EAGLE MOUNTAIN
REDEVELOPMENT AGENCY BOARD MEETING

June 28, 2022, 5:00 PM
1650 E Stagecoach Run
Eagle Mountain Utah 84005

REDEVELOPMENT AGENCY BOARD MEETING - CITY COUNCIL CHAMBERS

1. CALL TO ORDER

2. MINUTES

2.A May 3, 2022 - Regular Redevelopment Agency Board Meeting
05.03.2022 RDA Minutes - DRAFT

3. RESOLUTION/PUBLIC HEARING

3.A PUBLIC HEARING/RESOLUTION - A Resolution of the Redevelopment Agency of Eagle Mountain City, Utah, Adopting the Fiscal Year 2022-2023 Agency Budget.

BACKGROUND: *(Presented by Executive Director Aaron Sanborn)* The Redevelopment Agency will review and adopt a budget for Fiscal Year 2022-2023 as required by Section 17C-1-601.5, Utah Code Annotated.

RDA RES--FY 2023 Budget Adoption
EXHIBIT--2023 Budget (RDA)

4. RESOLUTION

4.A RESOLUTION - A Resolution of the Redevelopment Agency of Eagle Mountain City, Approving an Amendment to the Pole Canyon CRA Participation Agreement between the Redevelopment Agency of Eagle Mountain City and Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County, and Tyson Fresh Meats, Inc.

BACKGROUND: *(Presented by Executive Director Aaron Sanborn)* The proposed resolution approves an amendment to the deadline at which Oquirrh Wood Ranch, LLC must provide documentation to Utah County for reimbursement for the cost to construct a portion of 4000 North. The proposed change is from December 31, 2021 to April 30, 2022.

RDA RES--Amendment to the CRA Participation Agreement
EXHIBIT - Amendment to the CRA Participation Agreement

5. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.
In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this this 23rd day of June, 2022, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website http://www.utah.gov/pmn/index.html, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder

THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY BOARD MEETING MINUTES

May 3, 2022, 7:00 PM
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

REDEVELOPMENT AGENCY BOARD MEETING – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Board Chair Tom Westmoreland, Board Members Donna Burnham, Colby Curtis, Jared Gray, Carolyn Love, and Brett Wright.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Robert Hobbs, Planning Manager; Tayler Jensen, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Aaron Sanborn, Executive Director; Jeremy Cook, City Attorney; Kimberly Ruesch, Finance Director.

1. CALL TO ORDER

Vice-Chair Love called the meeting to order at 11:30 p.m.

2. MINUTES

2.A. June 15, 2021 – Regular RDA Meeting

MOTION: ***Board Member Burnham moved to approve the June 15, 2021 minutes. Board Member Gray seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***
☒ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***
☒ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***
☒ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***
☒ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***

The motion passed with a unanimous vote.

3. RESOLUTIONS

3.A. RESOLUTION – A Resolution of the Redevelopment Agency of Eagle Mountain City, Utah, Appointing and Electing Officers to Serve in the Redevelopment Agency of Eagle Mountain City.

Executive Director Aaron Sanborn stated that the Mayor generally serves as Board Chair and the Mayor Pro Tempore serves as Vice-Chair.

MOTION: ***Board Member Gray moved to appoint Tom Westmoreland to serve as Chair and Carolyn Love to serve as Vice-Chair of the Redevelopment Agency of Eagle Mountain City. Motion failed for lack of a second.***

Board Member Love noted that she had previously served as Vice-Chair when she was the Economic Development Liaison.

MOTION: ***Board Member Gray moved to appoint Tom Westmoreland to serve as Chair and Donna Burnham to serve as Vice-Chair of the Redevelopment Agency of Eagle Mountain City. Board Member Curtis seconded the motion.***

Those Voting Yes	*Those Voting No*	*Those Abstaining*	*Those Absent*
☒ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***
☒ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***
☒ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***
☒ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***
☒ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***

The motion passed with a unanimous vote.

