

THE NORTH TOOELE COUNTY FIRE PROTECTION SERVICE DISTRICT BOARD

RESOLUTION NO. 2008-01

RESOLUTION OF THE LEGISLATIVE BODY OF THE NORTH TOOELE COUNTY FIRE PROTECTION SERVICE DISTRICT APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF TOOELE COUNTY AND THE DISTRICT REGARDING THE *DESERET PEAK COMMERCIAL COMMUNITY DEVELOPMENT PROJECT AREA*.

WHEREAS pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Act"), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS the Redevelopment Agency of Tooele County (the "Agency") and the North Tooele County Fire Protection Service District (the "District") are "public agencies" for purposes of the Act; and

WHEREAS after careful analysis and consideration of relevant information, the District desires to enter into an interlocal agreement with the Agency whereby the District consents to the Agency receiving for an extended period of time a portion of the tax increment produced by the District's levy on certain real and personal property within the Deseret Peak Commercial Community Development Project Area (the "District Agreement"); and

WHEREAS Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE LEGISLATIVE BODY OF THE NORTH TOOELE COUNTY FIRE PROTECTION SERVICE DISTRICT as follows:

1. The District Agreement, substantially in the form attached hereto as **EXHIBIT A**, is approved and shall be executed for and on behalf of the District by the District's Chair and Secretary. The District Agreement approved hereby is approved with such additions, modifications, deletions or other changes as may be deemed necessary or appropriate and approved by the Chair, whose execution thereof on behalf of the District shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and/or other changes incorporated therein.

2. Pursuant to Section 11-13-202.5 of the Act, the Agreement has been submitted to legal counsel of the District for review and approval as to form and legality.


3. Pursuant to Section 11-13-209 of the Act and upon full execution of the District Agreement, a duly executed original counterpart thereof shall be filed immediately with the District Secretary, the keeper of records of the District.

4. Upon full execution of the District Agreement, the District Secretary is hereby directed to publish or cause to be published a notice of the District Agreement, in substantially the form attached hereto as **EXHIBIT B** in accordance with Section 11-13-219 of the Act, and make a copy of the District Agreement available for public inspection and copying at the District's offices during regular business hours for a period of at least 30 days following publication of the notice. The District hereby designates the Tooele Transcript Bulletin, a newspaper of general circulation within the boundaries of the District, as the official newspaper for purposes of publishing the notice required by UCA §11-13-219.

5. The District Agreement shall be effective on the date of publication of the notice required by Section 17C-4-202, Utah Code.

6. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED by the legislative body of the North Tooele County Fire Protection Service District, this 18 day of December, 2008.



Chair,
North Tooele County Fire Protection
Service District

Attest:


Secretary

EXHIBIT A
DISTRICT AGREEMENT

EXHIBIT B


**NOTICE OF INTERLOCAL AGREEMENT BETWEEN THE NORTH TOOELE
COUNTY FIRE PROTECTION SERVICE DISTRICT AND THE REDEVELOPMENT
AGENCY OF TOOELE COUNTY**

Pursuant to Section 11-13-219, Utah Code Annotated 1953, as amended, the North Tooele County Fire Protection Service District (the "District") is providing this notice with respect to an Interlocal Agreement entered into by and between the Redevelopment Agency of Tooele County (the "Agency") and the District (the "Interlocal Agreement") whereby the District consents to the Agency receiving for a period of 15 years the tax increment produced by the District's levy on certain real and personal property within the Deseret Peak Commercial Community Development Project Area (the "Project Area"), for the purpose of facilitating the development of a packaging and distribution center within the Project Area.

A copy of the Interlocal Agreement is and will be available for public inspection and copying at the District's offices located at 179 Country Club, Stansbury Park, Utah, between the hours of 9:00 am and 5:00 pm Monday through Friday, for a period of at least 30 days following the publication of this notice.

For a period of 30 days after publication of this notice (the "30-Day Period"), any person in interest may contest the Interlocal Agreement or the procedure used to adopt it if the Interlocal Agreement or the procedure fail to comply with any applicable statutory requirements. After the 30-Day Period, no person may contest the Interlocal Agreement for any cause.

Dated and published: Feb 10, ²⁰⁰⁹~~2008~~ _{at 2/10/09}

s/ 
Secretary, North Tooele County Fire Protection
Service District