### A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING EXECUTION OF THREE EASEMENTS FOR THE BENEFIT OF THE CITY OF SOUTH JORDAN

### WITNESSETH

A. The Salt Lake County Council authorized a Boundary Line Agreement with the City of South Jordan (the "City") pursuant to Resolution 5456 adopted on December 11, 2018.

B. As part of the Boundary Line Agreement, Salt Lake County (the "County") adjusted the boundaries of Parcel No. 27-15-351-001 ("Parcel 001") and Parcel No. 27-15-351-002 ("Parcel 002") which are both owned by the County and located at approximately 11059 South 2200 West, South Jordan, Utah 84095,.

C. The City has an underground storm drain line that passes under Parcel 001 and an underground water line that passes under Parcel 001 and Parcel 002. These underground storm drain and water lines pre-existed the Boundary Line Agreement between the City and the County.

D. In order to recognize the existence of the storm drain line and the water line on the property now owned by the County, the County and the City have prepared a Storm Drain Easement and two Waterline Easements.

E. Because these documents formally recognize a pre-existing condition and are related to the Boundary Line Agreement already approved by the County Council, it is proposed to authorize these easements for no fee.

F. It has been determined that the best interests of the County and the general public will be served by entering into the Storm Drain Easement attached hereto as Exhibit A and the two Waterline Easements attached hereto as Exhibits B and C. This action will comply with all applicable state statutes and City and County ordinances.

### RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Storm Drain Easement and the two Waterline Agreements attached to this Resolution are hereby approved, and the Mayor and County Clerk are hereby authorized to execute said documents and to deliver the fully executed documents to the County Real Estate Section for recording.

APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_\_, 2019.

SALT LAKE COUNTY COUNCIL:

Richard Snelgrove, Chair

2019

1

Date

ATTEST:

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. Chutyle Preton Digitally signed by Robert Preston Date: 2019.07.09 13:29:35 -06'00'

R. Christopher Preston Deputy District Attorney

## EXHIBIT A

Storm Drain Easement

WHEN RECORDED, MAIL TO: South Jordan City, 1600 West Towne Center Drive South Jordan, Utah 84095

# **Storm Drain Easement**

Salt Lake County

Parcel No. 27-15-351-001

**SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, **Grantor**, hereby GRANTS AND CONVEYS to the CITY **OF SOUTH JORDAN**, a Utah municipal corporation located at 1600 WEST TOWNE CENTER DRIVE, SOUTH JORDAN CITY, UTAH 84095, herein referred to as **GRANTEE**, for the sum of 10 Dollars, and other good and valuable consideration, the receipt and sufficiency is hereby acknowledged a **Storm Drain Easement** which is more particularly described as follows;

A STORM DRAIN EASEMENT BEING PART OF AN ENTIRE TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID ENTIRE TRACT IS DESCRIBED IN THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 12941291, IN BOOK 10756, ON PAGE 3527, SALT LAKE COUNTY RECORDER'S OFFICE THE BOUNDARY OF SAID STORM DRAIN EASEMENT IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF PARK ROAD, WHICH IS N 00°03'10" E 533.76 FT ALONG THE CENTER SECTION LINE AND N 89°56'50" W 53.00 FT AND S 89°58'35" W 848.90 FT AND N 00°02'28" E 45.67 FT TO THE POINT OF TANGENCY WITH A 115.00 FT RADIUS CURVE TO THE LEFT AND NORTHWESTERLY 66.58 FT ALONG THE ARC OF SAID CURVE (CHORD BEARS N 16°32'43" W 65.66 FT) HAVING A CENTRAL ANGLE OF 33°10'22", FROM THE SOUTH QUARTER CORNER OF SECTION 15, T.3S, R.1W OF THE SLB&M. THENCE NORTHWESTERLY 53.55 FT ALONG A TANGENT 115.00 FT RADIUS CURVE TO THE LEFT (CHORD BEARS N 46°28'19" W 53.07 FT) HAVING A CENTRAL ANGLE OF 26°40'51", ALONG SAID SOUTHWESTERLY LINE; THENCE N 59°48'45" W 31.77 FT; THENCE S 51°27'38" E 84.30 FT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED STORM DRAIN EASEMENT CONTAINS 305 SQ FT IN AREA, OR 0.007 AC., MORE OR LESS.

