

RESOLUTION NO. _____

DATE _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION AND DELIVERY OF A COOPERATIVE AGREEMENT BETWEEN THE UTAH DEPARTMENT OF TRANSPORTATION AND SALT LAKE COUNTY, A QUIT CLAIM DEED, AND A TEMPORARY CONSTRUCTION EASEMENT TO THE UTAH DEPARTMENT OF TRANSPORTATION AFFECTING PROPERTY LOCATED AT COPPERVIEW PARK (8446 SOUTH HARRISON STREET, MIDVALE, UTAH)

RECITALS

A. Salt Lake County (“the County”) owns parcels of real property located at approximately 8446 South Harrison Street, Midvale, Utah, also identified as Parcel Nos. 21-36-376-001 and 21-36-376-002 (the “Property”).

B. The Property is commonly known as Copperview Park and is actively used by Salt Lake County Parks and Recreation.

C. The Utah Department of Transportation (“UDOT”) has a construction project for Interstate 15 freeway (I-15) in this area (the “Project”).

D. To complete the Project, UDOT needs to acquire both a portion of the Property immediately adjacent to I-15 (the “Acquisition Property”) and a temporary construction easement on a part the remainder portion of the Property to allow for construction.

E. Because the acquisition will decrease the size of the Property and make it unsuitable for its current use as baseball fields, UDOT will also make modifications to the remainder portion of the Property to reconfigure the baseball fields into soccer fields.

F. The Property was purchased and developed using Land and Water Conservation Funds pursuant to Section 6(f) of the Land and Water Conservation Funds Act (“LWCF Act”) and is therefore dedicated for public outdoor recreational use in perpetuity.

G. To comply with the LWCF Act, UDOT must replace the value of the Acquisition

Property with property of equal value and obtain approval from the National Park Service for this exchange.

H. UDOT and the County have identified a parcel of land known as the Lions Club property, located at 629 East 7300 South, Midvale Utah (“Lions Club Property”) to replace the Acquisition Property and have received approval from the National Park Service for this exchange.

I. UDOT has prepared a Cooperative Agreement Between the Utah Department of Transportation and Salt Lake County (the “Agreement”) to address the exchange of the Acquisition Property for the Lions Club Property, the grant of a temporary construction easement (the “Temporary Easement”) from the County to UDOT, the modification of the remainder portion of the Property by UDOT, and UDOT’s immediate access onto the Property to allow for construction of the Project. The exchange in value of these properties and the work to be performed by UDOT for the benefit of the County has been reviewed and approved by the Salt Lake County Real Estate Division as full and adequate consideration.

J. It has been determined that the best interests of the County and the general public will be served by executing the Agreement and related documents, including a quit claim deed for the Acquisition Property and the Temporary Easement, in accordance with the Agreement. These actions will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Agreement is hereby approved, and the Mayor is authorized and directed to execute the Agreement, attached hereto as Exhibit 1.

IT IS FURTHER RESOLVED by the Salt Lake County Council that, should all of the applicable terms and conditions of the Agreement be complied with, the Mayor and County Clerk

are hereby authorized, consistent with the terms of the Agreement, to execute the quit claim deed and the Temporary Easement attached Exhibits D and F respectively and to deliver the fully executed documents to the Salt Lake County Real Estate Division for delivery to the UDOT in exchange for a quit claim deed for the Lions Club Property.

APPROVED and ADOPTED this _____ day of _____, 2020.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Ghorbani voting _____
Council Member Granato voting _____
Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____

APPROVED AS TO FORM:

R. Christopher Preston
Deputy District Attorney

EXHIBIT 1

(Right of Way Contract)