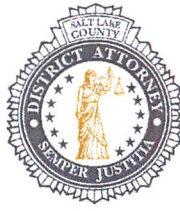




children's
JUSTICE CENTER
SALT LAKE COUNTY



SIM GILL
DISTRICT ATTORNEY



Ralph Chamness
Chief Deputy
Civil Division

Lisa Ashman
Administrative
Operations

Jeffrey William Hall
Chief Deputy
Justice Division

Blake Nakamura
Chief Deputy
Justice Division

June 8, 2018

MAIL
RECEIVED
SLOO FACILITIES
JUN - 8 2018

Derrick L. Sorensen
Senior Appraiser
Salt Lake County
2001 South State Street, Suite S3-110
Salt Lake City UT 84190

RE: 3060 S. Lester Street - UDO Right of Way Contract

Dear Derrick:

Please find the above-referenced document, Resolution & UT Dept. of Transportation Right of Way Contract, is approved as to form and is being returned to you for further processing.

If you have any questions or concerns, please contact me at extension 87782

Sincerely,

Christopher Preston
Deputy District Attorney
Civil/Litigation Division

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING SURPLUS REAL PROPERTY, AUTHORIZING THE EXECUTION OF A RIGHT OF WAY CONTRACT FOR THE CONVEYANCE OF SURPLUS COUNTY PROPERTY, AND APPROVING CONVEYANCE OF THE SURPLUS REAL PROPERTY BY QUIT CLAIM DEED TO THE UTAH DEPARTMENT OF TRANSPORTATION

RECITALS

- A. Salt Lake County (the "County") owns a parcel of real property, Parcel No. 15-27-251-004, located at 3060 South Lester Street, West Valley City, Utah (the "Property").
- B. The Property is currently in use as the Redwood Recreation Center.
- C. The Utah Department of Transportation ("UDOT") is working on a project to widen Redwood Road. As part of the Project, UDOT would like to acquire a 98 square-foot portion of the Property (the "Road Acquisition").
- D. UDOT has offered to purchase the Road Acquisition for \$1,625.00, the appraised fair market value, and has prepared a Right of Way Contract, attached hereto as Exhibit A.
- E. The Salt Lake County Real Estate Section has determined that \$1,625.00 is full and adequate consideration for the conveyance of the Road Acquisition to UDOT.
- F. It has been determined that the best interest of the County and the general public will be served by the sale and conveyance of the Road Acquisition to UDOT in accordance with the terms of the Right of Way Contract. The sale and conveyance 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 Road Acquisition be and the same is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and conveyance of the Road Acquisition by Quit Claim Deed to UDOT for the agreed consideration, as provided in the Right of Way Contract attached hereto as Exhibit A and by this reference made

a part of this Resolution, is hereby approved; and the Mayor is hereby authorized to execute the original of said Right of Way Contract.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor and County Clerk are hereby authorized consistent with the terms of the Right of Way Contract to execute the Quit Claim Deed, attached hereto as Exhibit B and by this reference made a part of this Resolution, and to deliver the fully executed document to the County Real Estate Section for delivery to UDOT upon payment of the agreed upon purchase amount.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Mayor is authorized to execute or accept such other documents necessary to the sale of the Road Acquisition.

APPROVED and ADOPTED this _____ day of _____, 2018.

SALT LAKE COUNTY COUNCIL

By: _____
Aimee Winder-Newton, 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
R. Christopher Preston
Deputy District Attorney
Date: 6/7/2018

EXHIBIT A
RIGHT OF WAY CONTRACT



Utah Department of Transportation

Right of Way Contract

Fee Simple Acquisition - Strip

Project No: F-0068(104)52 Parcel No.(s): 123

Pin No: 15167 Job/Proj No: 54902 Project Location: SR-68: 4700 S. to 3100 S.
 County of Property: SALT LAKE Tax ID / Sidwell No: 15-27-251-004
 Property Address: 3060 South Lester Street WEST VALLEY CITY UT. 84119
 Owner's Address: PO Box 144575, SALT LAKE CITY, UT, 84114
 Primary Phone: 385-468-0341 Owner's Home Phone: (385)468-0341 Owner's Work Phone:
 Owner / Grantor (s): Salt Lake County, a Body Corporate and Politic
 Grantee: Utah Department of Transportation (UDOT)/The Department

IN CONSIDERATION of the foregoing and other considerations hereinafter set forth, it is mutually agreed by the parties as follows:

The Grantor hereby agrees to convey and sell by Quit Claim a parcel(s) of land known as parcel number(s) 123 for transportation purposes. This contract is to be returned to: David L. Peterson (Consultant), Right of Way Agent c/o Utah Department of Transportation, 4501 South 2700 West, P.O. Box 148420, Salt Lake City, UT 84114-8420.

