RESOLUTION NO._____ DATE_____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING A TRANSFER OF CERTAIN REAL PROPERTY INTERESTS HELD BY SALT LAKE COUNTY TO, AND APPROVING THE ACQUISITION OF FEE INTEREST IN CERTAIN REAL PROPERTY FROM, TONY KWOK CHUNG CHU AND LILLY CHU RELATED TO THE SURPLUS CANAL

RECITALS

A. Salt Lake County ("County") is responsible for the operation and maintenance of the Surplus Canal, which is designed to divert water from the Jordan River to control flood flows.

B. Over the years, the County has acquired various types of interest from private property owners for the Surplus Canal's existing location.

C. The County is currently working on a project to clarify and make its real property interests along the Surplus Canal uniform and remove encroachments into the Surplus Canal's levee system.

D. Tony Kwok Chung Chu and Lilly Chu (the "Owners") own a parcel of real property located in Salt Lake City that is adjacent to the Surplus Canal where the interests of the County need to be clarified and encroachments removed (the "Owners' Property").

E. Following negotiations, the County and the Owners have agreed that the Owners will convey a portion of the Owners' Property to the County by quit-claim deed ("Owners' Deed"), and the County will quit-claim to the Owners any interest it may have in the Owners' Property beyond the line established by the Owners' Deed (the "County Property Interest").

F. It has been determined that the best interests of the County and the general public will be served by accepting the Owners' Deed from the Owners and quit-claiming the County Property Interest to the Owners. This transaction will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED Salt Lake County Council that the

County Property Interest is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Right of Way Contract ("Contract") between the County and the Owners is hereby approved and the Mayor is hereby authorized to execute the Contract, a copy of which is attached as Exhibit A and by this reference made a part hereof, and deliver the fully executed document to the County Real Estate Section.

IT IS FURTHER RESOLVED by the Salt Lake County Council that upon receipt of Owners' Deed from Owners, the Mayor and County Clerk are authorized to execute the quit claim deed for the County Property Interest, and to deliver that fully executed document to the County Real Estate Section for delivery to Owner.

APPROVED and ADOPTED this _____ day of _____, 2019.

SALT LAKE COUNTY COUNCIL

By: _____
Richard Snelgrove, 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 Granato voting _____
Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____
Council Member Wilson voting _____

APPROVED AS TO FORM:

R. Christopher Preston Digitally signed by Robert Preston Date: 2019.06.19 09:21:10 -06'00'

R. Christopher Preston
Deputy District Attorney

EXHIBIT A

RIGHT OF WAY CONTRACT