The Special Electronic Meeting of the West Valley City Council will be held on Tuesday, November 7, 2023, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

A G E N D A

1. Call to Order

2. Roll Call

3. Opening Ceremony: Councilmember Don Christensen

4. Special Recognitions

5. Approval of Minutes:

   A. October 24, 2023

6. Comment Period:

   (The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to three minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

period. Speakers shall refrain from personal attacks against fellow citizens, city staff, or members of the City Council.)

A. Public Comments

B. City Manager Comments

C. City Council Comments

7. Public Hearings:

A. Accept Public Input Regarding Application Z-2-2023, Filed by Jackie Carlson, Requesting a Zone Change from LI (Light Industrial) to M (Manufacturing) for Property Located at 2256 and 2260 South 5700 West

Action: Consider Ordinance 23-41, Amend the Zoning Map to Show a Change of Zone for Property Located at 2256 and 2260 South 5700 West from LI (Light Industrial) to M (Manufacturing)

Action: Consider Resolution 23-149, Enter into a Development Agreement with CDC Maintenance, LLC for Approximately 2.2 Acres of Property Located at Approximately 2256 and 2260 South 5700 West

8. Resolutions:

A. 23-162: Authorize the Purchase of a Fire Engine from Pierce Manufacturing

B. 23-163: Authorize the Execution of an Agreement with Hamm Consulting Group

C. 23-164: Authorize a Joint Study of Operations with the Granger-Hunter Improvement District

D. Reso 23-165: Authorize the City to Enter into a Real Estate Purchase Contract and Accept a Warranty Deed With and From Eloy Santana Perez for Property Located at 2720 South 6750 West

9. Consent Agenda:

A. Reso 23-166: Accept a Warranty Deed from E&E Investments Co., LLC for Property Located at 4527 West 2100 South

B. Reso 23-167: Authorize the City to Enter into a Real Estate Purchase Contract and Accept a Perpetual Easement and a Temporary Construction Easement With and From the Ridgeland Downs Owners Association for Property Located at 2745 South 3600 West

C. Reso 23-168: Authorize the City to Enter into a Real Estate Purchase Contract and Accept Two Warranty Deeds and Two Temporary Construction Easements With and From the West Brook Park Owner's Association, Inc for Property Located at 2849 South Brookway Drive

D. Reso 23-169: Authorize the City to Enter into a Real Estate Purchase Contract and Accept a Warranty Deed and a Temporary Construction Easement With and From Pascal Braun for Property Located at 3550 West Parkway Boulevard

10. Unfinished Business:

A. Application GPZ-8-2023, Filed by Lieu Tran, Requesting a General Plan Change from Parks and Open Space Existing to Light Manufacturing and a Zone Change from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing) for Property Located at 7007 West Apaloosa Drive

Action: Consider Ordinance 23-35, Amend the General Plan to Show a Change of Land Use from Parks and Open Space Existing to Light Manufacturing for Property Located at 7007 West Apaloosa Drive

Action: Consider Ordinance 23-36, Amend the Zoning Map to Show a Change of Zone

for Property Located at 7007 West Apaloosa Drive from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing)

11. Motion for Closed Session (if necessary)

12. Adjourn

MINUTES OF COUNCIL REGULAR MEETING OCTOBER 24, 2023
-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, OCTOBER 24, 2023 AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT ELECTRONICALLY:

Dan Johnson, Public Works Director
Nichole Camac, City Recorder
Eric Bunderson, City Attorney *(electronically)*
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Jamie Young, Parks and Recreation Director
Mark Nord, RDA Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT *(electronically)*

OPENING CEREMONY- COUNCILMEMBER JAKE FITISEMANU

Councilmember Fitisemanu indicated that the first week of November is Pacific Islander Health week. He stated that 60,000 islanders have called Utah home since the 1870's and West Valley City has the highest population within its boundaries. He invited the Council attend a My Hometown event being held on November 6th. Councilmember Fitisemanu asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 10, 2023

DRAFT

The Council considered the Minutes of the Regular Meeting held October 10, 2023. There were no changes, corrections or deletions.

Councilmember Whetstone moved to approve the Minutes of the Regular Meeting held October 10, 2023. Councilmember Huynh seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

AWARDS, CEREMONIES, AND PROCLAMATIONS

A. **PROCLAMATION DECLARING NOVEMBER 1, 2023 AS "EXTRA MILE DAY" IN WEST VALLEY CITY**

Councilmember Christensen read a Proclamation Declaring November 1, 2023 as "Extra Mile Day" in West Valley City.

