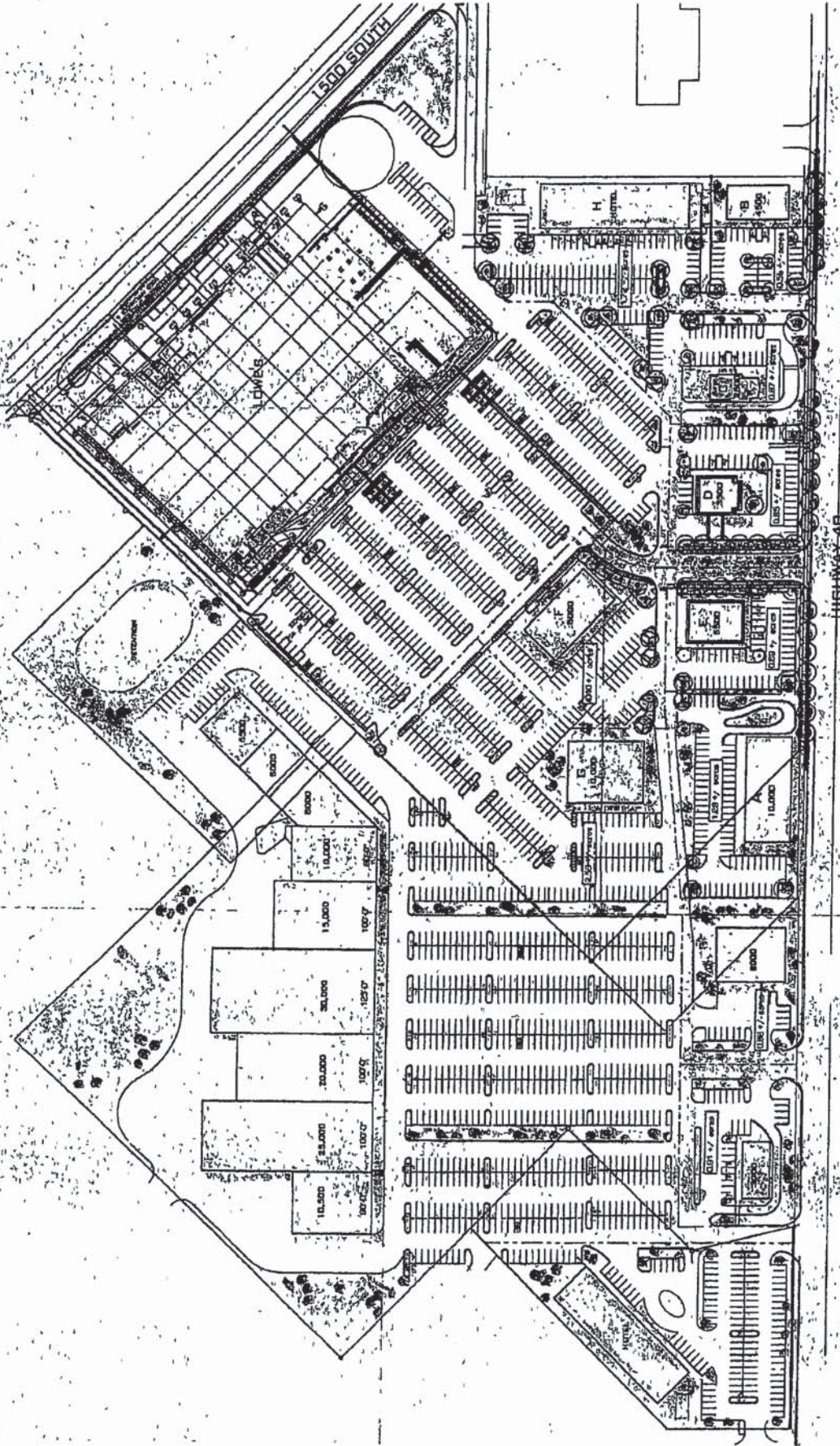
BEGINNING AT A POINT THAT IS 219.28 FEET N. 2°23'02" W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, FROM THE SOUTH QUARTER CORNER OF SAID SECTION 28; THENCE N. 2°23'02" W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER 502.18 FEET; THENCE S. 87°36'58" W. PERPENDICULAR TO THE EAST LINE OF THE SOUTHWEST QUARTER 443.00 FEET; THENCE N. 2°23'02" W. PARALLEL WITH THE SAID EAST LINE OF THE SOUTHWEST QUARTER 36.16 FEET TO THE POINT OF TANGENCY OF A CURVE CONCAVE TO THE SOUTHWEST HAVING AN INTERNAL ANGLE OF 43°36'47" AND A RADIUS OF 115.00 FEET AND AN ARC LENGTH OF 87.54 FEET, AND A CHORD DIRECTION OF N. 24°11'26" W., CHORD LENGTH OF 85.44 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 87.54 FEET; THENCE N. 45°59'50" W. PERPENDICULAR TO THE SOUTHEAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40, 217.60 FEET; THENCE N. 44°00'10" E. ALONG THE SAID HIGHWAY RIGHT-OF-WAY LINE 963.78 FEET; THENCE N. 44°01'36" E. ALONG THE SAID HIGHWAY RIGHT-OF-WAY LINE 250.61 FEET; THENCE S. 59°14'14" E. 179.00 FEET; THENCE S. 1°51'43" E. 414.06 FEET; THENCE N. 88°08'17" E. PERPENDICULAR TO THE SAID EAST LINE OF SOUTHWEST QUARTER 266.14 FEET; THENCE S. 2°12'24" E. 661.17 FEET; THENCE S. 88°04'33" W. 411.01 FEET; THENCE S. 2°23'02" E. PARALLEL WITH SAID EAST LINE OF SOUTHWEST QUARTER 441.99 FEET; THENCE S. 87°55'53" W. 253.65 FEET TO THE POINT OF BEGINNING.

