

## DAGGETT COUNTY COMMISSION

ORDINANCE NO. 13-16

**AN ORDINANCE ADOPTING THE *GREENDALE COMMUNITY DEVELOPMENT PROJECT AREA PLAN*, AS APPROVED BY THE DAGGETT COUNTY REDEVELOPMENT AGENCY, AND DIRECTING THAT NOTICE OF THE ADOPTION OF THE PLAN BE GIVEN AS REQUIRED BY STATUTE.**

WHEREAS the Daggett County Redevelopment Agency (the "Agency"), having prepared a Draft Community Development Project Area Plan (the "Draft Plan") for the Greendale Community Development Project Area, the legal description and map of which is attached hereto as **EXHIBIT A**, pursuant to Utah Code Annotated ("UCA") §§ 17C-4-102 & -103, and having held the required public hearing on the Draft Plan on September 7, 2011, pursuant to UCA § 17C-4-102(1)(d), adopted the Draft Plan as the Official Community Development Project Area Plan for the Greendale Community Development Project Area; and

WHEREAS the Utah Community Development and Renewal Agencies Act (the "Act") mandates that, before a community development project area plan approved by an agency under UCA § 17C-4-104 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-4-105(1); and

WHEREAS the Act also requires certain notice to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-106.

**NOW, THEREFORE, BE IT ORDAINED BY THE DAGGETT COUNTY COMMISSION AS FOLLOWS:**

1. The County Commission hereby adopts the *Greendale Community Development Project Area Plan*, as approved by the Agency on this same date, as the Official Community Development Project Area Plan for the Greendale Community Development Project Area (the "Official Plan").
2. The County and Agency Staff are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106(1)(a)(i), substantially in the form attached hereto as **EXHIBIT B**, whereupon the Official Plan shall become effective pursuant to UCA § 17C-4-106(2)(a).
3. Pursuant to UCA § 17C-4-106(4), the Agency may proceed to carry out the Official Plan

as soon as it becomes effective.

This ordinance shall take effect immediately upon publication of the notice described under Section 2 above.