3.B. RESOLUTION - A Resolution of the Redevelopment Agency of Eagle Mountain City, Utah, Designating a Survey Area Known as the Sweetwater Industrial Park Survey Area #3, and Authorizing Agency Staff, Consultants and Legal Counsel to Prepare a Proposed Community Reinvestment Project Area Plan, and Accompanying Project Area Budget for a Proposed Community Reinvestment Area(s) within the Survey Area.

Mr. Sanborn presented the item. Recently, the Eagle Mountain City Council approved a rezone to add the Regional Technology and Industry Overlay Zone to 480 acres directly to the west of the Meta Eagle Mountain Data Center campus. RDA staff would like to explore the creation of potential Community Reinvestment Areas (CRA) on this property. Pursuant to Utah Code 17C.5.1.103, the RDA Board needs to adopt a survey area resolution that allows staff to explore that process further. The survey area resolution does the following:

- Designates a geographic area within the agency's boundaries for further study.
- Provides a description or map of the survey area.
- States that the survey area requires study to determine if project area development is feasible within one or more proposed CRAs.
- Authorizes the agency to prepare a project area plan for each proposed project area and conduct any examination, investigation, or negotiations that are considered appropriate

Mr. Sanborn stated if staff feels that project area development is feasible, he will prepare a project area plan and budget for the RDA Board to consider at a future date.
Discussion ensued regarding concerns with use types and incentives, funding sources, and resources utilized to determine the viability and desirability of the project proposal; negotiation

processes and communication with tax agencies; affordable housing contribution allocations; and the ability to decrease but not increase the CRA acreage.

MOTION: ***Board Member Burnham moved to approve a resolution of the Redevelopment Agency of Eagle Mountain City, Utah, designating a survey area known as the Sweetwater Industrial Park Survey Area #3, and authorizing agency staff, consultants, and legal counsel to prepare a proposed community reinvestment project area plan, and accompanying project area budget for a proposed Community Reinvestment Area(s) within the survey area. Board Member Gray seconded the motion.***

Those Voting Yes	***Those Voting No***	***Those Abstaining***	***Those Absent***
☒ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***
☒ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***
☒ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***
☒ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***
☒ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***

The motion passed with a unanimous vote.

4. ADJOURNMENT

MOTION: ***Board Member Gray moved to adjourn the meeting at 11:50 p.m. Board Member Wright seconded the motion.***

Those Voting Yes	***Those Voting No***	***Those Abstaining***	***Those Absent***
☒ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***	☐ ***Donna Burnham***
☒ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***	☐ ***Colby Curtis***
☒ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***	☐ ***Jared Gray***
☒ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***	☐ ***Carolyn Love***
☒ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***	☐ ***Brett Wright***

The motion passed with a unanimous vote.

The meeting was adjourned at 11:50 p.m.

Approved by the Redevelopment Agency of Eagle Mountain City Board on June 28, 2022.

____

Aaron Sanborn, Executive Director

EAGLE MOUNTAIN CITY
REDEVELOPMENT AGENCY BOARD MEETING
JUNE 28, 2022

TITLE:	PUBLIC HEARING/RESOLUTION - A Resolution of the Redevelopment Agency of Eagle Mountain City, Utah, Adopting the Fiscal Year 2022-2023 Agency Budget.
ITEM TYPE:	Resolution
FISCAL IMPACT:	
APPLICANT:	

GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:
Yes

PREPARED BY:
Fionnuala Kofoed, Recorder's Office

PRESENTED BY:
Aaron Sanborn

RECOMMENDATION:
Staff recommends that the Board approve a Resolution of the Redevelopment Agency of Eagle Mountain City, Utah, adopting the Fiscal Year 2022-2023 Agency Budget.