COMMENT PERIOD

A. **PUBLIC COMMENTS**

Scott Cameron stated that he lives in the Highbury Neighborhood. He indicated that he is speaking in opposition to a proposed development Council will be reviewing. He expressed concern regarding safety, increased traffic, inconsistency with architecture and development, a potential for a failed wave pool, and the developer being a poor neighbor. Mr. Cameron stated that he would like to see this area develop but would like the zoning to remain the same.

Jim Vesock stated he participated in a ride-a-long with the Police Department and stated that the officers are very professional and love working in the City. He stated that the Council reviewed an application for a fast-food restaurant being proposed off of 2700 West and expressed concern about increased traffic in the area and neighborhood. Mr. Vesock expressed concern regarding Parkway Park.

B. **CITY MANAGER COMMENTS**

Dan Johnson, Public Works Direction, had no comments.

C. **CITY COUNCIL COMMENTS**

Upon inquiry, members of the City Council had no comments.

PUBLIC HEARINGS

A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION S-3-2023, FILED BY SCOTT GODFREY, REQUESTING FINAL PLAT APPROVAL FOR GODFREY INDUSTRIAL PARK NO. 3 LOCATED AT 2400 SOUTH 5900 WEST**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 24, 2023, in order for the City Council to hear and

consider public comments regarding Application S-3-2023, Filed by Scott Godfrey, Requesting Final Plat Approval for Godfrey Industrial Park No. 3 Located at 2400 South 5900 West

Written documentation previously provided to the City Council included information as follows:

> Scott Godfrey is requesting final plat approval for the Godfrey Industrial Park Subdivision No. 3. The proposed subdivision will also amend lots 1 and 2 of the Godfrey West Subdivision. The property is located at approximately 2400 South 5900 West and is bordered by property zoned Manufacturing.
>
> At the present time, the subdivision consists of a number of parcels and two recorded lots within the Godfrey West Subdivision. The proposed subdivision is being requested to consolidate these parcels and amend two existing lots into a new 4 lot subdivision to be known as Godfrey Industrial Park Subdivision No. 3.
>
> As mentioned earlier, two lots in the Godfrey West Subdivision will be amended by this plat. The reason these are being included in this subdivision is to benefit from a new street proposed to be located on the north side of these lots. An existing building on lot 1 has already been constructed, and staff is working the site plan for the second building adjacent to Beagley Road and 5900 West.
>
> Access to the subdivision will be gained by Beagley Road, 5900 West, the SR-201 South Frontage Road and from a new cul-de-sac extending west from 5900 West at 2400 South. All roads except the new cul-se-sac are existing. The cul-de-sac will be a dedicated right-of-way having a width of 66 feet and a length of just over 700 feet. The road will consist of curb and gutter on both sides and sidewalk on the north side. The only portion of the subdivision lacking improvements is along the south side of the SR-201 South Frontage Road.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 23-39, APPROVE THE AMENDMENT OF LOTS 1 AND 2 OF THE GODFREY WEST SUBDIVISION
The City Council previously held a public hearing regarding proposed Ordinance 23-39 that would approve the Amendment of Lots 1 and 2 of the Godfrey West Subdivision.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Ordinance 23-39.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

B. **ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-6-2023, FILED BY JAMES WARNER WITH TRUCKPRO, LC, REQUESTING A ZONE TEXT CHANGE TO SECTION 7-14-403 TO ALLOW NON-MASONRY MATERIALS ON THE STREET FACING EXTERIORS OF BUILDINGS WITHIN THE 5600 WEST GATEWAY OVERLAY ZONE**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 24, 2023, in order for the City Council to hear and consider public comments regarding Application ZT-6-2023, Filed by James Warner with Truckpro, LC, Requesting a Zone Text Change to Section 7-14-403 to Allow Non-Masonry Materials on the Street Facing Exteriors of Buildings Within the 5600 West Gateway Overlay Zone.

Written documentation previously provided to the City Council included information as follows:

> James Warner with Truckpro, LC has requested an amendment to Section 7-14-403 of the zoning ordinance to allow non-masonry materials on the street facing exteriors of buildings within the 5600 West Gateway Overlay Zone. The ordinance currently states: “All Buildings shall be constructed using one hundred percent masonry on any Street facing Façade”. The applicant is requesting that the City allow “architectural metal siding as well as ceramic and wood textures that are being used extensively in most cities

on higher-end buildings".

The applicant's justification for this application is as follows:

"The types of textures used in the past 5-10 years on higher-end buildings are mainly ACM (Architectural Metal), ceramic tiles and wood siding. The facility that we are considering building has specific requirements to qualify it to be one of 22 INEOS Grenadier dealerships in the U.S. and the only dealership in Utah. The buildings require high-end ACM and possibly wood or simulated wood look on ceramic or metal. By approving these materials, we believe that the city will attract higher-end buildings and businesses as most of them are using these premium materials. With the current standards and requirements, businesses that the city might otherwise want may not even consider West Valley City as if they understood the current code and did not want to go through the text amendment process and cost."