**APPROVED AND ADOPTED** this 9<sup>th</sup> day of July, 2013.

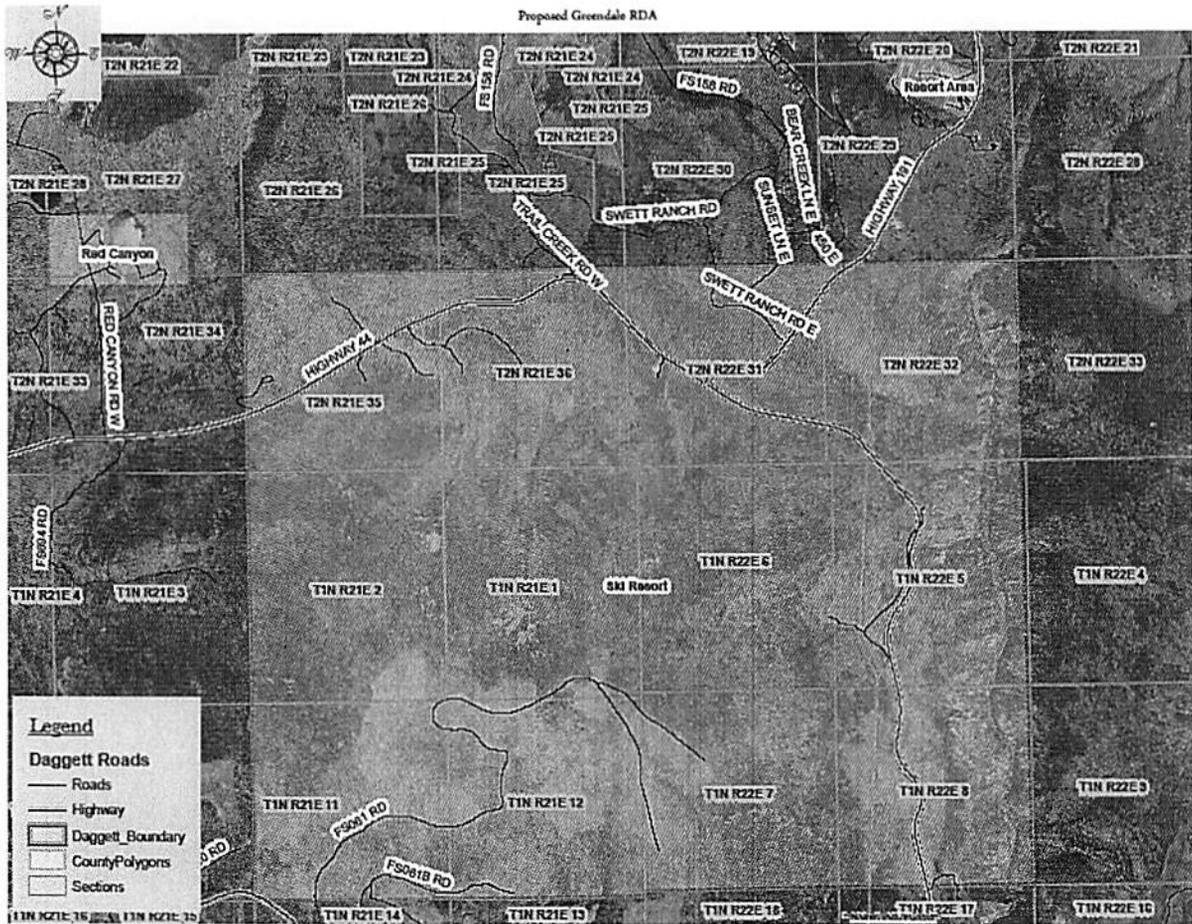


Windy M. Kee  
County Clerk

Chair James A. Shelton

# EXHIBIT A

## Project Area Legal Description and Map



Ent 026279 Bk 0079 Pg 0386

**Project Area Property Description**

The Greendale Project Area is composed of 5 separate parcels. Parcels are named below and their descriptions given.

**Parcel's A & B:** Collett's Mountain Resort DBA as the Flaming Gorge Resort

BEG @ A PT ON THE HIGHWAY RIGHT-OF-WAY KNOWN AS PROJECT # 036-1, WHICH IS N 70 DEGREES 33' W 143.4' FROM COR #1 OF HE #129, FROM WHICH THE U.S. LOCATION MONUMENT #270 BEARS S 61 DEGREES 51' E 8.45 CHAINS; TH N 70 DEGREES 33' W 262.6'; TH S 29 DEGREES 19' W 848.68'; TH N 70 DEGREES 42' W 214'. TH S 29 DEGREES 19' W 208'; TH S 70 DEGREES 42' E 599.1' TO SAID HIGHWAY RIGHT-OF-WAY; TH NE 132.9' ALONG SAID HIGHWAY RIGHT-OF-WAY, WHICH IS ALONG THE ARC OF A 1366.7' RADTUS CURVE TO THE LEFT (NOTE: TANGENT TO SAID CURVE AT ITS POINT OF BEG BEARS N 35 DEGREES 49' E); TH N 30 DEGREES 30' E 287.1 TO A PT OF TANGENCY WITH 1366.7 RADIUS CURVE TO THE LEFT; TH NORTHERLY 672.7' ALONG THE ARC OF SAID CURVE TO PT OF BEG; CONTAINING 10 AC MORE OR LESS ALL LAYING WITHIN THE SE END OF HE #129 SITUATED IN SEC 29, T2N R22E; 10.00AC

