

ORDINANCE NO. 2018 -22

AN ORDINANCE ADOPTING THE OFFICIAL COMMUNITY REINVESTMENT PROJECT AREA PLANS FOR THE ELEKTRON PLAN AREA AND THE HORSESHOE PLAN AREA, BOTH AS APROVED BY THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF TOOELE COUNTY, AND EACH AS THE OFFICIAL COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR EACH PROJECT PLAN AREA AND DIRECTING THAT NOTICE OF ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS, the Governing Board of the Redevelopment Agency of Tooele County (the "Agency"), in conformance with UCA § 17C-5-103, authorized by resolution the preparation of the Elektron Solar Project Community Reinvestment Project Area Plan (the "Elektron Plan"), for the Elektron Project Area, the legal description of which is attached hereto as **EXHIBIT A** (the "Elektron Plan Area"); and

WHEREAS, the Agency, in conformance with UCA § 17C-5-103, authorized by resolution the preparation of the Horseshoe Solar Project Community Reinvestment Project Area Plan (the "Horseshoe Plan" and together with the Elektron Plan, the "Plans"), for the Horseshoe Project Area, the legal description of which is attached hereto as **EXHIBIT B** (the "Horseshoe Plan Area" and together with the Elektron Plan Area, the "Plan Areas"); and

WHEREAS, both Plans were created pursuant to and in accordance with UCA § 17C-5-105, and having held the required public hearing on the Plans on December 4, 2018, pursuant to UCA § 17C-5-104, the Agency adopted the Plans as the official Community Reinvestment Project Area Plans for the respective Plan Areas on December 18, 2018; and

WHEREAS, the Limited Purpose Local Government Entities – Community Reinvestment Agency Act. Utah Code Ann. §§ 17C-1-101 et. seq., as amended (the "Act") mandates that before any community reinvestment project area plan approved by an agency under UCA § 17C-5-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-5-109; and

WHEREAS, the Act also requires that notice is to be given by the community legislative body upon its adoption of a community reinvestment project area plan under UCA §17C-5-110.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

1. The Elektron Solar Project Community Reinvestment Project Area Plan, as approved by the Governing Board of the Redevelopment Agency of Tooele County, is hereby adopted and designated as the official community reinvestment project area plan for the Elektron Plan Area.
2. The Horseshoe Solar Project Community Reinvestment Project Area Plan, as approved by the Governing Board of the Redevelopment Agency of Tooele County, is hereby adopted and designated as the official community reinvestment project area plan for the Horseshoe Plan Area.

3. Pursuant to UCA § 17C-5-109, the Agency may proceed to carry out the Elektron Plan and the Horseshoe Plan upon their adoption.
4. This ordinance shall take effect immediately.

APPROVED AND ADOPTED this 27th day of December, 2018.

ATTEST:

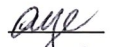
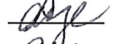
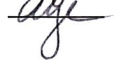
TOOELE COUNTY COMMISSION:


Marilyn K. Gillette


Wade B. Bitner, Chairman



Commissioner Bitner voted
Commissioner Bateman voted
Commissioner Milne voted

APPROVED AS TO FORM:



Scott Broadhead
Tooele County Attorney

EXHIBIT A
ELEKTRON PROJECT PLAN AREA LEGAL DESCRIPTION

Parcel 1

All of the NE ¼ of Section 35, T2N, R8W, S.L.B.&M., Tooele County, Utah, said NE ¼ containing 159.889 acres, more or less.

Parcel 2

A tract of land in Section 36, T2N, R8W, S.L.B.&M., Tooele County, Utah, said tract being more particularly described as follows:

BEGINNING at the Northwest corner of said Section 36, a 2-1/2" GLO brass cap, running thence S 89°58'33" E, 2639.82 feet along the North line thereof to the North one-quarter corner thereof, a 2-1/2" GLO brass cap;
thence S 89°56'04" E, 551.42 feet along the North line thereof;
thence S 0°00'00" E, 1200.00 feet;
thence N 90°00'00" E, 400.00 feet;
thence S 0°00'00" E, 3200.00 feet;
thence S 90°00'00" W, 400.00 feet;
thence S 0°00'00" E, 400.00 feet;
thence S 90°00'00" W, 2400.00 feet;
thence S 0°00'00" E, 400.00 feet;
thence S 90°00'00" W, 800.00 feet to the West line of said Section 36;
thence N 0°03'37" E, 2562.34 feet along said West line thereof to the one-quarter corner thereof, a 2-1/2" GLO brass cap;
thence N 0°07'54" E, 2639.41 feet along the West line of said Section 36 to the **POINT OF BEGINNING**.

Said tract containing 388.998 acres, more or less, with all corners not previously described being monumented with a 5/8" x 24" steel bar topped with a 1-1/2" aluminum cap inscribed "CLOEY WALL PLS 324872".

Parcel 3 (Transmission Right-of-Way)

100-foot wide easement for access and a power line across parts of the NW 1/4 of Section 35, the N 1/2 of Section 34, the W 1/2 SE 1/4 and the SW 1/4 NE 1/4 of Section 27, T2N, R8W S.L.B.&M.

EXHIBIT B
HORSESHOE PROJECT PLAN AREA LEGAL DESCRIPTION

Parcels 1 and 2:

The Southwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 1 South, Range 7 West, SLB&M, less and excepting:

Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 1 South, Range 7 West, said corner being North $00^{\circ}01'36''$ West 1325.17 feet along the West line of said Southeast Quarter from the South Quarter corner of said Section 8; said corner being the Southwest corner of a parcel recorded in the office of the Tooele County Recorder as Entry Number 015370, and running thence North $89^{\circ}52'33''$ West 1082.82 feet; thence North $00^{\circ}04'50''$ East 458.13 feet; thence South $89^{\circ}52'33''$ East 1081.96 feet; thence South $00^{\circ}01'36''$ East 458.13 feet to the point of beginning.

Parcel 3:

All of Section 17, Township 1 South, Range 7 West, SLB&M.

Parcel 4:

The West $\frac{1}{2}$ of the East $\frac{1}{2}$ and the West $\frac{1}{2}$ of Section 20, Township 1 South, Range 7 West, SLB&M.

Parcel 5:

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ and the West $\frac{1}{2}$ of Section 29, Township 1 South, Range 7 West, SLB&M, less and excepting the following well site encompassed within Special Use Lease Agreement 1350:

Beginning at a point North 1726.02 feet and East 143.33 feet from the Southwest Corner of Section 29, Township 1 South, Range 7 West, Salt Lake Base & Meridian; and running thence N $12^{\circ}30'$ E 169.00 feet along the East right-of-way line of the Skull Valley Road; thence East 293.42 feet; thence South 330 feet; thence West 366.58 feet to the East right-of-way line of the County Road; thence N $12^{\circ}30'$ E 169.00 feet along said right-of-way line to the point of beginning.

Containing 1,705.83 Acres