

CERTIFICATE OF PASSAGE AND POSTING

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

CITY OF BLUFFDALE

I, Teddie K. Bell, the duly chosen, qualified and acting Recorder of Bluffdale City, County of Salt Lake, State of Utah, do hereby certify as follows:

1. On the 9th day of December, 2008, the Bluffdale City Council adopted Ordinance No. 2008-19
2. On the 31st day of December, 2008, I caused to be posted in three (3) public and conspicuous places within said City, certified copies of Ordinance No. 2008-19 of said City entitled:

AN ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN AS A REASONABLE PLAN FOR THE FUTURE DEVELOPMENT OF THE CITY OF BLUFFDALE.

The places in said City where such certified copies of Ordinance No. 2008-19 were posted are as follows:

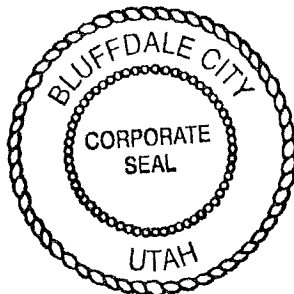
One at Bluffdale City Fire Station – 14350 South 2200 West;

One at Bluffdale City Hall -- 14175 South Redwood Road;

One at The Bluffs Apartments -- 14035 S. Marketview Drive and;

3. Attached hereto is a full, true and correct copy of Ordinance No. 2008-19 so posted.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed the seal of the City of Bluffdale, Utah, Salt Lake County, at 1:30 p.m. this 31st day of December, 2008.



Teddie K. Bell

Teddie K. Bell, City Recorder

THE CITY OF BLUFFDALE, UTAH

ORDINANCE NO. 2008-19

AN ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN AS A REASONABLE PLAN FOR THE FUTURE DEVELOPMENT OF THE CITY OF BLUFFDALE.

WHEREAS the City of Bluffdale (“City”) adopted a general plan on July 13, 1993 entitled, “City of Bluffdale Comprehensive Plan”;

WHEREAS the general plan adopted on July 13, 1993, included among other things: a) a land use element, b) a transportation and circulation element, c) and environmental element, d) a public services and facilities element, and e) an economic element as outlined in Utah Code § 10-9a-401;

WHEREAS since adopting the 1993 general plan, the Bluffdale City Council has adopted revised land use principles for most areas of the City;

WHEREAS the City recognizes that impact fees imposed must be based on a reasonable plan in accordance with Utah Code §11-36-201(2)(f), and that it is not required to prepare a capital facilities plan;

WHEREAS the City has contracted with Horrocks Engineering to prepare a capital improvement plan titled “Capital Improvement Plan and Impact Fee Analysis, 2008” (“CIP”) as a reasonable plan for the future development of the City;

WHEREAS, pursuant to Utah Code Ann. § 11-36-201(2)(e)(i)(B), the City has complied with the noticing requirements therein and has made a copy of the proposed CIP, together with a summary designed to be understood by a lay person, available to the public at least 14 days before a Public Hearing, and has in all other respects complied with the notice, procedural, and substantive requirements of the Impact Fees Act, Title 11, Chapter 36, of the Utah Code; and

WHEREAS a public hearing was held on November 4, 2008, before the Bluffdale City Planning Commission, and after the Planning Commission had recommended adoption of the proposed CIP, the City Council held a public hearing on November 11, 2008, pertaining to the proposed CIP;

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

Section 1. Adoption of a Capital Improvement Plan. The capital improvement plan titled “Capital Improvement Plan and Impact Fee Analysis, 2008,” (attached as Exhibit A) is hereby adopted as a reasonable plan for future development of the City of Bluffdale pursuant to

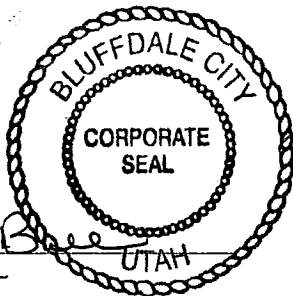
Utah Code § 11-36-201(2)(f) for culinary water, secondary water, storm drainage, transportation, parks and emergency services infrastructure.

Section 2. Liberal Construction. This ordinance is intended to be and shall be construed to be consistent with the Utah Impact Fees Act, Title 11, Chapter 36 of the Utah Code, as amended. The provisions of the Ordinance shall be liberally construed to effectively carry out its purposes in the interests of furthering, promoting, and protecting the public health, safety, and welfare.

Section 3. Severability. Should any sentence, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid

Section 4. Effective Date. This ordinance shall take effect upon posting or publication or thirty (30) days after adoption, whichever comes first.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF BLUFFDALE CITY THIS 9th DAY OF DECEMBER, 2008.



Claudia Anderson

Mayor Claudia Anderson

ATTEST:

Jeddie K. Bee

City Recorder

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Chisholm	<u> x </u>	_____
Councilmember Flanigan	<u>Absent</u>	_____
Councilmember Kartchner	<u>Absent</u>	_____
Councilmember Lord	<u> x </u>	_____
Councilmember Maxwell	<u> x </u>	_____

Exhibit A

Bluffdale City
Capital Improvement Plan