**GRANTEE** reserves said Storm Drain Easement, so long as such facilities shall be required, with the right of ingress and egress to said GRANTEE, it's officers, employees, representatives, agents, and assigns to enter upon the above described easement with such equipment as is necessary to construct, install, operate, maintain, repair, inspect, protect, remove, replace and access said storm drain system appurtenant facilities.

**GRANTOR** shall have the right to use premises except for the purpose for which this storm drain easement is granted to the said GRANTEE, provided such use shall not interfere with the storm drain line or any other rights granted to GRANTEE hereunder. This storm drain easement shall be binding upon, and inure to the benefit of the successors and assigns of GRANTOR and may be assigned in whole or part by the GRANTEE.

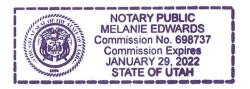
Upon completion of the water system appurtenant facilities or any other activities that disturb the surface of GRANTOR's property, GRANTEE shall promptly restore such land to the condition it was in immediately prior to such disturbance or as otherwise reasonably required by GRANTOR.

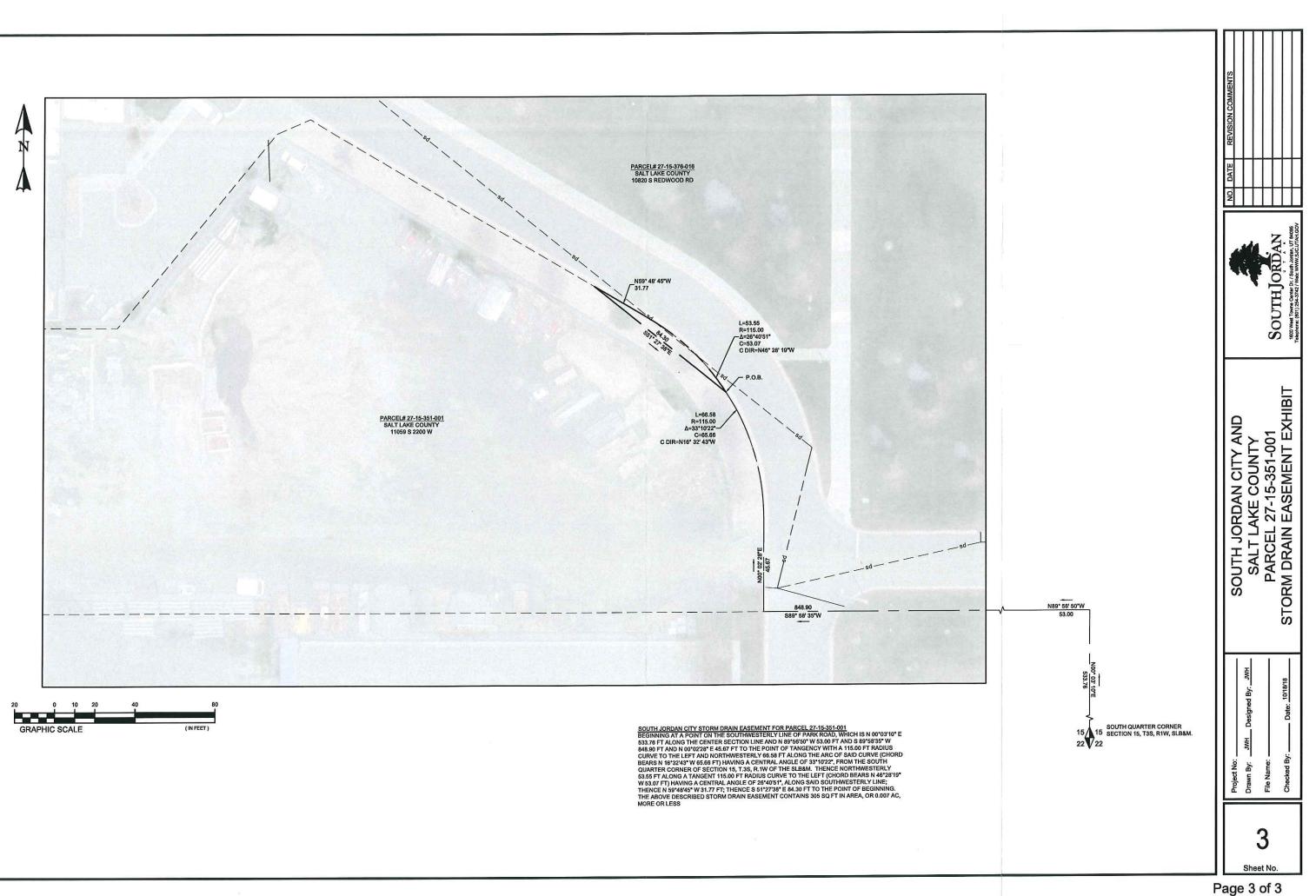
IN WITNESS WHEREOF, the Grantor has executed this Access and Utility Easement this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

