

SOUTH OGDEN CITY

ORDINANCE NO. 20-11

AN ORDINANCE DISSOLVING THE 40TH STREET COMMUNITY REINVESTMENT PROJECT AREA AND RENOUNCING SOUTH OGDEN CITY'S ADOPTION OF THE PROJECT AREA PLAN FOR THE 40TH STREET COMMUNITY REINVESTMENT PROJECT AREA

WHEREAS, the South Ogden City Community Development and Renewal Agency (the “**Agency**”) and South Ogden City adopted a Community Reinvestment Project Area Plan (the “**Project Area Plan**”) for the 40th Street Community Reinvestment Project Area (the “**Project Area**”) pursuant to the Utah Limited Purpose Local Government Entities – Community Reinvestment Agency Act, Title 17C of the Utah Code Annotated (“**UCA**”) and its predecessor statutes (the “**Act**”), on March 5, 2019 via Ordinance No. 19-04 ; and

WHEREAS, the Agency has adopted a resolution dissolving the Project Area and renouncing its adoption of the Project Area Plan; and

WHEREAS, UCA § 17C-1-702(1)(b) of the Act mandates that the Project Area remains in existence until the community legislative body adopts an ordinance dissolving the Project Area; and

WHEREAS, the City Council of South Ogden City desires to dissolve the Project Area and renounce its adoption of the Project Area Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of South Ogden as follows:

1. South Ogden City hereby dissolves the 40th Street Community Reinvestment Project Area, the boundaries of which are shown and described on the legal description and map attached hereto as **Exhibit A** and incorporated herein by this reference.
2. South Ogden City hereby renounces its adoption of the 40th Street Community Reinvestment Project Area Plan, as renounced by the Agency on this same date.
3. City and Agency staff are hereby authorized and directed to take all actions necessary to dissolve the Project Area pursuant to UCA § 17C-1-702.
4. All orders, ordinances, and resolutions regarding the subject matter of this ordinance that have been adopted by the City, or parts, which conflict with this ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order, or resolution, or part, that has been previously repealed.

5. The body and substance of any and all prior ordinances and resolutions, with their specific provisions, where not otherwise in conflict with this ordinance, are reaffirmed and readopted.

6. If any provision of this ordinance shall be held or deemed or shall be invalid, inoperative, or unenforceable, such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative, or unenforceable to any extent whatsoever, this ordinance being deemed the separate, independent, and severable act of the City Council of South Ogden City.

7. This ordinance takes effect upon its publication and recording, but not sooner than 15 days from this date.

DATED this 17th day of March, 2020.

