

RIGHT OF WAY CONTRACT

Partial Acquisition

Project No:	FP140001	Parcel No.(s):	3750:68C & 3750:68Q
Project Location	Surplus Levee Deficiency Rehabilitation Project		
County of Property	Salt Lake County	Tax ID / Sidwell No:	15-15-279-019
Property Address:	1477 W Stetson Circle, Salt Lake City, UT 84104		
Grantor (s):	Tony Kwok Chung Chu and Lilly Chu		
Grantor's Address:	1477 W Stetson Circle, Salt Lake City, UT 84104		
Grantor's Home Phone	801-975-7431	Grantor's Work Phone	

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

The Grantor hereby agrees to convey and sell by Quit Claim deed a portion of the property located at 1477 W Stetson Circle, Salt Lake City, Utah 84104, which portion is more particularly described on Exhibit A hereto (the "Property"), to Salt Lake County, a body corporate and politic of the State of Utah (hereinafter "County"), for the amount of \$15,350.00. This contract is to be returned to: Salt Lake County Real Estate Office, 2001 South State Street S3-110, Salt Lake City, UT 84190

1. Upon signing this Right of Way contract, Grantor consents to allow Salt Lake County, its contractors, permittees, and assigns, the right to immediately occupy and commence construction or other necessary activity (such as any necessary testing (such as environmental or geotechnical), surveying, or other due diligence) on the Property, including.
2. 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 County takes possession. Owner agrees not to sell the Property to anyone else, or to enter into any contract that will affect the use of the Property when County takes possession.
3. Grantor agrees to transfer the Property free of all debris and hazardous materials (including paint or other household products).
4. All fixtures and improvements are to remain with the Property, including landscaping, retaining walls, fences, etc.
5. Closing shall occur on or before June 30, 2019, at Salt Lake County's offices or, at the option of Salt Lake County, at the offices of a title company selected by Salt Lake County. The Property will be conveyed from Grantor to Salt Lake County by Quit Claim Deed, free of all liens and encumbrances except recorded easements. Salt Lake County may, at its expense, acquire a policy of title insurance. Salt Lake County shall pay routine closing costs and escrow fees, if any. Grantor agrees to pay any and all taxes assessed against the Property to the date of Closing. Salt Lake County will not pay brokerage or legal fees.
6. Grantor understands and agrees that County will not accept delivery of the Quit Claim Deed from the Right of Way Agent, and will not take ownership of the Property, unless and until County is satisfied with (a) the status of title to the Property, and (b) the physical and environmental condition of the Property.
7. Grantor bears all risk of loss or damage to the Property until Closing.
8. Grantor understands that at Closing, at its discretion, County may pay the full amount of \$15,350.00 directly to Grantor. **In that event, it is Grantor's responsibility to understand and fulfill any obligations to lienholders, mortgagees, or others who may have an interest in the Property or the proceeds from its sale.** Grantor shall indemnify and hold harmless the County from and against any and all claims, demands and actions, including costs, from lienholders or lessees of the Property. At the option of County, the transaction may be handled through a title and escrow company selected by County and at County expense, in which event at closing, the title company will disburse funds to lienholders, mortgagees or others having an interest in the Property, with the remainder of the purchase price paid to Grantor.
9. Grantor is aware that Utah Code Ann. § 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 waives any right under Utah Code Ann. § 78B-6-520.3 that Grantor may have to repurchase the property

being acquired herein.

10. Grantor acknowledges and accepts the percent of ownership listed below and agrees that the portion of the total selling price received will correspond with the respective percent of ownership.
11. In addition, County shall, at Closing, convey to Grantor, and Grantor shall accept, a Release of Easement (the "Release"). The value of the Release is \$881.48, which amount has been accounted for in the Total Settlement.
12. This Right of Way Contract contains the entire agreement between Grantor and County, and it shall be governed by the laws of the State of Utah. The undersigned represent and warrant that he/she/they have authority to sign on behalf of Grantor.
13. 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.

Total Settlement \$15,350.00

Grantor understands and acknowledges that this Contract is not binding until approved by the Salt Lake County Real Estate Manager and the Salt Lake County Mayor or Designee.

Owner's Initials T.C. L.C.

IN WITNESS WHEREOF, the parties have executed this Contract as of this the 6 day of June, 2019

Owner/Grantor

<u>Timmy Chu</u>	<u>6/6/2019</u>	<u>50%</u>
Owner/Grantor	Date	Percent
<u>Lilly M. Chu</u>	<u>6/6/2019</u>	<u>50%</u>
Owner/Grantor	Date	Percent

Salt Lake County

<u>[Signature]</u>	<u>6/6/19</u>
Brandi Davenport, Realtor (Probe Realtors)	Date

<u>[Signature]</u>	<u>6/17/2019</u>
Salt Lake County Real Estate Manager	Date

Mayor or Designee

Date

APPROVED AS TO FORM
District Attorney's Office
By: [Signature]
Attorney
R. CHRISTOPHER PRESTON
Date: 6/18/2019

WHEN RECORDED RETURN TO:
Salt Lake County Real Estate
2001 South State Street, Suite S3-110
Salt Lake City, Utah 84114-3300

Space above for County Recorder's use

QUIT CLAIM DEED
Individual(s)

Real Estate Parcel No.: 3750:068C
Tax Serial No. 15-15-279-019
County Project No.: FP 140001

TONY KWOK CHUNG CHU AND LILLY CHU, husband and wife, with title in joint tenancy, not as tenants in common, with full rights of survivorship, GRANTOR(s), hereby Quit Claim(s) to, SALT LAKE COUNTY a body corporate and politic of the State of Utah, GRANTEE, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described parcel of real property in Salt Lake County, Utah, to wit:

(SEE EXHIBIT A)

IN WITNESS WHEREOF, GRANTOR(s) has caused this Quit-Claim Deed to be signed this 06 day of June, 2019.

SALT LAKE COUNTY

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

By: Tony Kwok Chung Chu
TONY KWOK CHUNG CHU
By: Lilly Chu
LILLY CHU

On the date first above written personally appeared before me, Tony Kwok Chung Chu and Lilly Chu, the signer(s) of the within instrument, who duly acknowledged to me that he/she/they executed the same.

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

Notary Public [Signature]
My Commission Expires: 5-18-2023
Residing in: Sandy, UT



(EXHIBIT A)

A parcel of land being part of Lot 5 of the Parkway No. 3 Subdivision recorded November 21, 1983 as Entry No. 3871624 in Book 83-11 of Plats, at Page 152 and described in that Warranty Deed recorded November 6, 1985 as Entry No. 4160608 in Book 5707 at Page 229 in the office of the Salt Lake County Recorder. Said Lot 5 is located in the Northeast Quarter of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the northwesterly corner of said Lot 5; thence S. $82^{\circ}41'43''$ E. (Record = S. 83° E.) 10.38 feet along the northerly line of said Lot 5 to the ten (10) foot offset line of the landside toe, as located by field survey, of the Jordan River & Salt Lake Surplus Canal Levee; thence Southeasterly along said ten (10) foot offset line of the landside toe the following three (3) courses: 1) S. $35^{\circ}14'58''$ E. 33.57 feet, 2) S. $35^{\circ}02'56''$ E. 45.12 feet, 3) S. $36^{\circ}20'16''$ E. 42.50 feet to the southeasterly line of said Lot 5, thence S. $49^{\circ}28'16''$ W. (Record = S. $49^{\circ}10'$ W.) 6.73 feet along said southeasterly line to the southerly corner of said Lot 5; thence N. $35^{\circ}57'24''$ W. (Record = N. $36^{\circ}15'40''$ W.) 128.83 feet along the southwesterly line of said Lot 5 to the **Point of Beginning**.

The above-described parcel of land contains 861 square feet in area or 0.020 acres more or less.

EXHIBIT "B": By this reference, made a part hereof.

BASIS OF BEARING: S. $89^{\circ}49'38''$ E. along the Quarter Section line between the Center Section and the East Quarter Corner of said Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian.

WHEN RECORDED, MAIL TO:

UNITED SAVINGS AND LOAN ASSOCIATION

376 EAST FOURTH SOUTH

SALT LAKE CITY, UTAH 84111

Space Above for Recorder's Use

TIA: 47174

Warranty Deed

[Corporate Form]

4160608

OLSEN BROTHERS BUILDERS, a Utah corporation, a corporation
organized and existing under the laws of the State of Utah, with its principal office at
, of County of , State of Utah,
grantor, hereby conveys and warrants to TONY KWOK CHUNG CHU and
LILLY CHU husband and wife

with title in joint tenancy, not as tenants
in common, with full rights of survivorship,

grantee
of 1477 WEST STETSON CIRCLE, SALT LAKE CITY, SALT LAKE COUNTY, UTAH 84104
for the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS ***DOLLARS,
the following described tract of land in SALT LAKE County,
State of Utah:

Lot 5, PARKWAY NO. 3, according to the official plat thereof, as
recorded in the office of the Salt Lake County Recorder, State
of Utah.

RECORDED
SALT LAKE COUNTY,
UTAH
Nov 6 11 54 AM '85
TIA: 47174
PENNY KOROLIS

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting
duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this 5TH day of NOVEMBER A.D., 1985.

Attest:

Secretary.

(Corporate Seal)

STATE OF UTAH,

County of SALT LAKE

OLSEN BROTHERS BUILDERS, a Utah corporation

P/

NORMAN W. OLSEN

Vice President.

ss.

