

Mayor's Office: Council Agenda Item Request Form

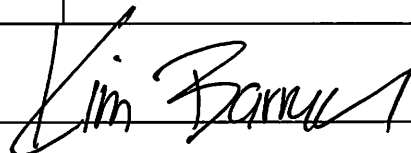
This form and supporting documents (if applicable) are due the Wednesday before the COW meeting by noon.

Date Received

(office use)

Date of Request	1/27/17
Requesting Staff Member	Chris Preston and Lee Colvin
Requested Council Date	November 7, 2017
Topic/Discussion Title	Easement for a natural gas line at Salt Lake County Parks and Recreation operations facility at 6332 S. Airport Road (4701 W.)
Description	Salt Lake County Parks and Recreation needs to give Questar Gas Co. dba Dominion Energy Utah a 20 foot wide by 390 foot long easement for installation and maintenance of a natural gas pipeline to service its facilities at 6332 S. Airport Road (4701 W.). The easement will be granted for no fee, as the gas line will serve only the Parks & Rec facilities.
Requested Action¹	Consent
Presenter(s)	Chris Preston and Lee Colvin
Time Needed²	N/A
Time Sensitive³	Yes
Specific Time(s)⁴	N/A
Contact Name & Phone	Chris Preston 87782 Lee Colvin 80373
Please attach the supporting documentation you plan to provide for the packets to this form. While not ideal, if supporting documents are not yet ready, you can still submit them by 10 am the Friday morning prior to the COW agenda. Items without documentation may be taken off for consideration at that COW meeting.	

Mayor or Designee approval:



¹ What you will ask the Council to do (e.g., discussion only, appropriate money, adopt policy/ordinance) – in specific terms.

² Assumed to be 10 minutes unless otherwise specified.

³ Urgency that the topic to scheduled on the requested date.

⁴ If important to schedule at a specific time, list a few preferred times.

RESOLUTION NO. _____

ADOPTED: _____, 2017

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING
AND AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY AND
EASEMENT GRANT WITH QUESTAR GAS COMPANY DBA DOMINION
ENERGY UTAH

RECITALS

- A. Salt Lake County (the “County”) owns a parcel of real property located at approximately 4701 West 6200 South in West Jordan, Utah, Parcel No. 21-19-100-028, which the County is developing as a maintenance and operations facility for Salt Lake County Parks and Recreation (the “County Parks Property”).
- B. A 20-foot wide perpetual easement across a portion of the County Parks Property is necessary to allow Questar Gas Company dba Dominion Energy Utah (“Questar”) to construct, maintain, and repair an underground gas pipeline and related facilities (“Gas Facilities”) to provide gas services to the County Parks Property.
- C. It has been determined that installation and connection to Questar’s Gas Facilities constitutes fair and adequate consideration for the grant of said easement, and no other fee shall be required for the easement because of the benefit the Gas Facilities will provide to the County Parks Property.
- D. The County and Questar have prepared a Right-of-Way and Easement Grant, attached as Exhibit A hereto (“Easement Agreement”), wherein the County grants the requested easement across a portion of the County Parks Property to Questar for the construction, maintenance, and repair of the Gas Facilities.
- E. It has been determined that the best interests of the County and the general public will be served by executing the Easement Agreement. The terms and conditions of the Easement

Agreement are in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Easement Agreement, attached hereto as Exhibit A and by this reference made a part of this Resolution, is hereby approved; and the Mayor and County Clerk are hereby authorized to execute the original of said easement and to deliver the fully executed document to the County Real Estate Section for distribution as necessary to complete the transaction.

APPROVED and ADOPTED this _____ day of _____, 2017.

SALT LAKE COUNTY COUNCIL

By: _____
Steve DeBry, 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: 10/10/2017

WHEN RECORDED MAIL TO:

Questar Gas Company
P.O. Box 45360, Right-of-way
Salt Lake City, UT 84145-0360
40539SALT.PLS.lc;

Space above for County Recorder's use
PARCEL I.D.# 2119100028000

RIGHT-OF-WAY AND EASEMENT GRANT
40539

SALT LAKE COUNTY, a body corporate and politic of the State of Utah, "Grantor", does hereby convey and warrant to QUESTAR GAS COMPANY, a corporation of the State of Utah, dba Dominion Energy Utah, Grantee, its successors and assigns, for the sum of ONE DOLLAR (\$1.00) in hand paid and other good and valuable consideration, receipt of which is hereby acknowledged, a right-of-way and easement twenty (20) feet in width to construct, lay, maintain, operate, repair, alter, inspect, protect, make connections to, remove and replace pipelines, valves, valve boxes and install cathodic monitoring and mitigation facilities and other gas transmission and distribution facilities (hereinafter collectively called "Facilities"), through and across the following described land and premises situated in the County of Salt Lake, State of Utah, and more particularly described as follows, to-wit:

