

RESOLUTION NO. \_\_\_\_\_

DATE \_\_\_\_\_

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL  
APPROVING A DONATION AGREEMENT AND AUTHORIZING  
ACCEPTANCE OF A DONATION OF REAL PROPERTY  
LOCATED AT THE NORTHWEST CORNER OF GRANDVILLE  
AVENUE AND LAKE AVENUE IN SOUTH JORDAN CITY

RECITALS

A. Daybreak Communities, (the “Daybreak”) is the record owner of real property located at the northwest corner of Grandville Avenue and Lake Avenue, South Jordan City, Salt Lake County, Utah, containing approximately 5 acres (the “Property”), aka a portion of Parcel No. 26-24-155-001.

B. Daybreak has offered to donate the Property to Salt Lake County (the “County”) as a location to construct a performing arts center for no fee (collectively, the “Donated Property”) on condition that the County seek to obtain and dedicate funding for the construction of the performing arts center within five years from the time the Property is conveyed to the County. This condition may be extended by the parties one time for two years by written agreement of the parties.

D. Daybreak and the County have prepared a Donation Agreement and Joint Escrow Instructions (“Donation Agreement”), outlining the terms of the donation, and Daybreak has signed a Declaration of Donation as required by Salt Lake County Policy.

D. It has been determined that the best interests of the County and the general public will be served by accepting the Property according to the terms and conditions of the attached Donation Agreement. The acceptance 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 County accepts the donation of the Property from Daybreak pursuant to the terms and conditions set forth in the Donation Agreement, attached hereto as Exhibit 1, and directs that the Chair sign the Declaration of Donation accompanying the Donation Agreement. The attached Donation Agreement is hereby accepted and approved, and the Mayor is authorized to sign the attached Donation Agreement on behalf of the County, to accept a Special Warranty Deed from Daybreak, and to sign any other documents required to complete the acquisition of the Property. APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

SALT LAKE COUNTY COUNCIL

By: \_\_\_\_\_  
Max Burdick, 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 Ghorbani voting \_\_\_\_\_  
Council Member Granato voting \_\_\_\_\_  
Council Member Jensen voting \_\_\_\_\_  
Council Member Newton voting \_\_\_\_\_  
Council Member Snelgrove voting \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
R. Christopher Preston  
Deputy District Attorney

# **Exhibit 1**

## Donation Agreement