#### GRANTOR: SALT LAKE COUNTY

| By:<br>Mayor or D   | Designee  |
|---|---|
| By:   | County Clerk                                      |
| STATE OF UTAH )   | R. CHRISTOPHER PRESTON                            |
| :ss<br>COUNTY OF SALT LAKE )  | Date: 7/22/2019                                   |
| On this day of, 20, personally appeared b<br>duly sworn, did say that (s)he is the of<br>the foregoing instrument was signed on behalf of Salt Lake                         | Salt Lake County, Office of Mayor, and that       |
|   | DTARY PUBLIC<br>esiding in Salt Lake County, Utah |
| STATE OF UTAH )   |   |
| :ss<br>COUNTY OF SALT LAKE )  |   |
| On this day of, 20, personally appeared be<br>sworn, did say and acknowledge that (s)he is the Clerk of Sal<br>was signed by her on behalf of Salt Lake County by authority | t Lake County, and that the foregoing instrument  |
| NC  | DTARY PUBLIC                                      |
|   | siding in Salt Lake County, Utah                  |
| GRANTEE:<br>THE CITY OF SOUTH JORDAN<br>By: By:   | Ulietett  |
| State of Utah )   | atcott, City Manager                              |
| )ss.<br>County of Salt Lake )   |   |
|   |   |

The foregoing instrument was acknowledged before me this <u></u>day of <u>July</u>, 20<u>9</u>, by <u>Gary L.Whatcott</u>, its <u>City Manager</u> of the <u>City of South Jordan</u>.





## EXHIBIT B

Waterline Easement (Parcel No. 27-15-351-001) WHEN RECORDED, MAIL TO: South Jordan City, 1600 West Towne Center Drive South Jordan, Utah 84095

# Waterline Easement

Salt Lake County

Parcel No. 27-15-351-001

**SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, **Grantor**, hereby GRANTS AND CONVEYS to the CITY **OF SOUTH JORDAN**, a Utah municipal corporation located at 1600 WEST TOWNE CENTER DRIVE, SOUTH JORDAN CITY, UTAH 84095, herein referred to as **GRANTEE**, for the sum of 10 Dollars, and other good and valuable consideration, the receipt and sufficiency is hereby acknowledged a **Waterline Easement** which is more particularly described as follows;

