

RESOLUTION NO. _____

DATE _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING THE RELEASE OF AN EASEMENT PREVIOUSLY GRANTED TO SALT LAKE COUNTY AND APPROVING THE ACQUISITION OF A NEW EASEMENT FROM CARRINGTON SQUARE, L.L.C.

RECITALS

A. Salt Lake County (“County”) possesses an easement across real property owned by Carrington Square, L.L.C. (“Grantor”) in Salt Lake County. The easement was granted in 1984 to maintain a portion of Salt Lake County’s storm water system (the “Original Easement”).

B. Salt Lake County Flood Control has determined that it no longer needs a portion of the Original Easement because Grantor has offered to construct a portion of the storm water facilities in a new location.

C. Grantor has requested that the County release the portion of the easement that is no longer needed so that they can utilize the underlying property.

D. The County is willing to release the portion of the Original Easement on Grantor’s property that is no longer needed in exchange for the Grantor granting to the County a small easement on an adjacent portion of Grantor’s property (the “New Easement”). Grantor has also agreed to construct storm drain facilities on the New Easement and pay the County \$150.00, the minimum fee charged for real estate transactions, for the release of the Original Easement.

E. It has been determined that the best interests of the County and the general public will be served by releasing and relinquishing the portion of the Original Easement no longer needed by the County in exchange for the New Easement from Grantor. The exchange of the easements 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 for Release and Grant of Easements is hereby approved and the Mayor is hereby authorized to execute the Agreement for Release and Grant of Easements, a copy of which is attached as Exhibit 1 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 the fully executed New Easement, attached to Exhibit 1, as Exhibit A from Grantor, completion of the storm drain facilities to the satisfaction of Salt Lake County Flood Control, and the \$150.00 payment as provided in the Agreement for Release and Grant of Easements, the Mayor and County Clerk are authorized to execute the Release of Easement, attached to Exhibit 1, 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 Grantor.

APPROVED and ADOPTED this _____ day of _____, 2020.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Approved as to Form

Craig Wangsgard

Craig Wangsgard, July 23, 2020
Deputy District Attorney

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 Snelgrove voting _____
Council Member Winder Newton voting _____

EXHIBIT 1