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:
RDA RES--FY 2023 Budget Adoption
EXHIBIT--2023 Budget (RDA)

RESOLUTION NO. R-   -2022

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY, UTAH, ADOPTING THE FISCAL YEAR 2022-2023 BUDGET

PREAMBLE

WHEREAS, the Redevelopment Agency of Eagle Mountain City desires to adopt the budget as required by State law; and

WHEREAS, the Redevelopment Agency of Eagle Mountain City made the budget available for public review and comment at least ten days prior to the public hearing; and

WHEREAS, the Redevelopment Agency of Eagle Mountain City held a public hearing on June 28, 2022 to receive public input on the budget; and

WHEREAS, The Redevelopment Agency of Eagle Mountain City desires to adopt the final budget on June 28, 2022.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Redevelopment Agency of Eagle Mountain City hereby adopts the budget attached as Exhibit A.

ADOPTED by the Redevelopment Agency of Eagle Mountain City this 28th day of June, 2022.

____
Tom Westmoreland, Board Chair

ATTEST:

____
Aaron Sanborn, Executive Director

CERTIFICATION

The above Resolution was adopted by the Redevelopment Agency of Eagle Mountain City, Utah, on this 28th day of June, 2022.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

____

Aaron Sanborn, Executive Director

Exhibit A

Fund 80- Eagle Mountain Redevelopment Agency
Revenue & Expenditure Summary

REDEVELOPMENT AGENCY SUMMARY EXPENDITURES	2021 Actual	2022 Projected	2023 Proposed
EDA 2012-1 Expenditures	185,272	242,854	-
Parkside CDA Expenditures	36,312	18,568	20,198
Sweetwater CRA Expenditures	-	2,751,357	8,272,963
Pole Canyon CRA Expenditures	-	276,484	963,383
Expenditure Total:	**221,584**	**3,289,263**	**9,256,544**

REDEVELOPMENT AGENCY SUMMARY REVENUES	2021 Actual	2022 Projected	2023 Proposed
EDA 2012-1 Revenues	185,272	242,854	-
Parkside CDA Revenues	19,418	18,568	20,198
Sweetwater CRA Revenues	-	2,757,654	8,272,963
Pole Canyon CRA Revenues	-	276,484	963,383
Use of Fund Balance Reserve			
Revenue Total:	**204,690**	**3,295,560**	**9,256,544**

REDEVELOPMENT AGENCY BALANCE SUMMARY	2021 Actual	2022 Projected	2023 Proposed
Excess (Deficiency) of Financing Sources over Financing Uses:	**(16,894)**	**6,297**	**-**
Fund Balance (Deficit)- Beginning:	**10,597**	**(6,297)**	**0**
Use of Fund Balance Reserve:	**-**	**-**	**-**
Fund Balance (Deficit)- Ending:	**(6,297)**	**0**	**0**

Fund 80 -
ECONOMIC DEVELOPMENT AREA (EDA) 2012-1

EXPENDITURES		2021 Actual	2022 Projected	2023 Proposed
80-47-80000-4320	Consulting Services	2,500	375	
80-47-80000-6451	Public Infrastructure Fund (Roads, Utilities, etc.)	176,008	236,270	
80-61-48000-9110	EDA Administration (5%)	6,764	6,209	
	Expenditure Total:	**185,272**	**242,854**	**-**

REVENUE		2021 Actual	2022 Projected	2023 Proposed
80-00-31109-0000	EDA 2012-1 Property Tax	185,272	242,854	
80-00-38110-0000	Due From General Fund			
	Revenue Total:	**185,272**	**242,854**	**-**

Fund 80 -
COMMUNITY DEVELOPMENT AREA (PARKSIDE CDA)

EXPENDITURES		2021 Actual	2022 Projected	2023 Proposed
80-47-80000-4320	Consulting Services	2,400	375	375
80-47-80000-6450	Developer Incentive Fund (Major Retailer TIF)	18,448	17,639	19,188
80-61-48000-9110	CDA Administration (5%)	15,465	553	635
	Expenditure Total:	**36,312**	**18,568**	**20,198**