A WATERLINE EASEMENT BEING PART OF AN ENTIRE TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID ENTIRE TRACT IS DESCRIBED IN THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 12941291, IN BOOK 10756, ON PAGE 3527, SALT LAKE COUNTY RECORDER'S OFFICE THE BOUNDARY OF SAID WATERLINE EASEMENT IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SALT LAKE COUNTY PARCEL 27-15-376-016 AND A POINT ON THE WESTERLY LINE OF PARK ROAD, WHICH IS N 00°03'10" E 533.76 FT ALONG THE SECTION LINE AND N 89°56'50" W 53.00 FT AND S 89°58'35" W 848.90 FT FROM THE SOUTH QUARTER CORNER OF SECTION 15, T.3S, R.1W OF THE SLB&M. THENCE N 00°02'28" E 45.67 FT ALONG SAID WESTERLY LINE TO THE POINT OF TANGENCY WITH A 115.00 FT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 106.47 FT ALONG THE ARC OF SAID CURVE (CHORD BEARS N 26°28'54" W 102.71 FT) HAVING A CENTRAL ANGLE OF 53°02'44"; ALONG SAID WESTERLY LINE; THENCE S 44°12'21" W 24.73 FT; THENCE N 51°25'21" W 25.52 FT; THENCE N 58°52'08" W 140.01 FT; THENCE N 55°40'55" W 49.15 FT; THENCE S 39°40'14" W 20.09 FT; THENCE S 55°40'55" E 51.58 FT; THENCE S 58°52'08" E 139.27 FT; THENCE S 51°25'21" E 74.18 FT; THENCE S 04°59'19" E 52.45 FT; THENCE N 86°36'14" E 15.81 FT; THENCE S 00°07'24" W 21.78 FT; THENCE N 89°58'35" E 16.13 FT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED WATERLINE EASEMENT CONTAINS 8,936 SQ FT IN AREA, OR 0.205 AC., MORE OR LESS.

**GRANTEE** reserves said Waterline Easement, so long as such facilities shall be required, with the right of ingress and egress to said GRANTEE, it's officers, employees, representatives, agents, and assigns to enter upon the above described easement with such equipment as is necessary to construct, install, operate, maintain, repair, inspect, protect, remove, replace and access said water system appurtenant facilities.

**GRANTOR** shall have the right to use premises except for the purpose for which this waterline easement is granted to the said GRANTEE, provided such use shall not interfere with the waterline or any other rights granted to GRANTEE hereunder. This waterline easement shall be binding upon, and inure to the benefit of the successors and assigns of GRANTOR and may be assigned in whole or part by the GRANTEE.

Upon completion of the water system appurtenant facilities or any other activities that disturb the surface of GRANTOR'S property, GRANTEE shall promptly restore such land to the condition it was in immediately prior to such disturbance or as otherwise reasonably required by GRANTOR.

IN WITNESS WHEREOF, the Grantors have executed this Access and Utility Easement this day of , 2019.

#### **GRANTOR:** SALT LAKE COUNTY

|              |           |          | Ву: |                        |   |
|--------------|-----------|----------|-----|------------------------|---|
|              |           |          |     | Mayor or Designee      | APPROVED AS TO FORM<br>District Attorney's Office |
|              |           |          | Ву: |                        | By: K- alta Puts                                  |
| STATE OF UTA | И         | )        |     | Salt Lake County Clerk | Attorney  |
|              |           | )<br>:ss |     |                        | R. CHRISTOPHER PRESTON                            |
| COUNTY OF    | SALT LAKE | )        |     |                        | Date: 7/22/2019                                   |
|              |           |          |     |                        |   |

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 Sherrie Swensen, who being by me duly sworn, did say and acknowledge that (s)he is the Clerk of Salt Lake County, and that the foregoing instrument was signed by her 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: THE CITY OF SOUTH JORDAN

)ss.

ommission No. 698737 Commission Expires

STATE OF UTAH

By:

Gary L/.Whatcott, City Manager

Notary Public

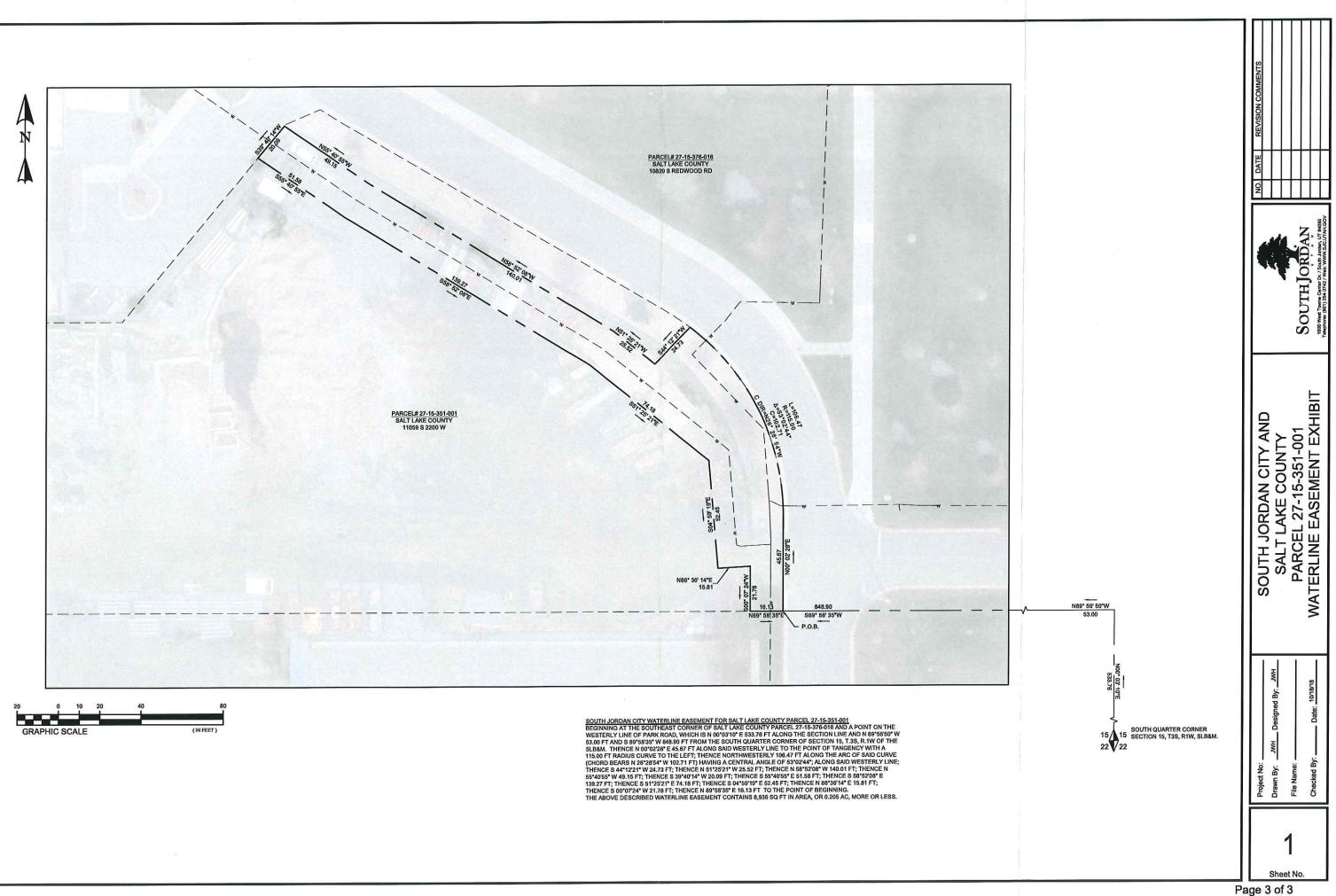
State of Utah

County of Salt Lake

| The foregoing instrument was  | acknowledged before me this X day of MU . 2019, by |
|---|--|
| Gary L.Whatcott, its City Manager of th   |  |
| NOTARY PUBLIC<br>MELANIE EDWARDS<br>Commission No. 698737<br>Commission Expires | Mildulalus   |



Page 2 of 3



## EXHIBIT C

Waterline Easement (Parcel No. 27-15-351-002) WHEN RECORDED, MAIL TO: South Jordan City, 1600 West Towne Center Drive South Jordan, Utah 84095

# Waterline Easement

Salt Lake County

Parcel No. 27-15-351-002

**SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, **Grantor**, hereby GRANTS AND CONVEYS to the CITY **OF SOUTH JORDAN**, a Utah municipal corporation located at 1600 WEST TOWNE CENTER DRIVE, SOUTH JORDAN CITY, UTAH 84095, herein referred to as **GRANTEE**, for the sum of 10 Dollars, and other good and valuable consideration, the receipt and sufficiency is hereby acknowledged a **Waterline Easement** which is more particularly described as follows;