On the 5TH day of NOVEMBER A.D. 1985
personally appeared before me NORMAN W. OLSEN
who being by me duly sworn did say, each for himself, that he, the said NORMAN W. OLSEN
is the president.

of OLSEN BROTHERS BUILDERS, a Utah corporation, and that the within and foregoing
instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and
said NORMAN W. OLSEN
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of
said corporation.

Notary Public.

SALT LAKE CITY, UTAH

My Commission expires 8-8-89 My residence is




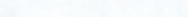
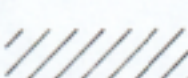
BOOK 5707 PAGE 229

EXHIBIT "B"

LINE TABLE

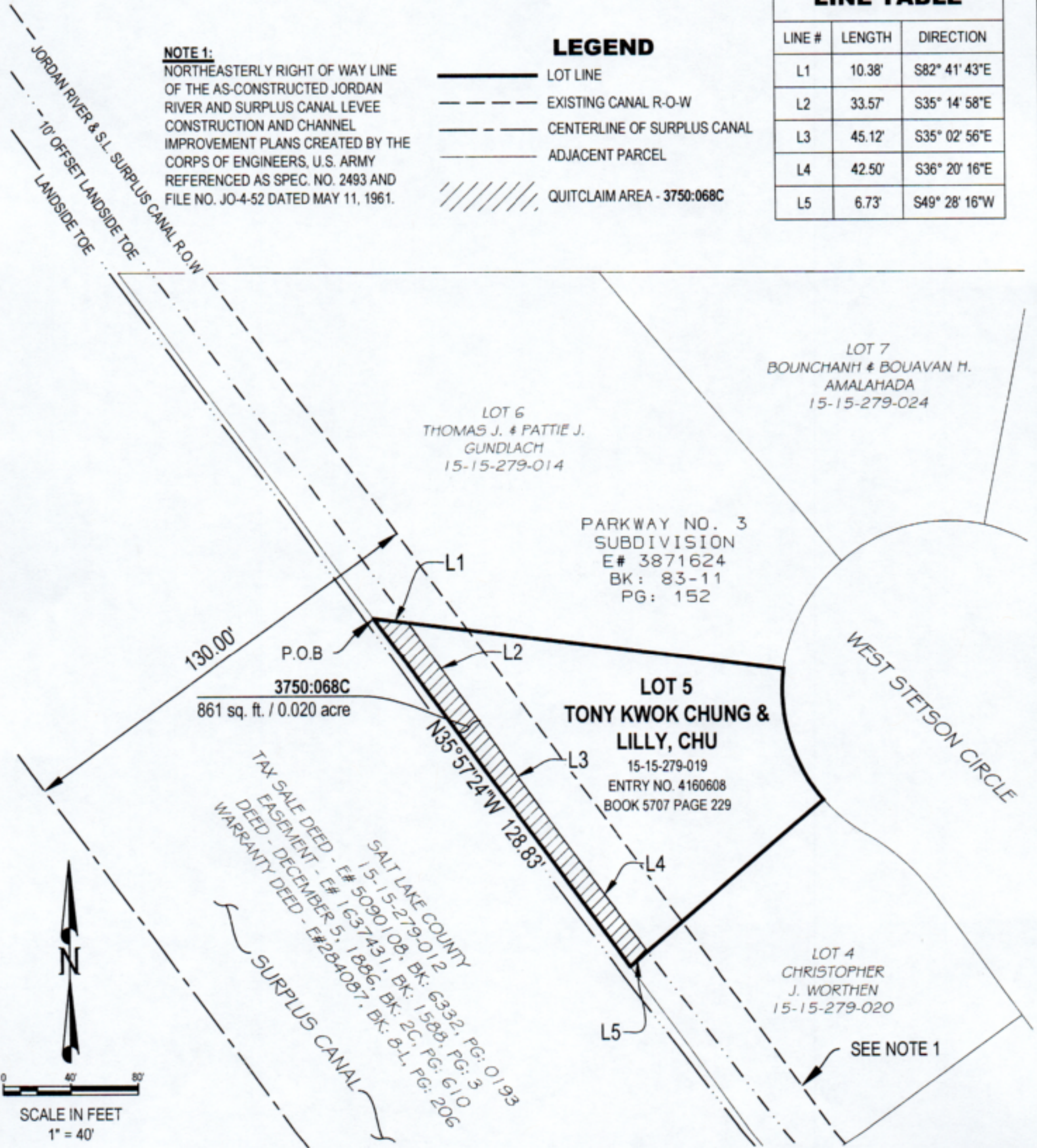
LINE #	LENGTH	DIRECTION
L1	10.38'	S82° 41' 43"E
L2	33.57'	S35° 14' 58"E
L3	45.12'	S35° 02' 56"E
L4	42.50'	S36° 20' 16"E
L5	6.73'	S49° 28' 16"W

LEGEND

-  LOT LINE
-  EXISTING CANAL R-O-W
-  CENTERLINE OF SURPLUS CANAL
-  ADJACENT PARCEL
-  QUITCLAIM AREA - 3750:068C

NOTE 1:

NORTHEASTERLY RIGHT OF WAY LINE OF THE AS-CONSTRUCTED JORDAN RIVER AND SURPLUS CANAL LEVEE CONSTRUCTION AND CHANNEL IMPROVEMENT PLANS CREATED BY THE CORPS OF ENGINEERS, U.S. ARMY REFERENCED AS SPEC. NO. 2493 AND FILE NO. JO-4-52 DATED MAY 11, 1961.



CRS ENGINEERS
Answers to Infrastructure®

4246 S Riverboat Rd, Ste 200 | Salt Lake City, UT 84123 | P: 801.359.5565 | www.crsengineers.com

TONY KWOK CHUNG & LILLY, CHU
JORDAN RIVER SURPLUS CANAL

QUIT CLAIM - 3750:068C

LOT 5 PARKWAY NO. 3 SUBDIVISION

1477 W. STETSON CIRCLE, SALT LAKE CITY, UTAH

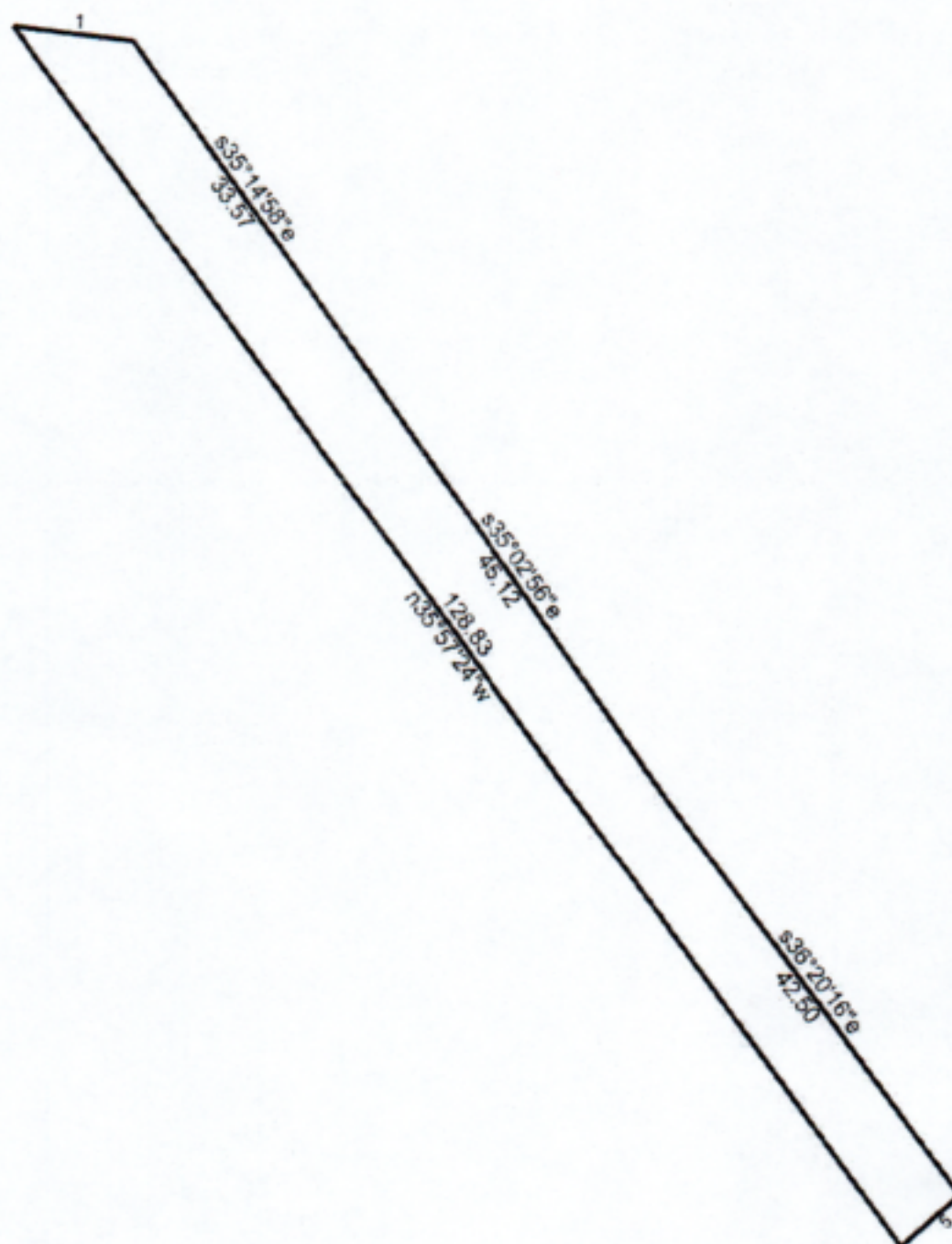
CRS PROJ #17113C

FINAL

PROJECT NUMBER
FP140001

PAGE 3 OF 3

APRIL 26, 2019



Lot 15-15-279-019 RE#3750:068C

3/04/2019

Scale: 1 inch= 20 feet

File: 2019-03-04 17113C LOT 279-019 RE 3750 068C.ndp

Tract 1: 0.0198 Acres (861 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/64778), Perimeter=267 ft.

