

File # 91-058
Ordin. # 91-04
Fiscal # _____
Item # 4753/4754
Other _____

WEST VALLEY CITY, UTAH
ORDINANCE NO. 91 - 04

5096770

AN ORDINANCE OF THE CITY OF WEST VALLEY, UTAH,
ADOPTING THE HERCULES HILL PARCEL-B PROJECT
AREA REDEVELOPMENT PLAN ENTITLED, "HERCULES
HILL PARCEL-B NEIGHBORHOOD DEVELOPMENT PLAN,"
DATED FEBRUARY 7, 1991.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST VALLEY, UTAH
AS FOLLOWS:

SECTION 1. That said Ordinance of the City of West Valley, Utah is
hereby enacted to read as follows:

HERCULES HILL PARCEL-B NEIGHBORHOOD DEVELOPMENT PLAN

Sections:

1. Neighborhood Development Plan.
2. Project Boundaries.
3. Purposes of Redevelopment Plan.
4. Plan Incorporated by Reference.
5. Plan Officially Designated.
6. Council Findings.
7. Housing Facilities.
8. Tax Increment Financing.

NOTE

5096770
12 JULY 91 11:37 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
REC BY: DIANE KILPACK, DEPUTY

Section 1. Neighborhood Development Plan. It has become
necessary and desirable to adopt a redevelopment plan entitled,
"Hercules Hill Parcel-B Neighborhood Development Plan," dated
February 7, 1991.

Section 2. Project Boundaries. The legal description of the
boundaries of the project area covered by the redevelopment plan

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entitled, "Hercules Hill Parcel-B Neighborhood Development Plan," dated February 7, 1991, is as follows, to-wit:

A parcel of land located within the Northwest Quarter of Section 11, Township 2 South, Range 2 West, Salt Lake Base and Meridian, and being bound by 4700 South Street and 6400 West Street, said parcel being more particularly described as follows:

Beginning at a point which lies South 89°51'25" West, 33.00 feet and North 0°07'02" East, 33.00 feet from the Northwest Corner of said Section 11, said point being located on the West Right-of-Way line of 6400 West Street and the North Right-of-Way line of 4700 South Street, and running thence North 89°51'25" East along said North Right-of-Way line, 2047.96 feet; thence South 0°00'49" West, 633.00 feet; thence North 89°51'25" East, 644.48 feet to a point which lies on the North Quarter Section line, thence South 0°00'49" West along said North Quarter Section line, 235.80 feet; thence South 89°59'01" West, 545.00 feet; thence South 0°00'41" West, 337.00 feet to the beginning of a curve to the right, said curve having a central angle of 180°00'00" and a radius of 786.50 feet; thence along the arc, 2470.85 feet to the point of tangency; thence North 0°00'41" East, 337.00 feet; thence South 89°59'01" West, 510.00 feet to a point which lies on the East Right-of-Way line of 6400 West Street; thence South 0°07'02" West, along said East Right-of-Way line, 1794.79 feet to a point which lies on the West Quarter Section line; thence North 89°53'23" West, 33.00 feet to the West Quarter Corner of said Section 11; thence North 89°53'23" West, 33.00 feet to a point which lies on the West Right-of-Way line of 6400 West Street; thence North 0°07'02" East, along said West Right-of-Way line, 2656.89 feet to the point of beginning.

Above described Area B development parcel contains 81.34 acres, more or less.

Section 3. Purposes of Redevelopment Plan. The purpose and intent of the City Council of the City of West Valley City with respect to the project area, is to accomplish the following

purposes by adoption of the redevelopment plan entitled, "Hercules Hill Parcel-B Neighborhood Development Plan," dated February 7, 1991.

A. Removal of impediments to land disposition and development through assembly of land into reasonably-sized and shaped parcels serviced by improved public utilities and new community facilities.

B. Rehabilitation of land inimical to health and safety to assure sound long-term economic activity in the core area of the City of West Valley.

C. Elimination of environmental deficiencies, including among others, small and irregular lot subdivision, overcrowding of the land and inadequate off-street parking.