REVENUE		2019 Actual	2020 Projected	2021 Proposed
80-00-31110-0000	Parkside CDA Property Tax	19,418	18,568	20,198
80-00-38110-0000	Due From General Fund			
	Revenue Total:	**19,418**	**18,568**	**20,198**

Fund 80 -
SWEETWATER CRA

EXPENDITURES		2021 Actual	2022 Projected	2023 Proposed
80-47-80000-4320	Consulting Services		375	375
80-47-80000-6452	Redevelopment Activies (Infrastructure, Incentives)		2,381,889	7,440,667
80-47-80000-6453	Housing Requirement		275,765	827,296
80-61-48000-9110	Due to Gen. Fund - CRA Administration		93,328	4,625
	Expenditure Total:	**-**	**2,751,357**	**8,272,963**

REVENUE		2021 Actual	2022 Projected	2023 Proposed
80-00-31111-0000	CRA Property Tax		2,757,654	8,272,963
80-00-38110-0000	Due From General Fund			
	Revenue Total:	**-**	**2,757,654**	**8,272,963**

Fund 80 -
POLE CANYON CRA

EXPENDITURES		2021 Actual	2022 Projected	2023 Proposed
80-47-80000-4320	Consulting Services		375	375
80-47-80000-6452	Redevelopment Activies (Infrastructure, Incentives)		241,923	847,777
80-47-80000-6453	Housing Requirement		27,648	96,338
80-61-48000-9110	Due to Gen. Fund - CRA Administration		6,537	18,893
	Expenditure Total:	**-**	**276,484**	**963,383**

REVENUE		2021 Actual	2022 Projected	2023 Proposed
80-00-31111-0000	CRA Property Tax		276,484	963,383
80-00-38110-0000	Due From General Fund			
	Revenue Total:	**-**	**276,484**	**963,383**

EAGLE MOUNTAIN	**EAGLE MOUNTAIN CITY** **REDEVELOPMENT AGENCY BOARD MEETING** **JUNE 28, 2022**
TITLE:	RESOLUTION - A Resolution of the Redevelopment Agency of Eagle Mountain City, Approving an Amendment to the Pole Canyon CRA Participation Agreement between the Redevelopment Agency of Eagle Mountain City and Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County, and Tyson Fresh Meats, Inc.
ITEM TYPE:	Resolution
FISCAL IMPACT:	N/A
APPLICANT:	

GENERAL PLAN DESIGNATION	**CURRENT ZONE**	**ACREAGE**	**COMMUNITY**

PUBLIC HEARING:
No

PREPARED BY:
Aaron Sanborn, Admin

PRESENTED BY:
Aaron Sanborn, Economic Development Director

RECOMMENDATION:
Staff recommends the Redevelopment Agency Board approve a Resolution of the Redevelopment Agency of Eagle Mountain City, approving an amendment to the Pole Canyon CRA Participation Agreement between the Redevelopment Agency of Eagle Mountain City and Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County, and Tyson Fresh Meats, Inc.

BACKGROUND:
As a part of the Tyson project, Utah County agreed to reimburse Oquirrh Wood Ranch for the cost to construct a portion of 4000 North, up to $1,300,000. The reimbursement would come once the construction was completed, the road ownership was transferred to and accepted by Cedar Fort, and Oquirrh Wood Ranch submitted documentation for reimbursement. Initially, the documentation was due to the County by December 31st, 2021. Due to delays, the documentation was not processed by the deadline. The County allowed the Oquirrh Wood Ranch to submit the documentation earlier this year for processing in order to receive payment.

This amendment to the Participation Agreement reflects the new date the documentation had to be submitted to the County. As a party to the Participation Agreement, the Eagle Mountain RDA needs to approve the change in date. There are no changes to any terms or reimbursement amounts with this amendment. The project area triggered in the 2021 tax year and we received the first tax increment payment earlier this year.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

RDA RES--Amendment to the CRA Participation Agreement
EXHIBIT - Amendment to the CRA Participation Agreement

RESOLUTION NO. R-   -2022

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY APPROVING AN AMENDMENT TO THE POLE CANYON CRA PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY AND EAGLE MOUNTAIN CITY, OQUIRRH WOOD RANCH, LLC, UTAH COUNTY, AND TYSON FRESH MEATS, INC.