01 s82.4143e 10.38
02 s35.1458e 33.57
03 s35.0256e 45.12
04 s36.2016e 42.50
05 s49.2816w 6.73
06 n35.5724w 128.83

REAL ESTATE APPRAISAL EXHIBIT

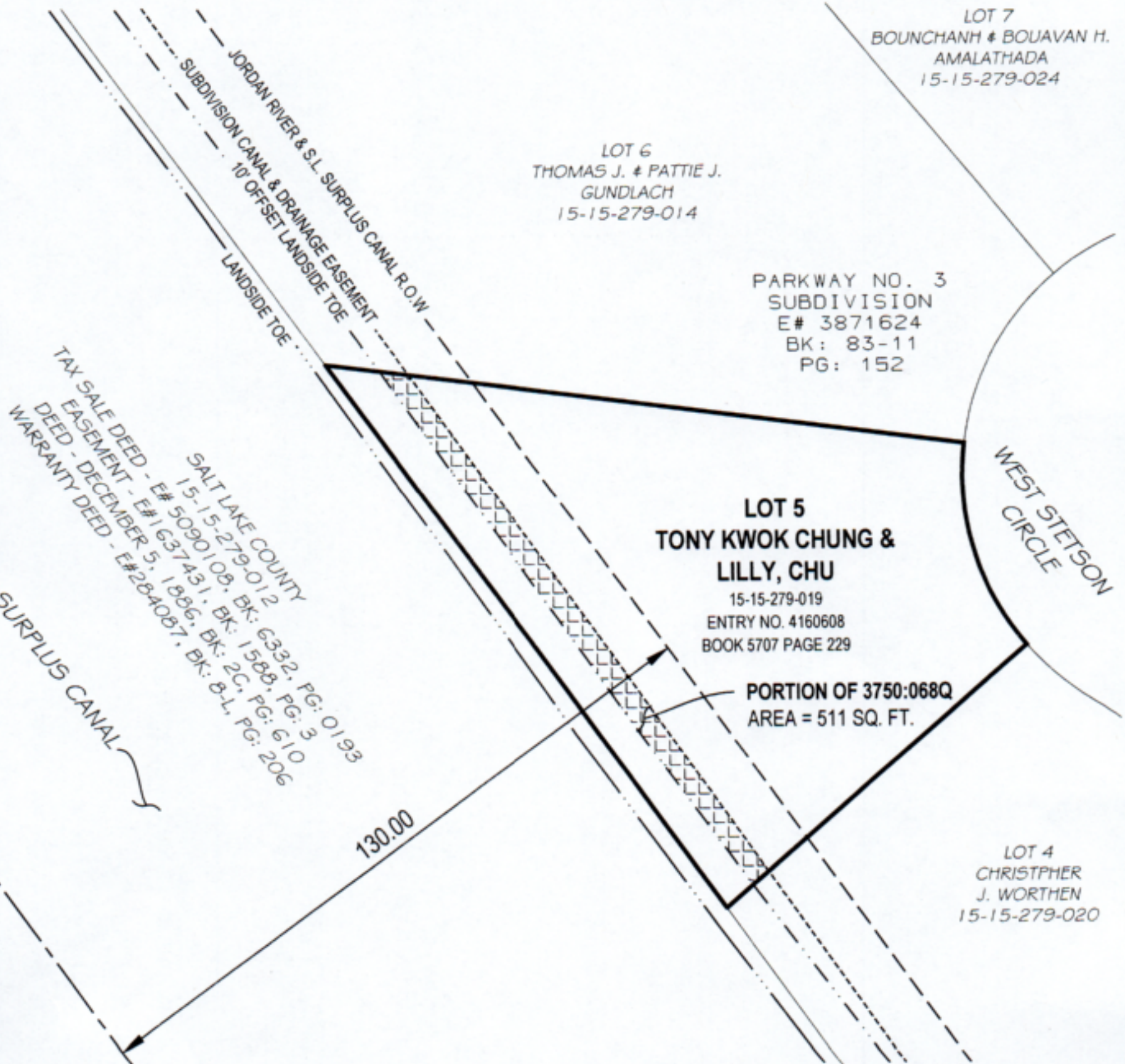


NOTE:

