

NTL Sale


Board of Trustees
November 2023

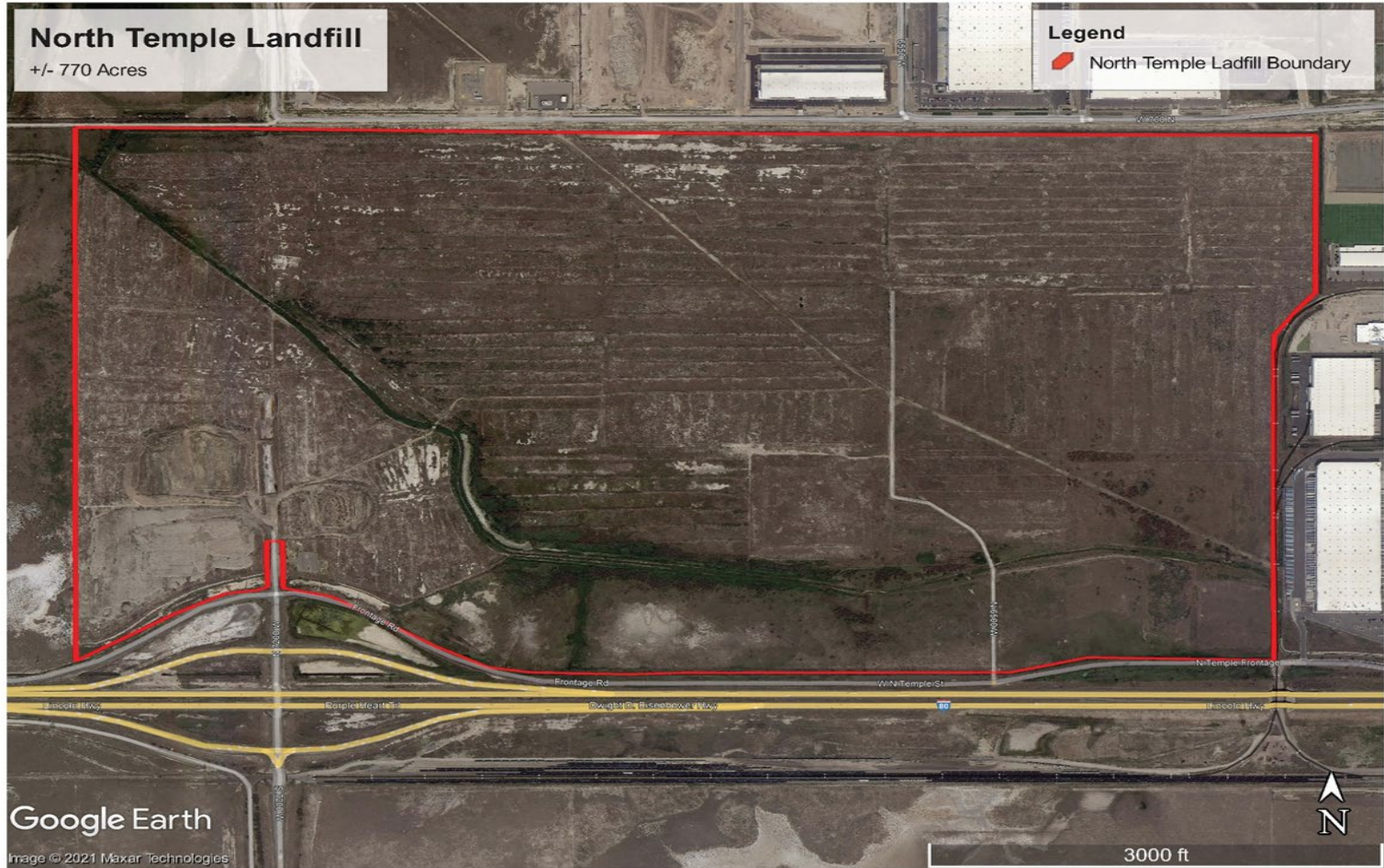


North Temple Landfill

+/- 770 Acres

Legend

 North Temple Landfill Boundary



Google Earth

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3000 ft

Background

- 763 Acre +/-
- Taken in donation from SLR in 2018
- Under an operating agreement with Ninigret

Site Characteristics

- Property encompasses the old Salt Lake City Municipal Landfill in operation from 1959-1979
- Encumbered by waste on approximately 660 acres
- Site requires significant waste remediation
- Under brownfield development costs should be between \$150,000,000 - \$225,000,000
- Property lies within one of the only areas of the state that has 2 overlaying, legal land use authorities – Salt Lake City and the Utah Inland Port Authority

Key Terms of Proposed Transaction

- Due to the complexity of the issues the Trust Lands Administration seeks to sell the NTL to UIPA or sub entity.
- TLA will sell the Property to UIPA PID for \$30,000,000.00 plus \$1,000,000.00 in reimbursement for out-of-pocket costs related to SITLA's previous remediation efforts in an all-cash transaction. As part of the sales transaction UIPA PID will agree to (i) assume all TLA contractual obligations related to the Property outside of those obligations with Ninigret and (ii) fully clean up and remediate the Property.
- UIPA PID and UIPA will further agree to indemnify TLA for all environmental claims and assumed liabilities.

Key Terms Continued

- TLA will receive a release from SLR for all contractual obligations
- TLA will receive an indemnity from SLR for all environmental liability
- TLA will receive a release from Rio Tinto Kennecott for all contractual obligations.
- The Property will be delivered with a restriction which will specify that, for a term of fifty years, no portion of the property shall be used or developed for the sole or primary purpose of owning or operating a warehouse distribution center
- Additionally, in consultation with the energy and minerals group, the mineral estate underlying the Property will also be conveyed in this transaction pursuant to Utah Code 53C-2-401(2).

Proposed Motion for Action #1

- In accordance with Utah Administrative Code R850-140-900, the Board determines that an economic opportunity favorable to the trust beneficiaries may otherwise be lost and other good cause exists that is in furtherance of the statutory obligations of the Board, therefore, the Board authorizes the agency to deviate from the transaction approval process set forth in the rules for this transaction.

Proposed Motion for Action #2

- The Board authorizes the Director to finalize negotiations and documentation for the sale of the Property in her discretion in accordance with the details set forth in the presentation.