PREAMBLE

WHEREAS, the Redevelopment Agency of Eagle Mountain City (the "Agency") created the Pole Canyon Community Reinvestment Project Area (the "Project Area") and adopted a Community Reinvestment Project Area Plan for the Project Area for the purposes of facilitating development and job growth within the Project Area; and

WHEREAS, the Agency approved a Participation Agreement between the Agency, Eagle Mountain City, Oquirrh Wood Ranch, LLC, Utah County, and Tyson Fresh Meats, Inc. (the "Parties") on September 3, 2019; and

WHEREAS, the Parties wish to amend Section 3.1 Nature of Participant's Obligations, as described in Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Redevelopment Agency of Eagle Mountain City as follows:

1. The Amendment to the Participation Agreement, attached hereto as Exhibit A, is hereby approved.

2. This Resolution takes effect upon its adoption.

ADOPTED by the Redevelopment Agency of Eagle Mountain City this 28th day of June, 2022.

____
Tom Westmoreland, Board Chair

ATTEST:

____
Aaron Sanborn, Executive Director

CERTIFICATION

The above Resolution was adopted by the Redevelopment Agency of Eagle Mountain City, Utah on this 28th day of June, 2022.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis
☐ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☐ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

____

Aaron Sanborn, Executive Director

Exhibit A

Agreement No. 2022 - 324

AMENDMENT TO CRA PARTICIPATION AGREEMENT 2019-721 BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF EAGLE MOUNTAIN AND EAGLE MOUNTAIN CITY, OQUIRRH WOOD RANCH, LLC, UTAH COUNTY, AND TYSON FRESH MEATS, INC.

This Amendment ("Amendment") to the CRA Participation Agreement ("Agreement") is entered into with an effective date of 4th day of May 2022 (the "Effective Date"), by the Redevelopment Agency of the City of Eagle Mountain, a political subdivision of the State of Utah (the "Agency"), and Oquirrh Wood Ranch, LLC, a Utah limited liability company ("Oquirrh Wood"), Eagle Mountain City, a political subdivision of the State of Utah ("Eagle Mountain"), Utah County, a political subdivision of the State of Utah (the "County") and Tyson Fresh Meats, Inc., a Delaware corporation ("Tyson"). The Agency, Oquirrh Wood, Eagle Mountain, County and Tyson may be referred to herein collectively as "Parties" or individually as a "Party". Oquirrh Wood, Eagle Mountain, County and Tyson may be referred to herein collectively as "Participants" or individually as a "Participant".

WHEREAS, County and Agency entered into Agreement No. 2019-721 for the purpose of

(a) to implement the Project Area Plan for the Pole Canyon Community Reinvestment Area (the **"Project Area Plan")** adopted by the Agency, by providing for the potential development of a meat processing facility, including construction of a building for meat processing (the **"Building")** as well as certain accessory uses or buildings located on the Project Area (as defined below) and other related or associated uses, buildings or structures such as utility buildings, structures, improvements and appurtenances located on, adjacent or near the Project Area that are reasonably related to the meat processing facility (collectively, the **"Project")** on approximately 80 acres of land, as more particularly described below, located in the City of Eagle Mountain, Utah (the **"City"),** comprising the Pole Canyon Community Reinvestment Area (the **"Project Area"),** and (b) to specify the terms and conditions pursuant to which the Agency, Oquirrh Wood, Eagle Mountain, County and Tyson will cooperate in bringing about this objective, including the funds the Agency will provide to assist in the development of the Project Area. The fulfillment of this Agreement is vital to and in the best interests of the City and the health, safety, and welfare of its residents, and in accord with public purposes and will provide a benefit to the City and its residents. This Agreement is carried out pursuant to the Limited Purpose Local Government Entitites - Community Reinvestment Agency, Title 17C of the Utah Code Annotated, in effect when the Project Area Plan was adopted (the **"Act").**