APPROXIMATE EASEMENT AREA OF 511 S.F. SHOWN ON THIS EXHIBIT IS BASED ON A BEST FIT REPRODUCTION FROM THE PARKWAY NO. 3 SUBDIVISION AND DOES NOT REPRESENT AN ACTUAL SURVEYED AREA

LEGEND

- LOT LINE
- EXISTING CANAL R-O-W
- CENTERLINE OF SURPLUS CANAL
- ADJACENT PARCEL
- SUBDIVISION CANAL & DRAINAGE EASEMENT LINE PER PARKWAY #3 SUBDIVISION



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TONY KWOK CHUNG & LILLY, CHU
JORDAN RIVER SURPLUS CANAL
REAL ESTATE COMPARISON

LOT 5 PARKWAY NO. 3 SUBDIVISION
1477 W. STETSON CIRCLE, SALT LAKE CITY, UTAH

CRS PROJ #171130

FINAL

FP140001

PAGE 1 OF 1

APRIL 26, 2019

WHEN RECORDED RETURN TO:
Tony Kwok Chung Chu & Lilly Chu
1477 W Stetson Circle
Salt Lake City, Ut 84104

APPROVED AS TO FORM
District Attorney's Office

Space above for County Recorder's use

By: R. Christopher Preston
Attorney

R. CHRISTOPHER PRESTON

Date: 6/18/2019

Real Estate Parcel No.: 3750:068Q
Tax Serial No. 15-15-279-019
County Project No.: FP140001

QUIT CLAIM DEED
Salt Lake County

SALT LAKE COUNTY, a body corporate and politic of the State of Utah, GRANTOR, hereby Quit Claim(s) to Tony Kwok Chung Chu and Lilly Chu, husband and wife with title in joint tenancy, and not as tenants in common, GRANTEE(s), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described parcel of real property in Salt Lake County, Utah, to wit:

(SEE EXHIBIT A)

IN WITNESS WHEREOF, GRANTOR has caused this Quit-Claim Deed to be signed and its official seal to be affixed hereto by its duly authorized officer this _____ day of _____, 20____.

SALT LAKE COUNTY

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

By: _____
MAYOR or DESIGNEE
By: _____
COUNTY CLERK

On this ____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that he is the _____ of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

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

Notary Public _____
My Commission Expires: _____
Residing in: _____

Acknowledgement Continued on Following Page

Acknowledgement Continued from Previous Page

On this ____ day of _____, 20____, personally appeared before me _____,
who being duly sworn, did say that __he is the CLERK of Salt Lake County and that the foregoing
instrument was signed by him/her on behalf of Salt Lake 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 _____

My Commission Expires: _____

Residing in: _____

(EXHIBIT A)

A parcel of land being part of an entire tract defined in those As-Constructed Jordan River and Surplus Canal Levee Construction and Channel Improvement plans created by the Corps of Engineers, U.S. Army referenced as Spec No. 2493 and File No. JO-4-52 dated May 11, 1961 and as shown on that certain Surplus Canal Centerline Survey plat filed as No. S2018-08-0579 in the office of the Salt Lake County Surveyor. Said parcel of land is located in Lot 5, Parkway No. 3 Subdivision, recorded November 21, 1983 as Entry No. 3871624 in Book 83-11 of Plats, at Page 152 in the office of the Salt Lake County Recorder and situate in the Northeast Quarter of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the intersection of the northerly line of Lot 5 and the northeasterly line of the ten (10) foot offset line of the landside toe, as located by field survey, of the Jordan River & Salt Lake Surplus Canal Levee, which is 10.38 feet, S. 82°41'43" E. (Record = S. 83° E.) along the said northerly line from the northwesterly corner of said Lot 5; thence S. 82°41'43" E. (Record = S. 83° E.) 17.90 feet along said northerly line to the northeasterly line of said entire tract and said right-of-way line of the As-Constructed Jordan River and Surplus Canal Levee Construction and Channel Improvements plans; thence S. 35°49'41" E. 107.82 feet along said northeasterly line to the southeasterly line of said Lot 5; thence S. 49°28'16" W. (Record = S. 49°10' W.) 13.69 feet along said southeasterly line to said ten (10) foot offset line of the landside toe of the Jordan River & Salt Lake Surplus Canal Levee; thence Northwesterly along said ten (10) foot offset line the following three (3) courses: 1) N. 36°20'16" W. 42.50 feet; 2) N. 35°02'56" W. 45.12 feet; 3) N. 35°14'58" W. 33.57 feet to the **Point of Beginning**.

The above-described parcel of land contains 1,563 square feet in area or 0.036 acres, more or less.

EXHIBIT - B: By this reference, made a part hereof.

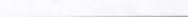
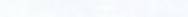

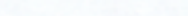
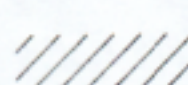
BASIS OF BEARING: S. 89°49'38" E. along the Quarter Section line between the Center Section and the East Quarter Corner of said Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian.

