

Ent 028072 Ek 88 Pg 135
Date: 06-JUL-2017 3:01:05PM
Fee: NoneFiled By: KP
KERI PALLESEN, Recorder
DAGGETT COUNTY
For: DAGGETT COUNTY

DAGGETT COUNTY, UTAH
BOARD OF COUNTY COMMISSIONERS
July 5, 2017

RESOLUTION NO. 17-12

A RESOLUTION APPROVING THE TRANSFER OF AN INTEREST IN RIGHTS CURRENTLY POSSESSED BY DAGGETT COUNTY IN THE BROWNS PARK ROAD TO BE IMPROVED BY THE FLAMING GORGE ROAD AND TRANSPORTATION SPECIAL SERVICE DISTRICT, CREATING A JOINT INTEREST IN SUCH ROADWAY; AND RELATED MATTERS.

WHEREAS, it is critically important to the health, welfare and well being of the citizens of Daggett County (the "County") that an efficient and reliable transportation system exist for the County; and

WHEREAS, the Browns Park Road (the "Road") depicted on the attached map Exhibit A is a roadway the County asserts all rights, claims, privileges, easement interest and obligations as provided by law; and

WHEREAS, the construction and improvement of the Road would be beneficial to the transportation needs of those utilizing that corridor in allowing for a safer and more efficient route of travel in that portion of the County; and

WHEREAS, the Flaming Gorge Road and Transportation Special Service District has the ability to perform the necessary construction and improvement of the Road and was formed for such purposes and has obtained authorization for a loan with a maturity of 15 years and a grant to finance the same; and

WHEREAS, to allow for the efficient funding of the project it is appropriate that the County grant to the Flaming Gorge Road and Transportation Special Service District a joint interest in all property rights and interests possessed by the County to the aforementioned Road for the period of fifteen (15) years of the maturity of the previously mentioned loan or from the date of this resolution, whichever is longer;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DAGGETT COUNTY, UTAH AS FOLLOWS:

Section 1. The County hereby transfers an interest in all property rights and interests possessed by the County to the aforementioned Road, more particularly described in Exhibit A hereto, to the Flaming Gorge Road and Transportation Special Service District for the period of fifteen (15) years of the maturity of the previously mentioned loan or from the date of this resolution, which ever is longer. The result of this action creates a joint interest in the aforementioned Road in Daggett County and the Flaming Gorge Road and Transportation Special Service District for the period of approximately fifteen (15) years of the maturity of the previously mentioned loan or from

the date of this resolution, whichever is longer. The County, by so doing, continues to assert all rights, and waives no part of its legal rights vested under Revised Statutes 2477 and any other similar laws or regulations. The County hereby authorizes staff to record an authorization and conveyance, in substantially the form attached hereto as Exhibit B, to effect the joint interest described herein for the designated term set forth herein.

Section 2. If any provisions of this Resolution (including the exhibits attached hereto) are held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

Section 3. All regulations, orders and resolutions of the County or parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any regulation, order, resolution or ordinance or part thereof.

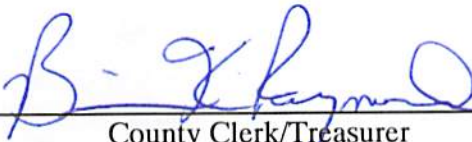
Section 4. The County Clerk/Treasurer is directed to complete the attached Record of Proceedings.

Section 5. This Resolution shall become effective immediately upon adoption by the County Commissioners.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAGGETT COUNTY, UTAH THIS July 5, 2017.


Chair

ATTEST AND COUNTERSIGN:


County Clerk/Treasurer

(SEAL)



Ent 028072 Bk 0088 Pg 0137

RECORD OF PROCEEDINGS

The County Commissioners met in public session at their regular meeting place at 95 North 1st West, Manila, Utah, on July 5, 2017 (the "Meeting"), at the hour of 9:00 a.m., with the following persons being present:

Jack Lytle	Chair/Commissioner
Randy Asay	Commissioner
Clyde Slaugh	Commissioner

Also present:

Brian Raymond	County Clerk/Treasurer
Keri Pallesen	County Auditor/Recorder

Absent:

which constituted all the members thereof.

After the Meeting had been duly called to order and after other matters were discussed, the foregoing resolution (the "Resolution") was introduced in written form and fully discussed.

A motion to adopt the Resolution was then duly made by Commissioner Clyde Slaugh and seconded by Commissioner Randy Asay, and the Resolution was put to a vote and carried, the vote being as follows:

Those voting YEA: Jack Lytle
 Clyde Slaugh
 Randy Asay

Those voting NAY:

Those Abstaining:

Other business not pertinent to the Resolution appears in the minutes of the Meeting. Upon the conclusion of all business on the Agenda and motion duly made and carried, the Meeting was adjourned.

Ent 028072 Bk 0088 Pg 0138

CERTIFICATE OF COUNTY CLERK/TREASURER

I, Brian Raymond, the duly appointed and qualified County Clerk/Treasurer of the County, do hereby certify that the attached Resolution is a true, accurate and complete copy thereof as adopted by the County Commissioners at a public meeting duly held on July 5, 2017 (the "Meeting"). The Meeting was called and noticed as required by law as is evidenced by the attached Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above. The Resolution, with all exhibits attached, was deposited in my office on July 5, 2017 and is officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County, this July 5, 2017.

(SEAL)




County Clerk/Treasurer