BEG @ A PT WHICH IS S 70° 33'E 439.75' FROM COR #4 TRACT HE #129, S29 T2N R22E SLB&M, TH S 70° 33' E 1461.61' TO A PT 406' FROM COR #1 OF SAID TRACT; TH S 29° 19' W 848.68'; TH N 70° 42' W 214'; TH S 29° 19' W 208'; TH N 70° 42' W 1079.56' TO A PT WHICH IS S 70° 42' E 555' FROM COR #3 OF SAID TRCT; TH N 20° 13' E 1037.4' M-O-L TO THE POB TOGETHER W/WATER RIGHTS KNOWN AS APPLICATION # 30525 FILED W/ THE UT STATE ENGINEER COVERING .10 CFS CULINARY WATER & 29.635 OF APPLICATION # 26616 & WATER USERS CLAIM # 41-129, 41-130; 41-131, 41-132, 41-133, 41-135, 41-136, 41-2621 & 51-2151(TOTAL OF 32.0 AC) (RECORDER'S MEMO - SEE HISTORY REGARDING A SPLIT & COMBINATION OF THIS PARCEL IN THE PAST.)

**Parcel C:** Camperworld

BEG AT CORNER #4 OF HES #129, SAID PT BEING IN SEC 29, T2N, R22E, SLBM; TH S 70 DEGREES 33' E 439.75'; TH S 20 DEGREES 13' W 1037.4' MORE OR LESS TO A PT ON THE SOUTH LINE OF HE #129, 555' SE FROM CORNER #3 OF SAID HES; THENCE N 70 DEGREES 42' W 555' TO CORNER #3 OF SAID HES #129; TH N 26 DEGREES 24' E 1053.36' TO THE PT OF BEG HES #129 SEC 29 T2N R22E SLM 12.00 AC

**Parcel D: Red Canyon Lodge**

Beginning at a point North 89°00' East 3573 feet from a point which is a Brass cap, U.S. General Land Survey 1961. Which point is a Stone marker within Section 27, Township 2 North, Range 21 East, Salt Lake Base and Meridian.

North 68°45' West 354 feet; thence  
North 30°50' East 355 feet; thence  
North 26°55' East 175 feet; thence  
North 80°30' East 217 feet to highwater mark of East Greens Lake, Special Use Permit area boundary around the lake area is 10' outside of this high water level line except as shown at the Dam.  
And from the point of beginning North 68°45' West 354 feet; thence

South 17°55' East 653 feet; thence  
South 67°00' West 218 feet; thence  
North 88°30' West 17 feet; thence  
North 16°32' West 231 feet; thence  
South 60°57' West 248 feet; thence

North 50°00' West 400 feet; thence  
South 38°00' West 357.92 feet; thence  
South 30°50' East 537.24 feet; thence  
North 38°00' East 192.95 feet; thence

North 67°52' East 453 feet; thence  
North 56°26' East 30 feet; thence  
North 67°00' East 218 feet; thence  
South 25°45' East 927 feet; thence  
North 67°53' East 579 feet; thence  
North 06°25' West 938 feet; to the highwater mark of East Greens Lake

NOTE: WEST GREENS LAKE IS INCLUDED IN SPECIAL USE PERMIT AREA. THE AREA BOUNDARY AROUND THE WEST GREENS LAKE IS 10' - 0". OUTSIOE OF THE HIGH WATER LEVEL AND INCLUDES 100' x 100' AREA AROUND THE DAM AND OUTLET WORKS. SEE VICINITY MAP FOR LOCATION. APPROX. AREA 16 ACRES.

NOTE: WATER TRANSMISSION CANAL AS SHOWN ON VICINITY MAP IS INCLUDED IN SPECIAL USE PERMIT AREA. IMPROVEMENTS INCLUDE DIVERSION WORKS AT GREENDALE CANAL AND CANAL SYSTEM MAINTAINED TO PROVIDE WATER TO BOTH EAST AND WEST GREEN LAKES. CANAL IS APPROXIMATELY 1.4 MILES IN LENGTH AND 8' EACH SIDE OF CENTERLINE.

