

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 28th day of April, 2009, the Bluffdale City Council adopted Ordinance No. 2009-08.

2. On the 5th day of May, 2009, I caused to be posted in three (3) public and conspicuous places within said City, certified copies of Ordinance No. 2009-08 of said City entitled:

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE OFFICIAL ECONOMIC DEVELOPMENT PLAN FOR THE EASTERN BLUFFDALE ECONOMIC DEVELOPMENT PROJECT AREA AS APPROVED AND ADOPTED BY THE BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD

The places in said City where such certified copies of Ordinance No. 2009-08 were posted are as follows:

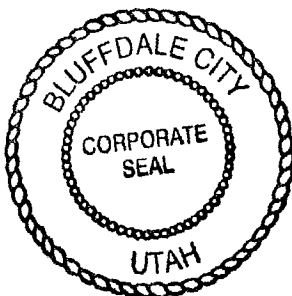
One at Bluffdale City Fire Station – 14350 South 2200 West;

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. 2009-08 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 2:00 p.m. this 5th day of May, 2009.





Teddie K. Bell, City Recorder

When Recorded Return to:
Bluffdale City Recorder
Bluffdale City Corporation
14350 South 2200 West
Bluffdale, Utah 84065

10718409
06/02/2009 01:03 PM \$0.00
Book - 9730 Ps - 7077-7081
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
BLUFFDALE CITY
14175 S REDWOOD RD
BLUFFDALE UT 84065
BY: ZJM, DEPUTY - WI 5 P.

CITY COUNCIL OF BLUFFDALE CITY

ORDINANCE NO. 2009-08

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE OFFICIAL ECONOMIC DEVELOPMENT PLAN FOR THE EASTERN BLUFFDALE ECONOMIC DEVELOPMENT PROJECT AREA AS APPROVED AND ADOPTED BY THE BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD.

WHEREAS the Bluffdale City Redevelopment Agency Board (the “**Agency**”) having prepared pursuant to Utah Code Annotated (“UCA”) § 17C-3-109 an amendment to the previously adopted Official Economic Development Plan for the Eastern Bluffdale Economic Development Project Area, the legal description is attached hereto as **EXHIBIT A** (the “**Project Area**”), and having held the required public hearing on the amendment on April 28, 2009, adopted the Amendment to the Official Economic Development Plan for the Eastern Bluffdale Economic Development Project Area, dated April 2009 (the “**Plan Amendment**”) (see Agency Resolution No. [2009-03]); and

WHEREAS the Utah Community Development and Renewal Agencies Act (the “**Act**”) mandates that, before an amendment to an economic development project area plan approved by an agency under UCA § 17C-3-109 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with the Act; and


WHEREAS the Act also requires that certain notice is to be given by the community legislative body upon its adoption of an amendment to an economic development project area plan under UCA § 17C-3-107.

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

1. The City Council of Bluffdale City hereby adopts and designates the Plan Amendment, as approved by the Agency Board (*see* Agency Resolution No. 2009-03), as the *Official Amendment to the Official Economic Development Plan for the Eastern Bluffdale Economic Development Project Area* (the “**Official Amendment**”).
2. The City Staff is hereby authorized and directed to publish or cause to be published a notice, substantially in the form attached hereto as **EXHIBIT B**.
3. The Agency may proceed to carry out the Official Amendment as soon as it becomes effective.

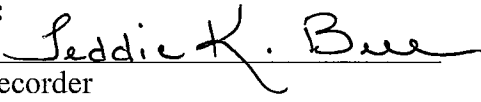
4. This ordinance shall take effect immediately upon publication and recording.

APPROVED AND ADOPTED this ____ day of April, 2009.



Mayor, Bluffdale City

Attest:



City Recorder

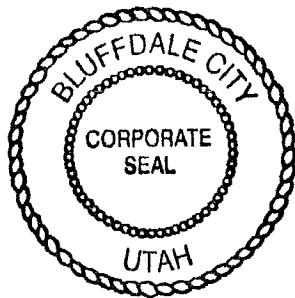


EXHIBIT A

PROJECT AREA LEGAL DESCRIPTION

The Eastern Bluffdale Economic Development Project Area includes the land located within the following described boundaries, all of which is situated within the boundaries of Bluffdale City in Salt Lake County in the State of Utah:

Beginning at the intersection of the Bluffdale City Boundary and the eastern right-of-way line of Pony Express Road and running

thence southerly along the eastern right-of-way line of Pony Express Road to the intersection of the projection of the southern boundary line of County Parcel 33-12-300-045 and the eastern right-of-way line of Pony Express Road;

thence westerly along the southern property lines of County Parcels

33-12-300-045, 33-12-300-044, 33-12-300-043,
33-12-300-011, 33-12-300-047, 33-11-478-012,
Heritage Crest Way, 33-11-476-012, 33-11-476-011,
33-11-476-010, 33-11-400-019, 33-11-400-017,
33-11-300-018, 33-11-300-025 and projection thereof to the
western right-of-way of the Denver & Rio Grande Railroad;

thence northeasterly along the western right-of-way line of the Denver & Rio Grande Railroad to the Bluffdale-Draper City boundary;

thence southerly, easterly, southerly and easterly along the Bluffdale-Draper City boundary to the Point of Beginning;

but excluding the land designated by the following County Parcels:

33-12-100-012, 33-11-200-024, 33-11-200-025
(comprising approximately 21.4 acres owned by M. Marshall Carlson) and

33-11-300-014 (comprising approximately 1.3 acres owned by Michael M. Carlson).

Contains Approximately 600 Acres.

Parcel numbers and indicated ownerships in the foregoing legal description are those in effect as of May 22, 2008.

Vote by the City Council:

| | "AYE" | "NAY" |
|-------------------------|--------------|-------------------|
| Councilmember Chisholm | <u> x </u> | <u> </u> |
| Councilmember Flanigan | <u> x </u> | <u> </u> |
| Councilmember Kartchner | <u> x </u> | <u> </u> |
| Councilmember Lord | <u> x </u> | <u> </u> |
| Councilmember Maxwell | <u> x </u> | <u> </u> |

EXHIBIT B

Notice of Adoption of Ordinance 2009-08 by the City Council of Bluffdale City

Pursuant to Section 17C-2-108(1), Utah Code, the City Council of Bluffdale City (the "City Council") is providing this notice with respect to Ordinance 2009-08 which was passed by the City Council on April 28, 2009, adopting an Amendment to the Official Economic Development Plan for the Eastern Bluffdale Economic Development Project Area (the "Plan Amendment" and the "Project Area," respectively), as approved by the Bluffdale City Redevelopment Agency Board (the "Agency"). Ordinance 2009-08 and the Plan Amendment shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Plan Amendment. The Plan Amendment and the original Economic Development Plan are available for general public inspection at the office of the Bluffdale City Recorder located at 14350 S 2200 W, Bluffdale City, Utah, during regular office hours of 8:30 am to 5:00 pm, Monday through Friday.

For a period of 30 days after the Effective Date of the Plan Amendment (the "30-Day Period"), any person in interest may contest the Plan Amendment or the procedure used to adopt it if the Plan Amendment or procedure fails to comply with applicable statutory requirements. After the 30-Day Period, no person may contest the Plan Amendment or procedure used to adopt it for any cause.

Published: _____ May 5, 2009.

/s/ Jeddie K. Bree
City Recorder