EXHIBIT "B"

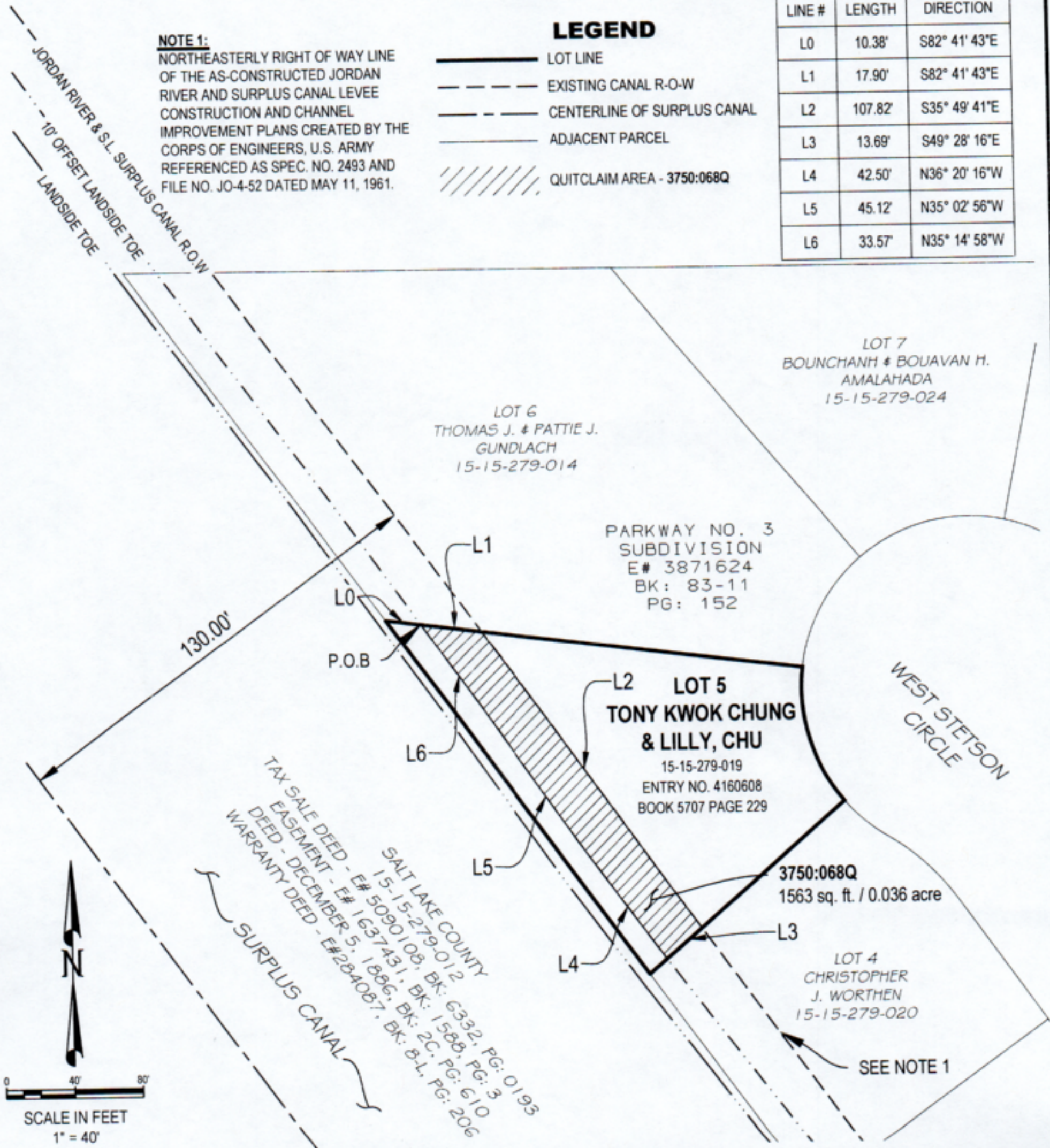
LINE TABLE

LINE #	LENGTH	DIRECTION
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L1	17.90'	S82° 41' 43"E
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LEGEND

-  LOT LINE
-  EXISTING CANAL R-O-W
-  CENTERLINE OF SURPLUS CANAL
-  ADJACENT PARCEL
-  QUITCLAIM AREA - 3750:068Q

NOTE 1:
NORTHEASTERLY RIGHT OF WAY LINE
OF THE AS-CONSTRUCTED JORDAN
RIVER AND SURPLUS CANAL LEVEE
CONSTRUCTION AND CHANNEL
IMPROVEMENT PLANS CREATED BY THE
CORPS OF ENGINEERS, U.S. ARMY
REFERENCED AS SPEC. NO. 2493 AND
FILE NO. JO-4-52 DATED MAY 11, 1961.