D. Achievement of an environment reflecting a high level of concern for architectural and urban design principles, developed through encouragement, guidance, appropriate controls and professional assistance to owner participants and redevelopers.

E. Implement the tax increment financing provisions of the Utah Neighborhood Development Act, Utah Code Annotated, Section 17A-2-1247, et seq., which is incorporated herein by reference and made a part of this Ordinance.

F. Strengthening of the tax base and economic health of the entire community and of the State of Utah.

G. Provisions for improvements to public streets, curbs and sidewalks, other public rights-of-way, street lights, landscaped areas, public parking, and other public improvements.

Section 4. Plan Incorporated by Reference. The redevelopment plan entitled, "Hercules Hill Parcel-B Neighborhood Development Plan," dated February 7, 1991, together with supporting documents is incorporated herein by reference, is attached hereto, and made a part of this Ordinance. Copies of said Plan shall be filed and maintained in the office of the City Recorder for public inspection.

Section 5. Plan Officially Designated. The "Hercules Hill Parcel-B Neighborhood Development Plan," dated February 7, 1991, is hereby designated as the official redevelopment plan of the project area.

Section 6. City Council Findings. The City Council of the City of West Valley hereby determines and finds as follows:

A. The project area, as above described, is a "blighted area" as defined in Section 17A-2-1102, Utah Code Annotated 1953, as amended, and that the redevelopment of said area is necessary to effectuate the public purposes set forth in the Utah Neighborhood Development Act.

B. The redevelopment plan would redevelop the area in conformity with the Utah Neighborhood Development Act and is in the interests of the public peace, health, safety and welfare of the area and the community.

C. The adoption and carrying out of the redevelopment plan is feasible and economically sound.

D. The redevelopment plan conforms to the master plan or general plan of the City of West Valley.

E. The carrying out of the redevelopment plan will promote the public peace, health, safety and welfare of the community and will effectuate the purposes and policy of the Utah Neighborhood Development Act.

F. The condemnation of the real property, as provided for in the redevelopment plan, is necessary to the execution of the redevelopment plan and adequate provisions have been made for the payment for property to be acquired as provided by law.

G. The Redevelopment Agency of West Valley City has a feasible method or plan for the relocation of families and persons displaced from the project area, if the redevelopment plan results in the temporary or permanent displacement of any occupants of housing facilities in the project area.

H. There are or are being provided in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

Section 7. Housing Facilities. The City Council of the City of West Valley is satisfied that permanent housing facilities will be available within three years from the time occupants of the project area are displaced and that pending the development of such facilities, there will be available to such displaced occupants

adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

Section 8. Tax Increment Financing. This Ordinance adopting the redevelopment plan adopted, "Hercules Hill Parcel-B Neighborhood Development Plan," dated February 7, 1991, specifically incorporates the provisions of tax increment financing permitted by Section 17A-2-1247, Utah Code Annotated 1953, as amended, which provides in part the following:

1. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State of Utah, any city, county, city and county, district or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

- (a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing

agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of the ordinance shall be used in determining the assessed valuation of the taxable property in the project on the effective date); and...

- (d) In a redevelopment project with a redevelopment plan adopted after April 1, 1983, that portion of the levied taxes each year in excess of the amount allocated to and when collected paid into funds of the respective taxing agencies under subsection (a) shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency according to the limits set forth in subsection (e) to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by such redevelopment agency after April 1, 1983, to finance or refinance, in whole or in part, such redevelopment project. Payment of tax revenues to the redevelopment agency shall be subject to and shall except uncollected or

delinquent taxes in the same manner as payments of taxes to other taxing agencies are subject to collection. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in subsection (1)(a) of this section, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When such loans, advances, and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

SECTION 2. This ordinance shall take effect upon its first publication or posting.

PASSED by the City Council of the City of West Valley, Utah, this 4th day of April, 1991.

WEST VALLEY CITY

By Brent A. Anderson
Mayor



Attest:
William S. Lettner
Recorder