**TOTAL SIZE OF PERMIT AREA: 72.89 ACRES**

Ent 026279 Bk 0079 Pg 0388

**Parcel E: Forest Service lands**

**PARCEL IS INCLUSIVE OF ALL LANDS WITHIN 12 SECTIONS OF LAND INCLUDING:**

**SECTIONS 35 AND 36 OF TOWNSHIP 2 NORTH, RANGE 21 EAST, SLBM  
SECTIONS 1,2,11, & 12 OF TOWNSHIP 1 NORTH, RANGE 21 EAST, SLBM  
SECTIONS 31 AND 32 OF TOWNSHIP 2 NORTH, RANGE 22 EAST, SLBM  
SECTIONS 5,6,7,8 OF TOWNSHIP 1 NORTH, RANGE 22 EAST, SALT LAKE BASE  
AND MERIDIAN**

## **EXHIBIT B**

### **Notice of Adoption of Ordinance \_\_\_\_ by the Daggett County Commission**

Pursuant to Utah Code Section 17C-4-106(1), the Daggett County Commission provides this notice with respect to Ordinance ~~134~~, approved on July 9, 2013, adopting the Greendale Community Development Project Area Plan, as approved by the Daggett County Redevelopment Agency (the "Agency"), as the Official Community Development Project Area Plan for the Greendale Community Development Project Area (the "Plan"), and directing that the notice of adoption be given as required by law. Ordinance ~~134~~ and the Plan shall become effective upon publication of this notice (the "Effective Date"), at which time the Agency may proceed to implement the Plan. The Plan is available for general public inspection at the office of the Daggett County Redevelopment Agency located at 95 North 1<sup>st</sup> West in Manila, Utah, during regular office hours of 8:00 am to 12:00 pm and 1:00 pm to 5:00 pm, Monday through Friday.

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

**DAGGETT COUNTY COMMISSION AGENDA**

**Tuesday, July 16, 2013**

**9:00 A.M.**

**Daggett County Courthouse**

**9:00 A.M. STANDING BUSINESS**

- A. Welcome-Pledge of Allegiance.
- B. Old Business
- C. Citizen Comments - 15 minutes.
- D. Approve Minutes
- E. Approve Vouchers.
- F. Correspondence.

**POLICY AND LEGISLATION**

- 1. Business Licenses:
  - a) Brad Lovejoy
  - b) David McDonald - Ratification
- 2. Museum Board Volunteer Application Approval
  - a) Cathy Golightly
- 3. Discussion Of County Requirements On Business Licenses
- 4. Discussion of Bureau of Land Management Dutch John Payment Issues – Karen Perry’s Discussion With Dave McDonald
- 5. Daggett County Cemetery Rules And Regulations
- 6. Memorandum Of Understanding With Town Of Manila
- 7. Dutch John Sewer Rates
- 8. Parcel Grant Request – GIS – Kym Slagowski
- 9. Approval of State of Utah Court Contract With Daggett County And 8<sup>th</sup> District Court – \$36,253.60
- 10. Approval of State of Utah Balliff Contract With Daggett County Sheriff’s Office For Balliff Services - \$1,515.00
- 11. Surplus – Sheriff Office
  - a) Husky Compressor – VT631505AJ
  - b) Itachi Compressor #2360 UBAG
- 12. Closed Session – \* If Necessary

**Redevelopment Agency**

- a) Memorandum Of Understanding With Town Of Manila
- b) Application And Extension Fees For RDA Incentives
- c) Closed Session – \* If Necessary

**COMMITTEE/MAINTENANCE REPORTS**

- 1) 10:00 A.M. United States Forest Service
- 2) 10:30 A.M. Daggett County Sheriff’s Office
- 3) 11:30 A.M. Mechelle Miller – Dept Of Public Safety – Emergency Management
- 4) Commission Assignment Reports.
- 5) Justice Court Reports.
- 6) Dutch John Advisory Board Recommendations.
- 7) Flaming Gorge Clinic Updates.
- 8) Next Meeting Agenda Items.
- 9) Commission Project Updates.

**- LUNCH BREAK 12:00PM – 1:00PM –**

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Vicky McKee at 95 North 1st West, Manila, Utah 84046, Telephone: 435-784-3154.

\*Closed Session Is For The Purpose Of Discussing The Character, Professional Competence, Or Physical Or Mental Health Of An Individual; Collective Bargaining; Litigation, Purchase, Exchange, Or Lease Of Real Property.