

**WEST VALLEY CITY, UTAH**

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

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY AGREEMENT WITH VAUGHN R. FEULNER AND KATHLEEN C. FEULNER FOR PROPERTY LOCATED AT 3515 SOUTH 6800 WEST AND TO ACCEPT A WARRANTY DEED, STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT.**

**WHEREAS**, Vaughn R. Feulner and Kathleen C. Feulner, (herein “Feulner”), own property located at approximately 3515 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**, Feulner has agreed to convey said right-of-way to the City; and

**WHEREAS**, an agreement has been prepared for execution by and between Feulner 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**, Feulner has executed a Warranty Deed conveying said right-of-way to the City, as well as a Storm Drain Easement and 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, Storm Drain Easement and a 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 Storm Drain Easement and a Grant of Temporary Construction Easement from Feulner.

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

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

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