NOW, THEREFORE, the parties hereto agree that Agreement No. 2019-721 be amended as follows:

3 FINANCING OF THE DEVELOPMENT OF THE PROJECT AREA

3.1 Nature of Participant's Obligations

(c) County

Utah County agrees to reimburse Oquirrh Wood for the cost to construct a portion of 4000 North road up to a maximum amount of One Million Three Hundred Thousand Dollars ($1,300,000.00) (the **"County Contribution").** This reimbursement shall be made by the County to Oquirrh Wood for documented reimbursable costs incurred by Oquirrh Wood and not reimbursable by another entity for the construction of 4000 North road after (i) completion of the construction of the 4000 North road improvements, to standards which will meet both the road standards established by the Town of Cedar Fort **("Cedar Fort")** and the standards established by Eagle Mountain, whichever is most stringent; (ii) transfer of ownership of 4000 North to Cedar Fort; (iii) acceptance of ownership of 4000 North, including the road improvements, by Cedar Fort; and (iv) receipt by the County of documentation acceptable to the County establishing the costs incurred for such construction, evidence of payment by Oquirrh of such costs, and lien releases executed by all suppliers of labor and materials for such construction. Presentation of all required documentation shall be made to the County prior to April 30, 2022. The County shall have no obligation to make any payment to Oquirrh Wood for any costs for which documentation, acceptable to the County, has not been submitted prior to April 30, 2022. To the fullest extent permitted by law, Oquirrh Wood shall indemnify and hold harmless the County, its officers, employees, and agents, from and against any and all claims, demands, causes of action, orders, decrees, judgements, losses, risks of loss, damages, expenses, and liabilities arising out of or related to the construction of 4000 North road, or this Agreement. Oquirrh Wood shall also pay any litigation expenses that the County incurs, including attorney's fees, arising out of or related to the construction of 4000 North road, or this Agreement. The County reserves the right to conduct, control, and direct its own defense for any claims, demands, causes of action, orders, decrees, judgements, losses, damages, expenses, and liabilities arising out of or related to the construction of 4000 North road, or this Agreement. Oquirrh Wood's obligations under this indemnity and hold harmless provision shall survive the expiration or other termination of this Agreement. Utah County will be reimbursed for the County Contribution as set forth herein.

All other terms and provisions from Agreement No. 2019-721 shall remain the same.

IN WITNESS WHEREOF the parties have caused this Amendment to be duly signed.

UTAH COUNTY:

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

DocuSigned by:
Thomas V. Sakievich
4986D9FD4AD14E8...
THOMAS V. SAKIEVICH, Chair

ATTEST:
JOSH DANIELS
County Auditor/Clerk

By: DocuSigned by: Alice Black
2937075D91C74DB...
Deputy

APPROVED AS TO FORM AND LEGALITY
DAVID O. LEAVITT
Utah County Attorney

By: DocuSigned by:
C70C251AD4284A9...
Deputy Utah County Attorney

REDEVELOPMENT AGENCY OF THE CITY OF EAGLE MOUNTAIN:

REDEVELOPMENT AGENCY OF THE
CITY OF EAGLE MOUNTAIN

By: ____
Chairperson

Attest:

By: ____________________________
Executive Director

EAGLE MOUNTAIN CITY:

EAGLE MOUNTAIN CITY

By: ____
Mayor

Attest:

By: ____________________________
City Recorder

APPROVED AS TO FORM:

____
City Attorney

OQUIRRH WOOD RANCH, LLC

By: ___________________________________

Its: ___________________________________

TYSON FRESH MEATS, INC.

By: ___________________________________

Its: ___________________________________