

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2023-09

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) APPROVING A MASTER DEVELOPMENT AGREEMENT WITH EX UTAH DEVELOPMENT LLC AND BLX MWP-LON LLC, FOR THE DEVELOPMENT OF THE MARINA WEST PROPERTY LOCATED WITHIN THE MIDA MRF PROJECT AREA.

WHEREAS, pursuant to Utah Code Ann. Section 63H-1-101, et seq., as amended (the “MIDA Act”), MIDA is “independent, nonprofit, separate body corporate and politic, with perpetual succession and statewide jurisdiction, whose purpose is to facilitate the development of land within a project area or on military land associated with a project area;” and

WHEREAS, BLX MWP LON LLC, is the “Landholder” is expected to hold legal title to the real property located within the MRF Project Area in unincorporated Wasatch County, which is known as the Marina West Property and Ex Utah Development LLC, is the “Master Developer” that has been retained to assist in the development of the Marina West Property; and

WHEREAS, pursuant to the MIDA Act, MIDA created the MRF Project Area in Wasatch and Summit Counties that includes, among other real property, the Marina West Property and certain military land for the purpose of promoting development that will provide recreational opportunities to military personnel; and

WHEREAS, MIDA entered into the West Side Interlocal Cooperation Agreement and the East Side Interlocal Cooperation Agreement with Wasatch County (the “Interlocal Agreements”), both dated December 17, 2018, as amended by the First Amendment to such agreements, both dated as of March 18, 2020, following all requirements of the MIDA Act and the Utah Interlocal Cooperation Act, Utah Code Ann. §11-13-101 *et seq.*; and

WHEREAS, effective as of March 7, 2023, the 2018 Interlocal Agreements were each amended and restated by MIDA and Wasatch County in their entirety pursuant to an Amended and Restated West Side Interlocal Cooperation Agreement and an Amended and Restated East Side Interlocal Cooperation Agreement following all requirements of the MIDA Act and the Utah Interlocal Cooperation Act, Utah Code Ann. §11-13-101 *et seq.* The Amended Interlocal Agreements, among other things, allow MIDA to create a development fund for reimbursement of certain developer expenses within the MRF Project Area; and

WHEREAS, pursuant to the Amended and Restated Interlocal Agreements, MIDA and Wasatch County agreed that the Marina West Property is subject to MIDA’s land use authority and that development applications with respect to the Marina West Property would be processed as if the Marina West Property were located on the West Side and are therefore regulated pursuant to the MIDA Development Standards; and

WHEREAS, pursuant to the Amended and Restated Interlocal Agreement, Wasatch County

approved a master development plan for the Marina West Property subject to MIDA's further approval and following review of the same by Wasatch County, the MIDA Board approved the "Marina West Master Development Plan" for the Marina West Property on March 7, 2023 pursuant to Resolution 2023-01; and

WHEREAS, pursuant to Section 5.04 of the MIDA Development Standards, MIDA, the Landowner, and the Master Developer have prepared a Marina West Master Development Agreement and desire to enter into this Agreement to memorialize conditions and agreements which were established as part of MIDA's approval of the Marina West Master Development Plan, to help clarify the future development review and approval process for the Marina West Property, and to ensure that Master Developer may proceed with development of the Marina West Property in accordance with the Marina West Master Development Plan; and

WHEREAS, the MIDA Board does hereby find that by entering into the Marina West Master Development Agreement, it will further MIDA's mission to promote the development of land within the MRF Project Area, to provide additional recreation opportunities to members of the military, and to support other military recreational uses within the MRF Project Area.

NOW, THEREFORE, BE IT RESOLVED BY THE MIDA BOARD as follows:

That the Marina West Master Development Agreement is approved in substantially final form with such changes as MIDA's Executive Director and Mike Ostermiller deem necessary or appropriate and once finalized, the Executive Director is authorized to execute the Agreement on behalf of MIDA.

BE IT FURTHER RESOLVED THAT the Marina West Master Development Agreement shall only become effective on or after the date that the Marina West Property is acquired by BLX MWP LON LLC.

PASSED AND APPROVED by the MIDA Board this 19th day of July 2023.

Military Installation Development Authority



J. Stuart Adams
Chair

Attest:



MIDA Staff