ALSO INCLUDING FROM SAID QUARTER CORNER BEGINNING AT A POINT THAT IS 219.28 FEET N. 2°23'02" W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER; FROM THE SOUTH QUARTER CORNER OF SAID SECTION 28; THENCE N. 2°23'02" W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER 502.18 FEET; THENCE S. 87°36'58" W. PERPENDICULAR TO THE EAST LINE OF THE SOUTHWEST QUARTER 443.00 FEET; THENCE N. 2°23'02" W. PARALLEL WITH THE SAID EAST LINE OF THE SOUTHWEST QUARTER 36.16 FEET; THENCE N. 24°11'26" W. 85.44 FEET; THENCE N. 45°59'50" W. PERPENDICULAR TO THE SOUTHEAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40, 217.60 FEET; THENCE S. 44°00'10" W. PARALLEL WITH THE SAID HIGHWAY RIGHT-OF-WAY LINE 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S. 45°59'50" E. PERPENDICULAR WITH SAID HIGHWAY RIGHT-OF-WAY LINE 199.56 FEET; THENCE S. 44°00'10" W. PARALLEL WITH THE SAID HIGHWAY RIGHT-OF-WAY LINE 190.05 FEET; THENCE S. 2°23'02" E. PARALLEL WITH SAID EAST LINE OF SOUTHWEST QUARTER 242.71 FEET; THENCE S. 45°59'50" E. PERPENDICULAR WITH THE SAID HIGHWAY RIGHT-OF-WAY LINE 64.27 FEET; THENCE S. 2°23'02" E. PARALLEL WITH SAID EAST LINE OF SOUTHWEST QUARTER 70.17 FEET; THENCE S. 44°00'10" W. PARALLEL WITH SAID HIGHWAY RIGHT-OF-WAY LINE 105.40 FEET; THENCE N. 45°59'50" W. PERPENDICULAR TO THE SAID HIGHWAY RIGHT-OF-WAY LINE 13.48 FEET; THENCE S. 44°00'10" W. PARALLEL WITH SAID HIGHWAY RIGHT-OF-WAY LINE 28.00 FEET; THENCE N. 45°59'50" W. PERPENDICULAR TO THE SAID HIGHWAY RIGHT-OF-WAY LINE 476.88 FEET; THENCE N. 44°00'10" E. ALONG THE SAID HIGHWAY RIGHT-OF-WAY LINE 539.27 FEET TO THE TRUE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCELS CONTAIN 27.964 ACRES IN AREA MORE OR LESS.

**APPENDIX B**  
**Project Area Map**



**APPENDIX C**  
**Project Site Plan**



**babcock design group**

**Vernal Town Center**  
Overall Site Plan  
February 17, 2012

babcockdesign.com

**APPENDIX D**

**Project Area Land Use Map**

# VERNAL CITY ZONING MAP

Legend

ZONE	
I1 - INDUSTRIAL ZONE	[Pattern]
MH - MANUFACTURED HOME ZONE	[Pattern]
P1 - PARKS ZONE	[Pattern]
A1 - AGRICULTURAL ZONE	[Pattern]
C2 - COMMERCIAL ZONE	[Pattern]
CC1 - CENTRAL COMMERCIAL ZONE	[Pattern]
CP1 - PLANNED COMMERCIAL ZONE	[Pattern]
CP2 - PLANNED COMMERCIAL ZONE	[Pattern]
F1 - PARKGROUNDS	[Pattern]
HC1 - HEALTH CARE ZONE	[Pattern]
R1 - RESIDENTIAL ZONE	[Pattern]
R2 - RESIDENTIAL ZONE	[Pattern]
R3 - RESIDENTIAL ZONE	[Pattern]
R4 - RESIDENTIAL ZONE	[Pattern]
RA1 - RESIDENTIAL AGRICULTURAL ZONE	[Pattern]