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TONY KWOK CHUNG & LILLY, CHU
JORDAN RIVER SURPLUS CANAL
QUIT CLAIM - 3750:068Q

LOT 5 PARKWAY NO. 3 SUBDIVISION
1477 W. STETSON CIRCLE, SALT LAKE CITY, UTAH

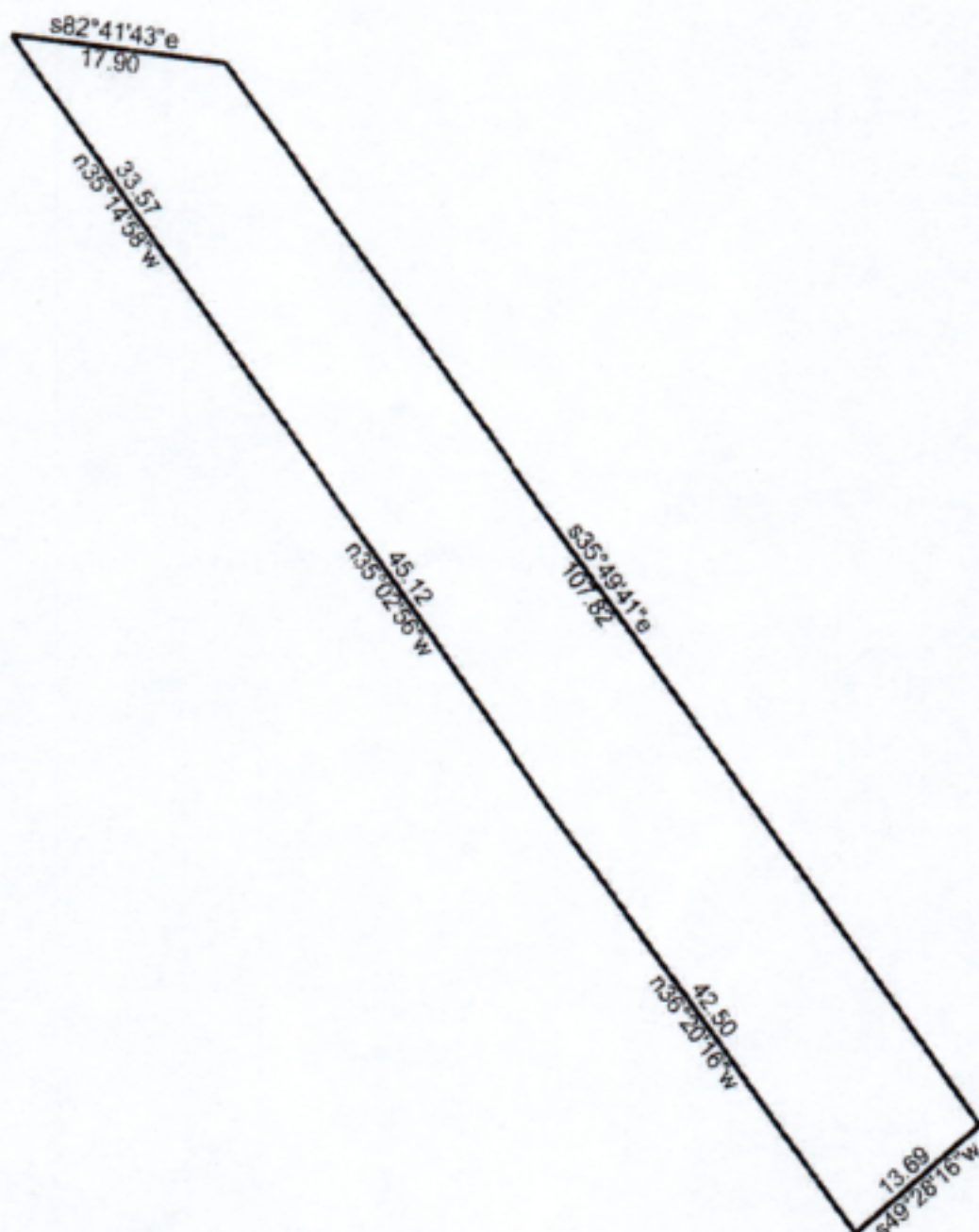
CRS PROJ #17113C

FINAL

FP140001

PAGE 4 OF 4

APRIL 26, 2019



Lot 15-15-279-019 RE# 3750:068Q

3/04/2019

Scale: 1 inch= 20 feet

File: 2019-03-04 17113C LOT 279-019 RE 3750 068Q.ndp

Tract 1: 0.0359 Acres (1563 Sq. Feet), Closure: n74.2644e 0.01 ft. (1/37275), Perimeter=261 ft.

01 s82.4143e 17.90
02 s35.4941e 107.82
03 s49.2816w 13.69
04 n36.2016w 42.50
05 n35.0256w 45.12
06 n35.1458w 33.57