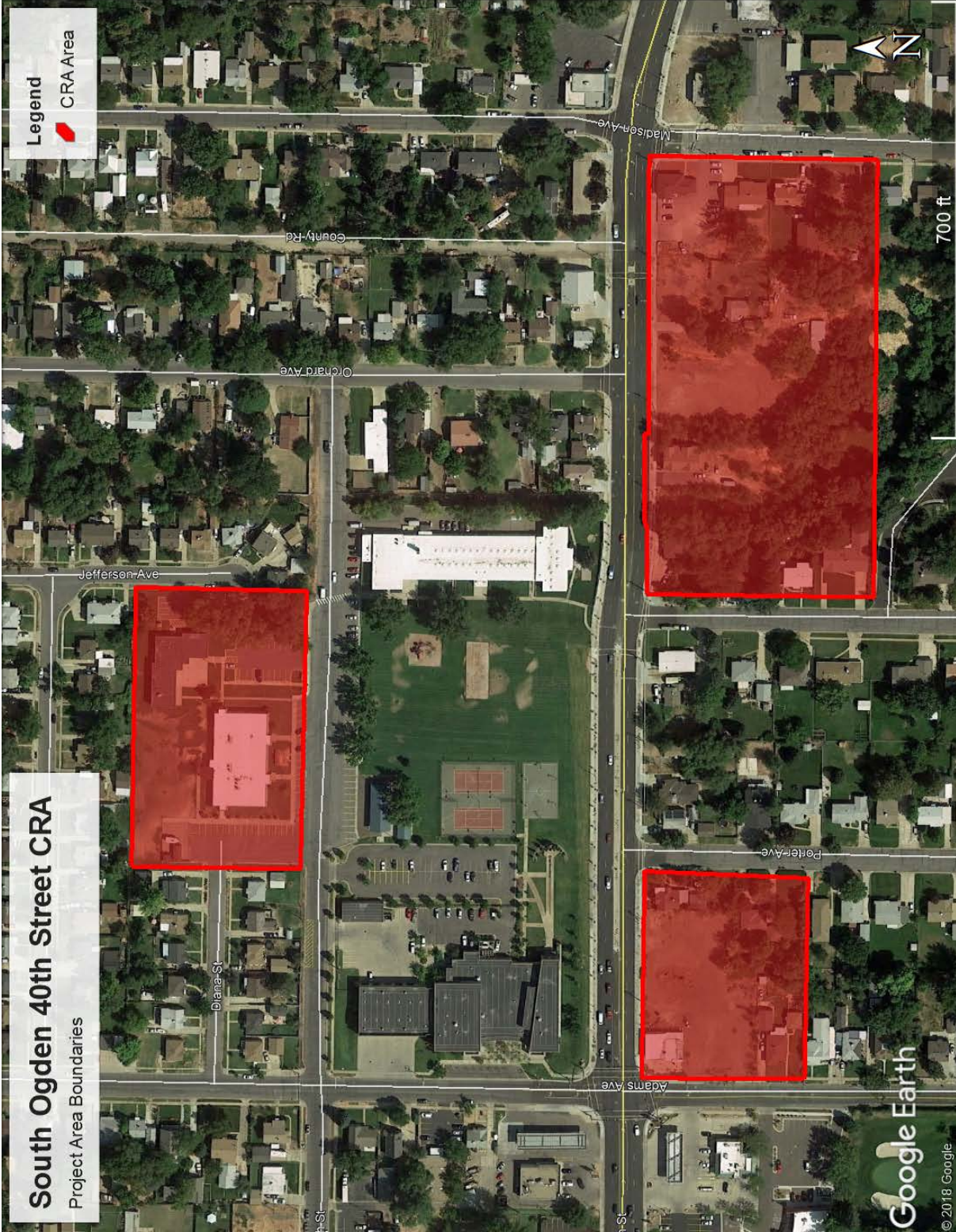
Russell L. Porter, Mayor

Attested and recorded:

Leesa Kapetanov, CMC
City Recorder

EXHIBIT A

Project Area Map and Legal Description



South Ogden 40th Street CRA Legal Description

Beginning at the Southwest corner of Lot 42 of the R.C. Hunter Subdivision No.2 said point being North 88°42'56" West 350.44 feet and North 01°17'04" East 33.00 feet from the monument found at the intersection of 39th South Street and Orchard Avenue (basis of bearings is North 88°42'56" West 1919.80 feet between the monument found in 39th South Street and Orchard Avenue and the ring and lid, no monument in 39th South Street and Washington Boulevard) said point of beginning also being North 01°10'52" East 479.38 feet and North 88°42'56" West 1,885.21 feet from the South Quarter corner of said Section 4; running thence North 88°42'56" West 446.40 feet along the North right-of-way line of said 39th South Street to the Southeast corner of Lot 29 of the R.C. Hunter Subdivision No. 1; thence the following four (4) courses and distances along said subdivision; (1) North 01°17'04" East 104.60 feet to a point of non-curvature with a 40.00' radius curve to the left, (2) 182.26 feet along the arc of said curve through a central angle of 261°04'18": (chord bears North 01°17'04" East 60.80 feet) (3) North 01°17'04" East 109.60 feet; (4) South 88°42'56" East 445.40 feet to the West line of said R.C. Hunter Subdivision No. 1; thence South 01°17'04" West 197.50 feet along said West line to the Northwest corner of Lot 44 of said subdivision; thence the following two (2) courses and distances along said lot; (1) South 88°42'56" East 1.00 feet, (2) South 01°17'04" West 77.50 feet to the point of beginning.

Also,

Beginning at a point on the South line of 40th Street 264.5 feet East of the Southeast corner of 40th Street and Adams Avenue (said point being 33 feet South and 258.3 feet East from the Northwest corner of Northwest Quarter of Sec. 9, Township 5 North, Range 1 West, SLBM), running thence South along the West right-of-way line of Porter Avenue 261 feet to the Southeast corner of Parcel No. 060830012; thence West 312.46 feet to the Southwest corner of Parcel No. 060830005; thence North along the East right-of-way line of Adams Avenue 255.5 feet to the Northwest corner of Parcel No. 060830001; thence East along the South right-of-way line of 40th Street 313 feet to the point of beginning.

Also,

Beginning at a point that is South 89°27'19" East 1,441.95 feet along the North line of the Northwest Quarter of Sec. 9, Township 5 North, Range 1 West, SLBM, and South 00°32'41" West 32.39 feet from the Northwest corner of said Northwest Quarter; thence South along the West right-of-way line of Madison Avenue 382.39 feet to the Southeast corner of Parcel No. 060840016; thence West 704.37 feet to the Southwest corner of Parcel No. 060840007; thence North along the East right-of-way line of Jefferson Avenue 370 feet to the Northwest corner of Parcel No. 060840005; thence East along the South right-of-way line of 40th Street 704.33 feet to the point of beginning.