

RESOLUTION NO. _____

ADOPTED: _____, 2022

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING
AND AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT GRANT
TO DRAPER IRRIGATION COMPANY

RECITALS

A. Salt Lake County (the “County”) owns a parcel of real property located at approximately 1283 East Mike Weir Dr. in Draper, Utah, Parcel No. 34-08-200-013, where the clubhouse for the South Mountain Golf Course is located (the “County Property”).

B. The County has leased a portion of the County Property to Siempre, LLC (“Siempre”) for a mixed-use development that allows Siempre to construct a new event center (the “Event Center”) adjacent to the clubhouse.

C. A 20-foot wide perpetual easement across a portion of the County Property is necessary to allow Draper Irrigation Company (“Draper Irrigation”) to construct, maintain, and repair an underground culinary water pipeline and related facilities (“Water Facilities”) to provide water services to the Event Center.

D. It has been determined that installation and connection to Draper Irrigation’s Water Facilities constitutes fair and adequate consideration for the grant of said easement, and no other fee shall be required for the easement because of the benefit the Water Facilities will provide to the Event Center on the County Property.

E. The County and Draper Irrigation have prepared an Easement Grant, attached as Exhibit A hereto (“Easement”), wherein the County grants the requested easement across a portion of the County Property to Draper Irrigation for the construction, maintenance, and repair of the Water Facilities.

F. It has been determined that the best interests of the County and the general public will be served by executing the Easement. The terms and conditions of the Easement are 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, attached hereto as Exhibit A and by this reference made a part of this Resolution, is hereby approved; and the Mayor and County Clerk are hereby authorized to execute the original of said Easement and to deliver the fully executed document to the Salt Lake County Real Estate Section for distribution as necessary to complete the transaction.

APPROVED and ADOPTED this _____ day of _____, 2022.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Council Member Alvord voting	_____
Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Winder-Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Stringham voting	_____
Council Member Theodore voting	_____

APPROVED AS TO FORM:

R. Christopher Preston
Deputy District Attorney

Exhibit A
Easement Grant

WHEN RECORDED MAIL TO:

Draper Irrigation Company
12421 South 800 East
Draper, UT 84020

TIN# 3408200013

Space above for County Recorder's use
PARCEL I.D.# 34082000130000

EASEMENT GRANT

SALT LAKE COUNTY, a body corporate and politic of the State of Utah, Grantor, does hereby convey to DRAPER IRRIGATION COMPANY, Grantee, for the sum of TEN DOLLARS (\$10.00), a perpetual easement, upon part of an entire tract of land, for the purpose of maintenance and access to a culinary waterline and related infrastructure, said easement being situated in Salt Lake County, State of Utah, as shown on Exhibit "A" attached hereto and by this reference made a part hereof and more particularly described as follows, to-wit:

A non-exclusive easement being part of an entire tract of land described as Parcel C in that Quitclaim Deed recorded as Entry No. 11754105 in Book 10190 at Page 3259 in the Office of the Salt Lake County Recorder. Said easement is located in the Northwest Quarter of Section 09 in Township 4 South, Range 1 East of the Salt Lake Base and Meridian; and is described as follows:

Beginning at a point in the northerly right-of-way line of Mike Weir Drive, which is South 89°52'36" East, along the section line, 173.86 feet and South, 1130.13 feet from the Northwest Corner of Section 9, Township 4 South, Range 1 East, Salt Lake Base and Meridian (Basis of Bearing is South 89°52'36" East between said Northwest Corner and the North Quarter Corner of said Section 9); and running thence South 81°10'59" West, 20.00 feet along said northerly right-of-way line; thence North 08°46'49" West, 22.65 feet; thence North 31°16'49" West, 136.77 feet; thence North 53°46'49" West, 14.21 feet; thence South 81°13'11" West, 30.12 feet; thence North 08°46'49" West, 20.00 feet; thence North 81°13'11" East, 38.40 feet; thence South 53°46'49" East, 26.47 feet; thence South 31°16'49" East, 144.73 feet; thence South 08°46'49" East, 26.61 feet to the Point of Beginning.

Contains: 4,400 sq. ft. (or 0.10 acre) more or less

See Exhibit A

Grantor hereby agrees that Grantee, its officers, employees, agents, representatives, contractors, and assigns shall have the right of ingress to and egress from the above described strip of property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, install and connect other transmission mains and laterals, remove and replace said facilities as may be required from time to time by Grantee.

Grantor shall have the right to use said premises except for the purpose for which this right-of-way and easement are granted provided such use shall not interfere with said facilities or with the discharge or the conveyance of water and sewer through any pipelines installed by Grantee. Grantee shall have the right to clear and remove all trees and obstructions within the easement which may interfere with the use of the easement by Grantee. Grantee shall have the right to excavate and refill ditches and/or trenches for the installation of said pipeline and appurtenant parts thereof.

Grantor shall not build or construct or permit to be built or constructed any building, or permanent structure over or across said easement or lower or raise the contour thereof greater than one foot without the prior written consent of Grantee. This right-of-way and easement grant shall be binding upon and inure to the benefit of, the heirs, representatives, successors-in-interest and assigns of Grantor and the successors and assigns of Grantee and may be assigned in whole or in part by Grantee.

The property of Grantor shall be restored in as good of condition as when the same was entered upon by the Grantee or its agents, only to the cost of grass, standard concrete, and asphalt. The Grantee agrees that the pipe will be structurally strong enough to facilitate construction future roads by Grantor over said easement.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereunto affixed this _____ day of _____, 20_____.

GRANTOR:
SALT LAKE COUNTY

By: _____
Exhibit Only, Do Not Sign
Mayor or Designee

By: _____
County Clerk or Designee

GRANTEE:
DRAPER IRRIGATION COMPANY

By: _____
Its: _____

[NOTARY ACKNOWLEDGMENTS ON FOLLOWING PAGE]

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the _____ day of _____, 2022, personally appeared before me _____, who, being duly sworn, did say that (s)he is the _____ of Salt Lake County, and that foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

Notary Public

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the _____ day of _____, 2022, personally appeared before me _____, who, being duly sworn, did say and acknowledge that (s)he is the _____ of Salt Lake County, and that foregoing instrument was signed by her (him) on behalf of Salt Lake County, by authority of a Resolution of the Salt lake County Council.

Notary Public

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the _____ day of _____, 2022, personally appeared before me _____, who, being duly sworn, did say that he/she is the signer of the within instrument on behalf of DRAPER IRRIGATION COMPANY and that the within and foregoing instrument was signed by authority of said corporation and acknowledged to me that said corporation executed the same.

Notary Public

EXHIBIT-A

SOUTH MOUNTAIN RECEPTION CENTER WATER LINE EASEMENT EXHIBIT

