

**An Ordinance Dissolving the
Silver Creek Industrial Redevelopment Project Area**

PREAMBLE

WHEREAS, on January 8, 1988, Summit County (the “County”) issued a letter to Lucas Western, Inc. (“Lucas”), seeking to induce Lucas to locate a manufacturing facility to Summit County, Utah; and,

WHEREAS, in furtherance of the County’s intent, on April 27, 1988, the County formed the Redevelopment Agency of Summit County through the adoption of Ordinance No. 177; and,

WHEREAS, the Redevelopment Agency of Summit County was reorganized as the Summit County Community Development and Renewal Agency on June 17, 2009, in accordance with Utah Code §17C-1-201, and codified in Summit County Code Title 2, Chapter 12, as further confirmed by the Lieutenant Governor’s Certificate of Creation, dated March 5, 2013 (together with the Redevelopment Agency of Summit County, the “Agency”); and,

WHEREAS, on June 8, 1988, the Agency entered into an agreement with Lucas, wherein the Agency provided tax increment (the “Tax Increment”), consistent with the Utah Neighborhood Development Act, Utah Code Title 11, Chapter 19, to Lucas and in exchange Lucas agreed to build a manufacturing facility in a location designated within the Silver Creek Commerce Center (the “SCCC Agreement”); and,

WHEREAS, consistent with the SCCC Agreement, the Agency adopted the Silver Creek Industrial Redevelopment Project Area on August 3, 1988, a metes and bounds description and map of which are set forth at “Exhibit A” and is incorporated herein by this reference (the “Project Area”); and,

WHEREAS, the Agency further amended the SCCC Agreement, as set forth in Resolution No. 88-5, adopted on November 16, 1988, and the Agreement Supplementing Silver Creek Commerce Center Agreement, dated November 1, 1988 (together with the SCCC Agreement, the “Amended SCCC Agreement”); and,

WHEREAS, the Tax Increment for the Project Area terminated on December 31, 2003, and the Agency fully expended its Fund 28 (Project Area Expense and Revenue Fund) on December 31, 2021; and,

WHEREAS, the purposes of the Project Area and all obligations of the Amended SCCC Agreement have been satisfied: and,

WHEREAS, in accordance with Utah Code §17C-1-702, a Project Area is dissolved by the adoption of a resolution of the Agency and an ordinance by the County legislative body; and,

WHEREAS, the Agency has adopted a resolution dissolving the Project Area; and,

WHEREAS, it is in the best interests of the County to formally dissolve the Project Area;

NOW, THEREFORE, the County Council of the County of Summit, State of Utah (the "County Council"), ordains as follows:

Section 1. Dissolution of Project Area.

- A. The County Council finds that the purposes of the Project Area and all obligations of the Amended SCCC Agreement have been satisfied.
- B. The County Council finds that the Agency has adopted a resolution dissolving the Project Area.
- C. The County Council hereby dissolves the Silver Creek Industrial Redevelopment Project Area.

Section 2. Administration.

In accordance with Utah Code §17C-1-702(3), within thirty (30) calendar days after the Effective Date (defined below), the Summit County Clerk is hereby directed to:

- A. Submit a copy of this Ordinance to the Summit County Recorder for recording of this Ordinance against the properties within the dissolved Project Area; and
- B. Mail or electronically submit a copy of this Ordinance to the Summit County Auditor, the Utah State Tax Commission, the Utah State Board of Education, and to each taxing entity that levies or imposes a tax on property within the dissolved Project Area.

Section 3. Severability. If any provision of this Ordinance or the application of any such provision thereunder to any person or circumstance, shall be held invalid by a court of competent jurisdiction, the remainder of this Ordinance or the application of such provision thereunder to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 4. **Effective Date.** This Ordinance shall take effect fifteen (15) days after publication.

Enacted this 15th day of March, 2023.

ATTEST:

Evelyn Furse
Evelyn Furse
Summit County Clerk

SUMMIT COUNTY COUNCIL
Roger Armstrong
Roger Armstrong, Chair

APPROVED AS TO FORM

David L. Thomas
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Stevens	<u>Aye</u>
Councilmember Robinson	<u>Aye</u>
Councilmember Harte	<u>Aye</u>
Councilmember Armstrong	<u>Aye</u>
Councilmember Hanson	<u>Aye</u>



EXHIBIT A

DESCRIPTION OF BOUNDARIES
OF
SILVER CREEK INDUSTRIAL REDEVELOPMENT
PROJECT AREA

RDA DESCRIPTION (REVISED 07-22-88)

BEGINNING AT A POINT WHICH IS SOUTH 89°43'02" EAST ALONG THE SECTION LINE 2987.67 FEET AND SOUTH 488.51 FEET (BASED ON THE UTAH STATE COORDINATE SYSTEM, CENTRAL ZONE) FROM THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THENCE SOUTH 45.55 FEET; THENCE SOUTH 30°00'00" EAST 600.00 FEET; THENCE SOUTH 35°00'00" EAST 1558.00 FEET; THENCE SOUTH 318.10 FEET TO THE QUARTER SECTION LINE; THENCE NORTH 89°56'45" WEST ALONG SAID QUARTER SECTION LINE 350.00 FEET; THENCE NORTH 70°00'00" WEST 900.00 FEET; THENCE NORTH 30°00'00" WEST 450.89 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 773.56 FEET; THENCE SOUTHWESTERLY 442.66 FEET AROUND THE PERIPHERY OF SAID CURVE (CHORD = S50°51'23"W 436.65 FEET); THENCE SOUTH 67°15'00" WEST 4.40 FEET; THENCE SOUTH 30°00'00" EAST 484.80 FEET TO THE CENTER OF SAID SECTION 22; THENCE SOUTH 00°11'30" EAST ALONG THE QUARTER SECTION LINE 414.50 FEET; THENCE SOUTH 59°35'09" WEST 1044.35 FEET TO THE EXISTING RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 40; THENCE ALONG SAID RIGHT-OF-WAY LINE AS FOLLOWS:

NORTH 19°28'27" WEST	605.62 FEET;
NORTH 37°35'09" EAST	100.00 FEET;
NORTH 52°24'51" WEST	100.00 FEET;
SOUTH 37°35'09" WEST	65.00 FEET;
NORTH 41°26'31" WEST	732.01 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 48°06'20" EAST 345.73 FEET; THENCE NORTH 15°51'20" EAST 241.81 FEET; THENCE SOUTH 37°00'00" EAST 56.45 FEET; THENCE NORTH 15°51'20" EAST 96.01 FEET; THENCE NORTH 55°36'20" EAST 389.16 FEET; THENCE NORTH 41°51'20" EAST 405.43 FEET; THENCE NORTH 41°35'47" EAST 729.84 FEET; THENCE NORTH 58°25'15" EAST 600.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 100.00 ACRES

EXHIBIT B-2
Silver Creek Industrial
Redevelopment Project Area