A WATERLINE EASEMENT BEING PART OF AN ENTIRE TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID ENTIRE TRACT IS DESCRIBED IN THAT QUIT CLAIM DEED RECORDED AS ENTRY NO. 12941291, IN BOOK 10756, ON PAGE 3527, SALT LAKE COUNTY RECORDER'S OFFICE THE BOUNDARY OF SAID WATERLINE EASEMENT IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SALT LAKE COUNTY PARCEL 27-15-351-002, WHICH IS N 00°03'10" E 264.00 FT ALONG THE SECTION LINE AND WEST 949.36 FT FROM THE SOUTH QUARTER CORNER OF SECTION 15, T.3S, R.1W OF THE SLB&M. THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT AND THE WESTERLY LINE OF PARK ROAD, THE FOLLOWING FIVE (5) COURSES: 1) NORTHEASTERLY 54.87 FT ALONG A NON-TANGENT 180.00 FT RADIUS CURVE TO THE RIGHT, BEARING TO RADIUS POINT IS S 80°19'07" E (CHORD BEARS N 18°24'51" E 54.66 FT), HAVING A CENTRAL ANGLE OF 17°27'56", 2) N 27°08'50" E 12.51 FT TO A POINT OF TANGENCY WITH A 220.00 FT RADIUS CURVE TO THE LEFT; 3) NORTHEASTERLY 103.17 FT ALONG THE ARC OF SAID CURVE (CHORD BEARS N 13°42'47" E 102.22 FT), HAVING A CENTRAL ANGLE OF 26°52'05"; 4) N 00°16'44" E 101.70 FT; 5) N 00°02'28" E 5.48 FT TO THE NORTHEASTERLY CORNER OF SAID ENTIRE TRACT; THENCE S 89°58'35" W 16.13 FT ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE S 00°08'15" W 112.51 FT; THENCE S 14°18'05" W 161.99 FT THENCE EAST 8.70 FT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED WATERLINE EASEMENT CONTAINS 4,268 SQ FT IN AREA, OR 0.098 AC., MORE OR LESS.

**GRANTEE** reserves said Waterline Easement, so long as such facilities shall be required, with the right of ingress and egress to said GRANTEE, it's officers, employees, representatives, agents, and assigns to enter upon the above described easement with such equipment as is necessary to construct, install, operate, maintain, repair, inspect, protect, remove, replace and access said water system appurtenant facilities.

**GRANTOR** shall have the right to use premises except for the purpose for which this waterline easement is granted to the said GRANTEE, provided such use shall not interfere with the waterline or any other rights granted to GRANTEE hereunder. This waterline easement shall be binding upon, and inure to the benefit of the successors and assigns of GRANTOR and may be assigned in whole or part by the GRANTEE.

Upon completion of the water system appurtenant facilities or any other activities that disturb the surface of GRANTOR'S property, GRANTEE shall promptly restore such land to the condition it was in immediately prior to such disturbance or as otherwise reasonably required by GRANTOR.

IN WITNESS WHEREOF, the Grantors have executed this Access and Utility Easement this day of \_\_\_\_\_, 2019.

#### **GRANTOR:** SALT LAKE COUNTY

|                              | Ву:                              | -   |
|------------------------------|----------------------------------|---|
|                              | Mayor or Designee                | APPROVED AS TO FORM<br>District Attorney's Office |
|                              | By:<br>Salt Lake County Clerk    | _ By: R Clethe Puter                              |
| STATE OF UTAH )              | - 1920-04 Aug                    | Attorney<br>R. CHRISTOPHER PRESTON                |
| :ss<br>COUNTY OF SALT LAKE ) |                                  | Date: 7/22/2019                                   |
| On this day of, 20           | _, personally appeared before me | , who being                                       |

auly 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 Sherrie Swensen, who being by me duly sworn, did say and acknowledge that (s)he is the Clerk of Salt Lake County, and that the foregoing instrument was signed by her 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:** THE CITY OF SOUTH JORDAN

Rv<sup>\*</sup> Gary L.Whatcott, City Manager

State of Utah County of Salt Lake

| The foregoing instrument was acknowledged before me this _     | 8 | day of Cilly | , 20 🧐 , by |
|--|---|--------------|-------------|
| Gary L.Whatcott, its City Manager of the City of South Jordan. |   |              | · · · ·     |



)ss.

Notary Publ