Land of the Grantor located in the Northwest Quarter of Section 19, Township 2 South, Range 1 West, Salt Lake Base and Meridian;

the centerline of said right-of-way and easement shall extend through and across the above-described land and premises as follows, to-wit:

A strip of land twenty (20) feet in width lying entirely within that tract of land described in that Warranty Deed recorded February 13, 2014 as Entry No. 11804080 in Book 10211, at Page 651 in the Office of the Salt Lake County Recorder and located in the Northwest Quarter of Section 19, Township 2 South, Range 1 West, Salt Lake Base and Meridian, ten (10) feet each side of the following described center line:

BEGINNING at a point on the easterly boundary line of Grantor's property, said point being South 89°55'30" East 1513.65 feet along the North section line and South 319.95 feet and South 00°05'49" East 472.44 feet from the Northwest Corner of said Section 19; thence North 89°55'30" West 390.00 feet to the POINT OF TERMINUS. The sidelines of said strip of land to be lengthened or shortened to begin on the easterly boundary of said Grantor's property and end at the Point of Terminus. (Contains 7,800 square feet in area or 0.18 acre, more or less.)

EXHIBIT "A": Map of easement, by this reference made a part hereof.

BASIS OF BEARING: The basis of bearing is South 89°55'30" East between the Northwest Corner and the North Quarter Corner of said Section 19, Township, 2 South , Range 1 West, Salt Lake Base and Meridian.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, so long as such Facilities shall be maintained, with the right of ingress and egress to and from said right-of-way to construct, lay, maintain, operate, repair, alter, inspect, protect, make connections to, remove and replace the same. This right-of-way and easement shall carry with it the right to use any available access road(s) for the purpose of conducting the foregoing activities. During temporary periods, Grantee may use such portion of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the Facilities. Grantor shall have the right to use said premises except for the purposes for which this right-of-way and easement is granted to Grantee, provided such use does not interfere with the Facilities or any other rights granted to Grantee hereunder.

Without limiting the generality of the foregoing, Grantor(s) does hereby covenant, warrant and agree as follows:

1. Grantor shall not build or construct, nor permit to be built or constructed, over or across the right-of-way, any building, retaining walls, rock walls, footings or improvement which impairs the maintenance or operation of the Facilities.
2. Grantor shall not change the contour within the right-of-way without prior written consent of Grantee.
3. Grantor shall not plant, or permit to be planted, any deep rooted trees, or any vegetation with roots that may damage the Facilities, within the right-of-way, without prior written consent of Grantee.
4. Grantor shall not place personal property within the right-of-way that impairs the maintenance or operation of the Facilities.
5. Grantee shall have the right to cut and remove timber, trees, brush, overhanging branches, landscaping and improvements or other obstructions of any kind and nature which may injure or interfere with Grantee's use, occupation or enjoyment of this easement and right-of-way, without liability to Grantor, and without compensation.
6. The Facilities located on, under and across this easement will be installed, maintained, and operated by Grantee, according to its Utah tariff and in accordance with all applicable codes, laws, rules, or regulations.
7. Grantee shall restore all of Grantor's property affected by any subsequent operation, maintenance, repair or removal of Grantee's Facilities, to as near its original condition

as is reasonably possible

This right-of-way shall be binding upon and inure to the benefit of the successors and assigns of Grantor(s) and the successors and assigns of Grantee, and may be assigned in whole or in part by Grantee.

It is hereby understood that any parties securing this grant on behalf of Grantee are without authority to make any representations, covenants or agreements not herein expressed.

WITNESS the execution hereof this ____ day of _____, 20__.

GRANTOR:
SALT LAKE COUNTY

APPROVED AS TO FORM
District Attorney's Office
By: R. Christopher Preston
Attorney

R. CHRISTOPHER PRESTON

Date: 10/17/2017

By: _____
Mayor or Designee

By: _____
County Clerk or Designee

STATE OF UTAH)
 :SS
County of Salt Lake)

On this ____ day of _____, 20__, personally appeared before me _____, who being duly sworn, did say that (s)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.

NOTARY PUBLIC
Residing in Salt Lake County, Utah

STATE OF UTAH)
 :SS
County of Salt Lake)

On this ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, did say and acknowledge that s(he) is the _____ of Salt Lake County, and that the foregoing instrument was signed by her (him) on behalf of Salt Lake County, by authority of a Resolution of the Salt Lake County Council.

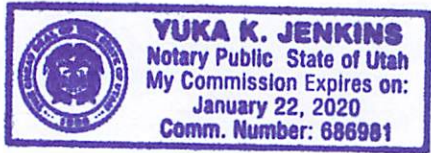
NOTARY PUBLIC
Residing in Salt Lake County, Utah

GRANTEE:
QUESTAR GAS COMPANY dba
DOMINION ENERGY UTAH

By: Matt Bartol
Matt Bartol, General Manager
Engineering and Project Management

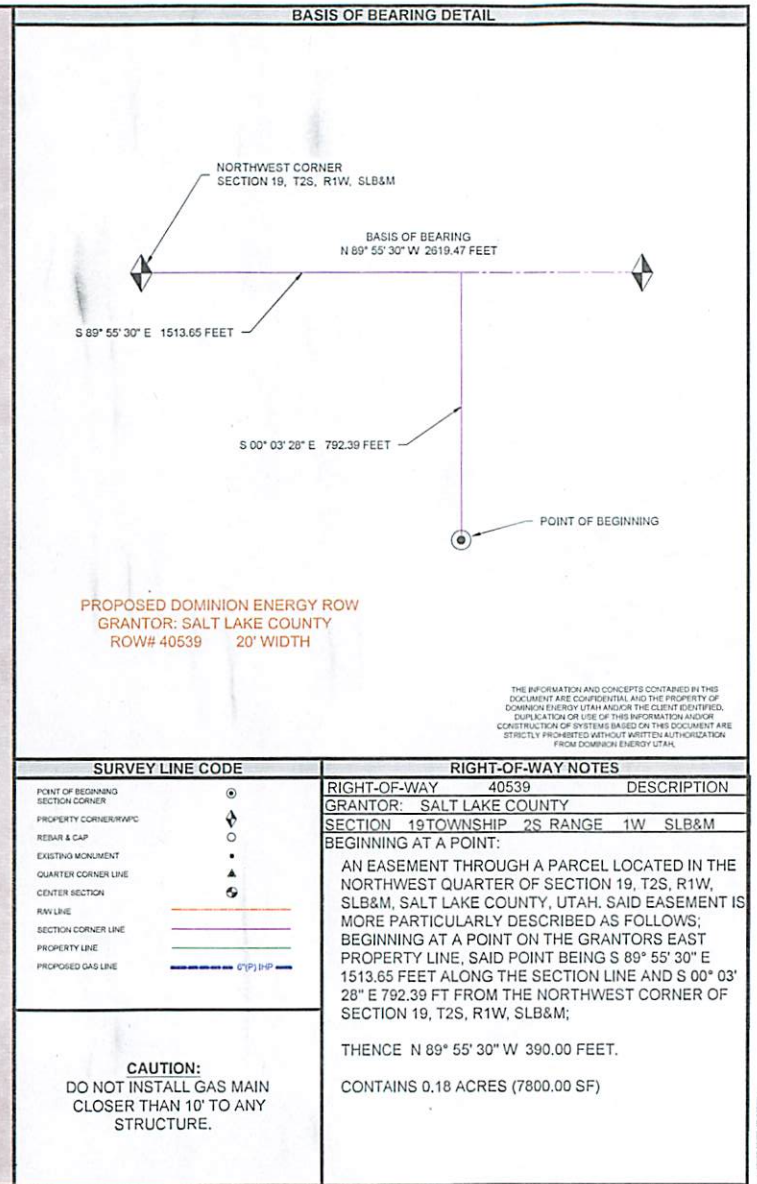
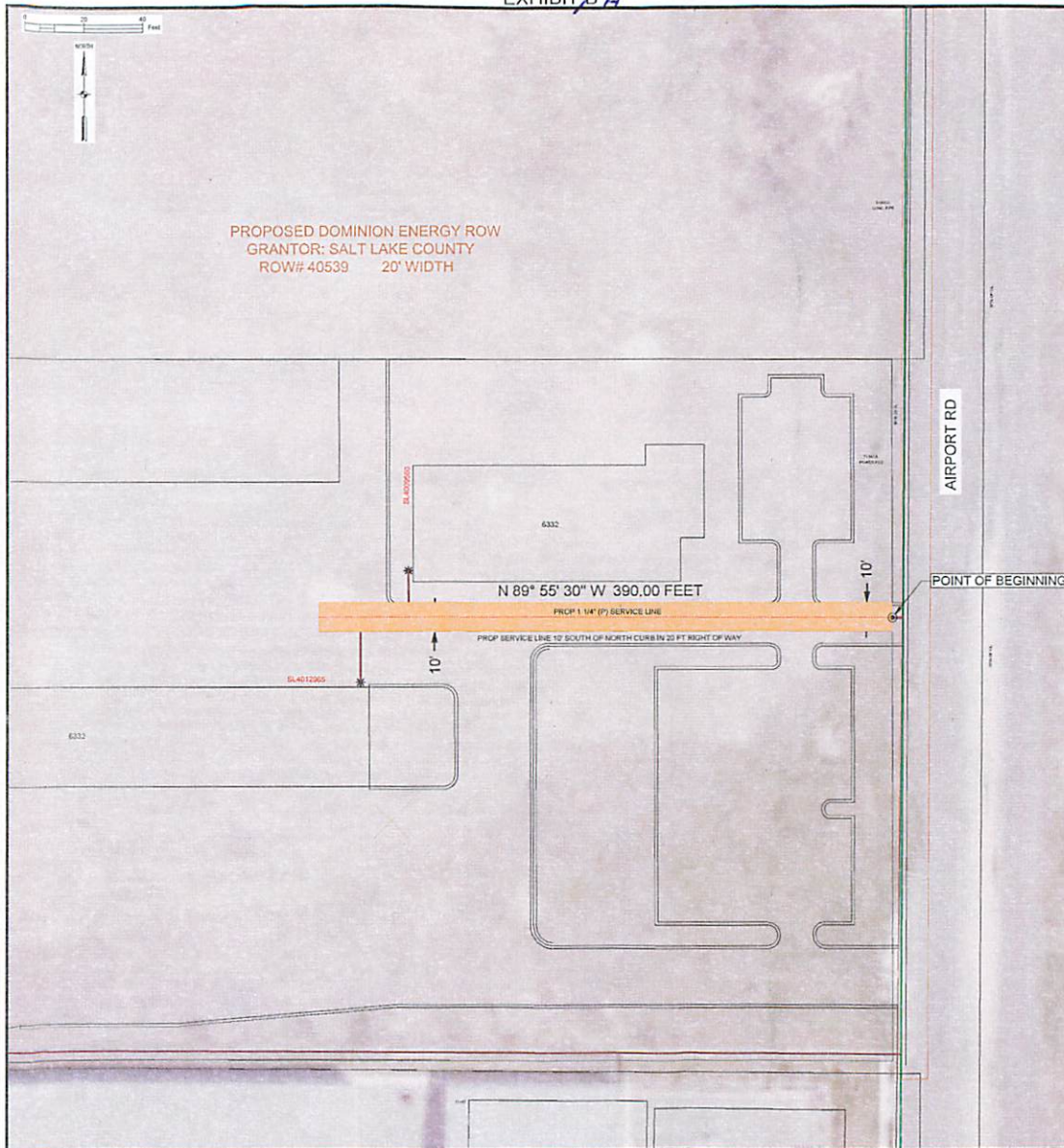
STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On this 16th day of October, 2017 personally appeared before me
Matt Bartol, who, being duly sworn, did say that he is the
Authorized Representative of QUESTAR GAS COMPANY dba
DOMINION ENERGY UTAH and that the foregoing instrument was signed on behalf of said
corporation



Yuka K. Jenkins
Notary Public

EXHIBIT **BA**



SURVEY LINE CODE		RIGHT-OF-WAY NOTES	
POINT OF BEGINNING	○	RIGHT-OF-WAY	40539
SECTION CORNER	◊	DESCRIPTION	
PROPERTY CORNER/RAFC	◊	GRANTOR:	SALT LAKE COUNTY
REBAR & CAP	○	SECTION	19 TOWNSHIP 2S RANGE 1W SLB&M
EXISTING MONUMENT	•	BEGINNING AT A POINT:	
QUARTER CORNER LINE	▲	AN EASEMENT THROUGH A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, T2S, R1W, SLB&M, SALT LAKE COUNTY, UTAH. SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE GRANTORS EAST PROPERTY LINE, SAID POINT BEING S 89° 55' 30" E 1513.65 FEET ALONG THE SECTION LINE AND S 00° 03' 28" E 792.39 FT FROM THE NORTHWEST CORNER OF SECTION 19, T2S, R1W, SLB&M; THENCE N 89° 55' 30" W 390.00 FEET. CONTAINS 0.18 ACRES (7800.00 SF)	
CENTER SECTION	⊙		
R/W LINE	—		
SECTION CORNER LINE	—		
PROPERTY LINE	—		
PROPOSED GAS LINE	—		
CAUTION: DO NOT INSTALL GAS MAIN CLOSER THAN 10' TO ANY STRUCTURE.			

REVISIONS				ENGINEERING RECORD			
NO.	DESCRIPTION	DATE	BY	CHECK	PROJECT NUMBER	DATE CREATED	PROJECT CONTACT
1	SURVEY REVIEW	09/29/17	DNC	AM	2104052	09/29/17	B SMTH
					DRAWN BY: D CHRISTENSEN	SURVEYOR: N/A	
					CHECKED BY: A MEACHAM		
				DWG. SCALE: (24x36) 1"=20' OR (17x11) 1"=40'			



TITLE: SALT LAKE COUNTY
 DESCRIPTION: 20' DOMINION ENERGY UTAH EASEMENT
 ADDRESS: 6332 AIRPORT ROAD

CITY	COUNTY	STATE
WEST JORDAN	SALT LAKE	UT
DRAWING NUMBER		SHEET
SL 4012965		01
		REVISION
		A