

RESOLUTION NO. _____

DATE _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING THE RELEASE AND RELOCATION OF AN EASEMENT OVER A PORTION OF REAL PROPERTY LOCATED AT APPROXIMATELY 11065 SOUTH 1055 WEST, SOUTH JORDAN, UTAH

RECITALS

A. The Joy Bradshaw Woolley Living Trust, Et Al, a Utah Trust (“Owner”), owns real property in Salt Lake County, Utah, more particularly described as Parcel No. 4062, Park Place Phase 2 –Lots 201, 202, and 203 of the Park Place Phase 2 Subdivision recorded as Entry No. 13198078 in the Office of the Salt Lake County Recorder, with an approximate address of 11065 South 1055 West, South Jordan, Utah (the “Trust Property”).

B. On October 29th, 2008, B.D. Williams, LLC recorded a culvert, ditch, and pipeline perpetual easement (the “Easement”), which gave Salt Lake County (the “County”) “the right of ingress and egress, for maintenance, replacement and enlargement of a culvert, ditch and pipeline on, over and through” the Trust Property.

C. The flow of the Midas Creek has been diverted, and the Easement as it exists does not provide the County with the necessary access to the culvert, ditch, and pipeline to provide the necessary maintenance.

D. Owner and the County would like to move the Easement.

E. County has agreed to release the Easement and quit-claim any interest it may have in the Easement to the Owner in consideration of the Owner entering into a new easement agreement and moving the Easement to another location (the “New Easement”) more suitable to the County.

F. It has been determined that the best interests of the County and the general public will be served by releasing the Easement and accepting the New Easement in its new location.

G. The release of the Easement 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 Easement be declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Easement shall be released as provided in the Release of Easement notices attached hereto as Exhibit A (“Release”), which are hereby approved. The Mayor and County Clerk are hereby authorized to execute the original Releases, and to deliver the fully executed documents to the Salt Lake County Real Estate Section for recording with the Salt Lake County Recorder’s Office.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Flood Access Easement Agreement attached hereto as Exhibit B (the “New Easement”), is hereby approved. The Mayor and County Clerk are hereby authorized to execute the Flood Control Access Easement Agreement, and to deliver the fully executed document to the Salt Lake County Real Estate Section for recording with the Salt Lake County Recorder’s Office.

APPROVED and ADOPTED this _____ day of _____, 2022.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Council Member Bradley voting _____
Council Member Bradshaw voting _____

Council Member Stringham voting _____
Council Member DeBry voting _____
Council Member Theodore voting _____
Council Member Granato voting _____
Council Member Alvord voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____

APPROVED AS TO FORM:

John E. Diaz
Deputy District Attorney

EXHIBIT A
Release of Easement

EXHIBIT B
Flood Control Access Easement Agreement