

RESOLUTION NO. _____

DATE _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING
EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE KEARNS
METRO TOWNSHIP FOR COOPERATION ON A QUIET TITLE ACTION

RECITALS

- A. Salt Lake County (the “County”) is constructing a new library on property that includes portions of the road of 5375 South, between 4320 West and 4220 West, Kearns, UT 84118, which the Kearns Metro Township (the “Metro Township”) has closed and over which the Metro Township has granted the County an easement. The County records contain no recorded document confirming that the portion of 5375 South between 4320 West and 4220 West was ever dedicated to the public (the “**Subject Road**”).
- B. The Subject Road has been used as a public road since 1965. The County desires to quiet title to the Subject Road as a thoroughfare dedicated to public use.
- C. Under Utah Code Ann. § 72-5-104(2), the Metro Township is the relevant “highway authority” possessing jurisdictional authority over the Subject Road. Accordingly, the Metro Township has ultimate responsibility for asserting a public-use dedication by means of a quiet title action under Utah Code Ann. § 72-5-104 (“**Quiet Title Action**”).
- D. The County has asked the Metro Township to file the Quiet Title Action on its behalf and is willing to reimburse all legal fees, costs, and expenses reasonably incurred in the prosecution of such action as provided in the Interlocal Agreement attached hereto as Exhibit A.
- E. It has been determined that the best interests of the County and the general public will be served by entering into the attached Interlocal Agreement. The execution of said Interlocal Agreement will comply with all applicable state statutes and County ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Interlocal Agreement is accepted and approved, and the Mayor is hereby authorized to execute the Interlocal Agreement on behalf of Salt Lake County and to sign all other documents, reasonably necessary to comply with the County's obligations contained in the Interlocal Agreement.

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:

R. Christopher Preston
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 Newton voting _____
Council Member Snelgrove voting _____

Exhibit A
Interlocal Agreement