

**WEST VALLEY CITY, UTAH**

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

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY AGREEMENT WITH JUDY F. PEARCE AND J. THOMAS PEARCE, AS TRUSTEES OF THE JUDY F. PEARCE TRUST, DATED FEBRUARY 23, 2009, FOR PROPERTY LOCATED AT 3525 SOUTH 6800 WEST AND TO ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT.**

**WHEREAS**, Judy F. Pearce and J. Thomas Pearce, as Trustees of the Judy F. Pearce Trust, dated February 23, 2009, (herein “Pearce”), owns property located at approximately 3525 South 6800 West, in West Valley City (herein the “Property”); and

**WHEREAS**, the Property is affected by the construction of the 3500 South 6800 West Safe Sidewalks Project; and

**WHEREAS**, the City desires to purchase a right-of-way on the Property to facilitate construction of the Project; and

**WHEREAS**, Pearce has agreed to convey said right-of-way to the City; and

**WHEREAS**, an agreement has been prepared for execution by and between Pearce and West Valley City, a copy of which is attached hereto and entitled “West Valley City Right-of-Way Agreement” (herein the “Agreement”), which sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

**WHEREAS**, Pearce has executed a Warranty Deed conveying said right-of-way to the City, as well as a Grant of Temporary Construction Easement; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to authorize the execution of the Agreement, and to accept said Warranty Deed and Grant of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, as follows:

1. That the “West Valley City Right-of-Way Agreement” is hereby approved in substantially the form attached, and the Mayor is hereby authorized to execute said Agreement for and on behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney’s Office.

2. The Mayor is hereby authorized to accept a Warranty Deed conveying the right-of-way to the City, as well as a Grant of Temporary Construction Easement from Pearce.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

WEST VALLEY CITY

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER