

Ordinance No. 10-04

AN ORDINANCE CREATING THE DAGGETT COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY WITH THE TITLE OF "DAGGETT COUNTY REDEVELOPMENT AGENCY".

WHEREAS the Board of Daggett County Commissioners, Utah, (the "Commission" and "County," respectively) has determined that it is in the best interests of the County to undertake community development, economic development and/or urban renewal in such areas of the County as may become necessary or desirable;

WHEREAS the Commission intends that community development, economic development and/or urban renewal project undertaken within the County be carried out in accordance with the provisions of Title 17C of the Utah Code, "Limited Purpose Local Government Entities-Community Development and Renewal Agencies," as amended (the "Act"); and

WHEREAS Section 17C-1-201 of the Act authorizes the legislative body of a community to create a community development and renewal agency for the purposes of undertaking or promoting community development, economic development, and/or urban renewal within the geographic boundaries of the agency, which shall be coterminous with the boundaries of the community creating the agency, or as otherwise provided by the Act.

THE COUNTY LEGISLATIVE BODY OF DAGGETT COUNTY ORDAINS AS FOLLOWS:

Section 1. Pursuant to the provisions of Section 17C-1-201(1) of the Act, the Commission creates a community development and renewal agency (the "Agency"), contingent upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Section 67-1a-6.5 of the Utah Code.

Section 2. The name of the Agency is the "Daggett County Redevelopment Agency."

Section 3. The geographic boundaries of the Agency are and will be coterminous with the geographic boundaries of the unincorporated area of the County.

Section 4. Upon creation, the Agency will be vested with all the powers set forth in the Act and as otherwise provided by law.

Section 5. The governing body of the Agency will be a Board consisting of the members of the Commission as may serve from time to time on the Commission. Any

change in the composition of the Commission will automatically and without any further action required constitute a similar change in the composition of the Agency Board.

Section 6. Within 10 days of the adoption of this Ordinance, the County Clerk will cause to be prepared and filed with the Utah Lieutenant Governor a notice of impending boundary action (the "Notice") and a final local entity plat (the "Plat") both as required by Section 17C-1-201(2)(a) of the Act. The appropriate officials of the County are authorized and directed to sign and seal both the Notice and the Plat upon their proper preparation as described in this Ordinance.

As required by UCA § 17-23-20(4), the Plat will

(a) include a graphical illustration depicting the boundary of the Agency as described in this Ordinance;

(b) be created on reproducible material that is permanent in nature and the size and type specified by the County Recorder;

(c) be drawn to a scale so that all data are legible;

(d) contain complete and accurate boundary information, including, as appropriate, calls along existing boundary lines, sufficient to enable

(i) the County Surveyor to establish the boundary on the ground, in the event of a dispute about the accurate location of the boundary; and

(ii) the County Recorder to identify, for tax purposes, each tract or parcel included within the boundary;

(e) depict a name for the Plat, approved by the County Recorder, that is sufficiently unique to distinguish the Plat from all other recorded plats in the County, which name will be the "Daggett County Community Development and Renewal Agency Boundary Plat";

(f) contain

(i) the name of the Daggett County Community Development and Renewal Agency;

(ii) the name of Daggett County;

(iii) the date that the Plat was prepared;

(iv) a north arrow and legend;

(v) a signature block for

(A) the signatures of

(I) the professional land surveyor who prepared the plat; and

(II) the Chair of the Commission, attested by the County Clerk; and

(B) the approval of the County Surveyor; and

(vi) a three-inch by three-inch block in the lower right hand corner for the County Recorder's use when recording the Plat;

(g) be certified and signed by a professional land surveyor licensed under UCA Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act; and

(h) be reviewed and signed by the Chair of the Commission, attested by the County Clerk.

As required by UCA § 67-1a-65(3), the Notice will

(a) be directed to the lieutenant governor;

(b) contain the name of the Agency;

(c) describe the creation and boundaries of the Agency; and

(d) contain a statement, signed and verified by the Chair of the Commission and attested by the County Clerk, certifying that all requirements for the creation of the Agency have been met.

Section 7. Upon the issuance by the Utah Lieutenant Governor of a certificate of creation under Section 67-1a-6.5 of the Utah Code, the Agency will be created and incorporated. Upon the lieutenant governor's issuance of a certificate of creation, the County Clerk will submit or cause to be submitted to the County Recorder the original Notice, the original certificate of creation, the original Plat, and a certified copy of this Ordinance.

THIS ORDINANCE WILL TAKE EFFECT 15 DAYS AFTER PASSAGE, AND AFTER DEPOSITING OF A COPY IN THE CLERK-TREASURER'S OFFICE AND PROPER POSTING THROUGHOUT THE COUNTY, AS REQUIRED BY UTAH CODE ANNOTATED SECTION 17-53-208.



Dated this 5th day of January, 2010.

Vicky M. Kee
Vicky McKee
County Clerk-Treasurer

**BOARD OF DAGGETT
COUNTY COMMISSIONERS:**

Stewart Leith
Stewart Leith, Chairman

Henry Gutz
Henry Gutz, Member

Floyd Briggs
Floyd Briggs, Member