1. Grantor will transfer property free of all liens and encumbrances except recorded easements.
2. Grantor agrees to transfer property free of all debris and any hazardous materials (including paint or other household products.)
3. Grantor shall leave the property in the same condition, as it was when this contract was signed. No work, improvement, or alteration will be done to the property other than what is provided for in this agreement. Grantor agrees to maintain the property until the Department takes possession.
4. Grantor agrees to pay any and all taxes assessed against this property to the date of closing.
5. The Department shall pay the Grantor and or other parties of interest for the real property in the deed(s) and/or easement(s) referenced above.
6. "Transportation Purposes" is defined as follows: The public use for which the property or property right is being acquired herein, may include but is not limited to the following possible uses: the construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, project caused statutory relocations, and other related transportation uses.
7. The Grantor(s) is aware that Utah Code Ann. Sect. 78B-6-520.3 provides that in certain circumstances, the seller of property which is being acquired for a particular public use, is entitled to receive an offer to repurchase the property at the same price that the seller received, before the property can be put to a different use. Grantor(s) waives any right grantor may have to repurchase the property being acquired herein, and waives any rights Grantor(s) may have under Utah Code Ann. Sect. 78B-6-520.3.
8. Grantor shall indemnify and hold harmless Grantee from and against any and all claims, demands and actions, including costs, from lien holders or lessees of the property.
9. Upon execution of this contract by the parties, Grantor grants the Department, its contractors, permittees, and assigns, including but not limited to, utilities and their contractors, the right to immediately occupy and commence construction or other necessary activity on the property acquired for the state transportation project.

Additional Terms:

Payment includes compensation for the following:
 Improvements located within the taking: 98 sqft sod/sprinklers (\$196)
 The sprinklers will be restored by the contractor as part of the project.

Total Selling Price \$1,625.00

APPROVED AS TO FORM
 District Attorney's Office
 By: R. Christopher Preston
 Attorney
 R. CHRISTOPHER PRESTON
 Date: 6/7/2018

APPROVED AS TO FORM
District Attorney's Office

By: _____

Attorney

R. CHRISTOPHER THORNTON

Date: _____



Utah Department of Transportation

Right of Way Contract

Fee Simple Acquisition - Strip

Project No: F-0068(104)52 Parcel No.(s): 123

Pin No: 15167 Job/Proj No: 54902 Project Location: SR-68; 4700 S. to 3100 S.

County of Property: SALT LAKE Tax ID / Sidwell No: 15-27-251-004

Property Address: 3060 South Lester Street WEST VALLEY CITY UT, 84119

Owner's Address: PO Box 144575, SALT LAKE CITY, UT, 84114

Primary Phone: 385-468-0341 Owner's Home Phone: (385)468-0341 Owner's Work Phone:

Owner / Grantor (s): Salt Lake County, a Body Corporate and Politic

Grantee: Utah Department of Transportation (UDOT)/The Department

Grantor's Initials

Grantor understands this agreement is an option until approved by the Director of Right of Way.

Grantors acknowledge and accept the percent of ownership listed below and agree that the portion of the total selling price they each receive, will correspond with their respective percent of ownership.

_____ This Contract may be signed in counterparts by use of counterpart signature pages, and each counterpart signature page shall constitute a part of this Contract as if all Grantors signed on the same page.

	Percent	Date
	100%	
	Salt Lake County	

Right of Way Agents

_____ David L. Peterson (Consultant) / Acquisition Agent

_____ Eric Lyon / Team Leader

_____ Approved by Director of Right of Way

APPROVED AS TO FORM
District Attorney's Office

By: *R. Christopher Preston*
Attorney

R. CHRISTOPHER PRESTON

Date: 6/7/2018

APPROVED AS TO FORM
AND CONTENTS

BY _____

FOR THE DIRECTOR

EXHIBIT B
QUIT CLAIM DEED

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Quit Claim Deed (County)

Salt Lake County	Tax ID No.	15-27-251-004
	PIN No.	15167
	Project No.	F-0068(104)52
	Parcel No.	0068:123

Salt Lake County, a Body Corporate and Politic of the State of Utah, Grantor hereby QUIT CLAIMS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84114, Grantee, for the sum of TEN (\$10.00), Dollars, and other good and valuable considerations, all right, title, and interest in and to the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the widening of the existing highway State Route 68 (Redwood Road) known as Project No. F-0068(104)52, being part of an entire tract of property described in that Warranty Deed recorded as Entry No. 2561097 in Book 3393 at Page 91 in the office of the Salt Lake County Recorder and situate in the SW1/4 NE1/4 of Section 27, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the easterly right of way line of the existing highway State Route 68 (Redwood Road) and the northerly right of way line of the existing 3100 South Street, which intersection is 2,595.12 feet South along the center line of said Section 27 and 50.00 East from the North quarter corner of said Section 27, said intersection is also 50.00 feet perpendicularly distant easterly from the control line of said project opposite approximate engineer station 159+29.89; and running thence North 11.11 feet along said easterly right of way line that is parallel with said control line, to a point opposite engineer station 159+41.00; thence East 5.00 feet to a point that is 55.00 feet perpendicularly distant easterly from said control line opposite engineer station 159+41.00; thence South 5.50 feet along a line parallel with said control line, to a point opposite engineer station 159+35.50; thence East 7.50 feet to a point 62.50 feet

Continued on Page 2
COUNTY RW-05CO (11-01-03)

PAGE 2

PIN No.	15167
Project No.	F-0068(104)52
Parcel No.	0068:123

perpendicularly distant easterly from said control line opposite engineer station 159+35.50; thence S.00°03'04"E. 5.60 feet along a line parallel with said control line, to a point in the northerly right of way line of Rosa Parks Drive (3100 South Street) opposite engineer station 159+29.90; thence S.89°56'56"W. 12.51 feet along said northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 98 square feet or 0.002 acre in area, more or less.

(Note: Rotate all bearings in the above description 00°11'46" clockwise to obtain highway bearings.)

As per Utah State Code 72-5-103 title of the underlying fee to the center of the existing right of way is relinquished as part of this conveyance and transferred to the Grantee of this instrument.

PIN No. 15167
Project No. F-0068(104)52
Parcel No. 0068:123

APPROVED AS TO FORM
District Attorney's Office
By: R. Christopher Preston
Attorney
R. CHRISTOPHER PRESTON
Date: 4/27/2018

IN WITNESS WHEREOF, said County has caused this instrument to be executed by its proper officers thereunto duly authorized, this ____ day of _____, A.D. 20 __.

SALT LAKE COUNTY

STATE OF UTAH)
) ss. By _____
) County Mayor or Designee
)
)
COUNTY OF SALT LAKE) By _____
) County Clerk or Designee

On the date first above written personally appeared before me, _____, who, being by me duly sworn, says that they are the _____ of the Office of Mayor of Salt Lake County, a body corporate and politic of the State of Utah, and that the within and foregoing instrument was signed on behalf of said Salt Lake County by authority of law.

WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

APPROVED AS TO FORM
AND CONTENTS

Special Agent
FEDERAL BUREAU OF INVESTIGATION

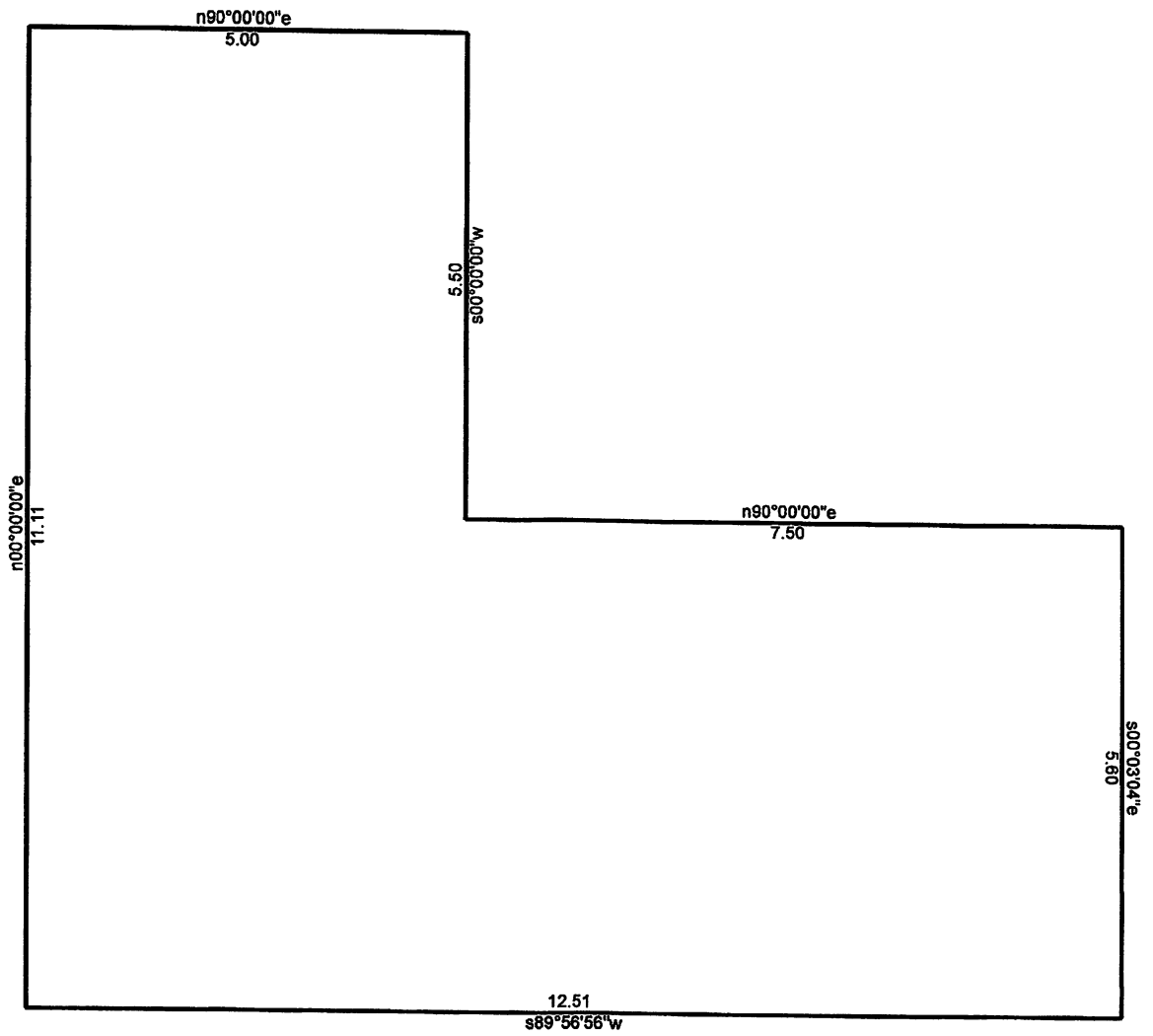
Date

PIN No. 15167
Project No. F-0068(104)52
Parcel No. 0068:123

On the date first above written personally appeared before me, _____, who, being by me duly sworn, says that they are the _____ of the Office of the Clerk of Salt Lake County, a body corporate and politic in the State of Utah, and that the within and foregoing instrument was signed on behalf of said county by authority of a Resolution of the Salt Lake County Council.

WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public



Parcel 123

8/17/2017

Scale: 1 inch= 2 feet

File: 15167_F-0068(104)52_02F_123_DeedPlot.ndp

Tract 1: 0.0022 Acres (98 Sq. Feet), Closure: n76.5755e 0.01 ft. (1/9200), Perimeter=47 ft.

- 01 /s00.0000w 2595.12
- 02 /n90.0000e 50.00
- 03 n00.0000e 11.11
- 04 n90.0000e 5.00
- 05 s00.0000w 5.50
- 06 n90.0000e 7.50
- 07 s00.0304e 5.60
- 08 s89.5656w 12.51