Mayor Lang opened the Public Hearing

James Warner, the applicant, stated that he is excited about bringing a new business to West Valley City. He indicated it is a new manufacturer and the current ordinance would limit the great building materials they require.

Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 23-40, AMEND SECTION 7-14-403 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS CONCERNING THE 5600 WEST GATEWAY OVERLAY ZONE

The City Council previously held a public hearing regarding proposed Ordinance 23-40 that would amend Section 7-14-403 of the West Valley City Municipal Code to Amend Certain Requirements Concerning the 5600 West Gateway Overlay Zone.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Ordinance 23-40.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes

Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-150: AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR ACCESS TO AERIAL IMAGERY

Dan Johnson, Public Works Director, presented proposed Resolution 23-150 that would authorize the Execution of an Interlocal Cooperation Agreement with Salt Lake County for Access to Aerial Imagery

Written documentation previously provided to the City Council included information as follows:

> This resolution authorizes the City to enter into an agreement for the purchase and use of digital orthorectified aerial photography and oblique imagery of West Valley City. Under this agreement, the West Valley City agrees to participate in the acquisition of a commercial aerial photography license of high-resolution Imagery data. The County agrees to give the City a limited license for a web service of the imagery as well as hard-copy images to use natural color Orthorectified Imagery at 7.5 cm (3 in.) and 22.5 cm (9 in.) resolution for all areas within its geographical boundaries.
>
> Current, accurate digital orthorectified photography has many uses within the City. The photos are used within the majority of City Departments to visualize and identify growth; compare urban changes with aerial photography from previous years; as a reference for new spatial information; as a background for online map viewers and printed maps; for measurements of impervious surfaces; and more. The format is compatible with existing GIS applications that are used and developed by City Staff. By partnering with other agencies, costs for aerial photography are significantly reduced.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

> Councilmember Harmon moved to approve Resolution 23-150
>
> Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-151: APPROVE THE INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY FOR SECURITY SERVICES AT THE WEST VALLEY COUNTY LIBRARY

Dan Johnson, Public Works Director, discussed proposed Resolution 23-151 that would approve the Interlocal Agreement Between West Valley City and Salt Lake County for Security Services at the West Valley County Library.

Written documentation previously provided to the City Council included information as follows:

> Salt Lake County wishes to continue hiring off-duty West Valley City Police Officers to provide security and law enforcement services on an as needed basis at the West Valley branch of the Salt Lake County library system. The county wishes to extend the interlocal agreement previously entered into on or about March 13, 2023 governing the conditions under which they hire off-duty police officers. The interlocal agreement is consistent with the Police Department's secondary employment hiring procedures.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Whetstone moved to approve Resolution 23-151.

Councilmember Fitisemanu seconded the motion.

Councilmember Fitisemanu stated that this has been received well by the community and has proven to be effective.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-152: AWARD A CONTRACT TO HARPER PRECAST FOR THE FASSIO FARM PARK WALL REPLACEMENT PROJECT

Dan Johnson, Public Works Director, presented proposed Resolution 23-152 that would award a Contract to Harper Precast for the Fassio Farm Park Wall Replacement Project.

Written documentation previously provided to the City Council included information as follows:

> Fassio Farm Park was built in 1997. The north wall was existing at that time and had been installed by the developer of the surrounding neighborhood. Over time, due to the construction and type of block, the joints on this wall have eroded, allowing the individual blocks to come out of the wall. Because of this, it needs to be removed and replaced.
>
> This project will include removal and hauling off the existing block wall and replacing it with a precast concrete wall. It also includes the repair of any damage to the landscape.
>
> Bids were solicited through a formal bid process and Harper Precast was the lone bidder. Their bid came in at $82,159.00

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to approve Resolution 23-152.

Councilmember Whetstone seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes

Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-153: AUTHORIZE THE PURCHASE OF A SLURRY TRUCK AND RELATED EQUIPMENT

Dan Johnson, Public Works Director, presented proposed Resolution 23-153 that would authorize the Purchase of a Slurry Truck and Related Equipment.

Written documentation previously provided to the City Council included information as follows:

> The Fleet Division recommends the replacement of one of the City's three slurry/plow trucks that will be used by the Public Works Department in the Operations Divisions for slurry seal and snow removal. The truck is recommended for replacement for a combination of factors including hours/mileage, age, and condition. The truck will be equipped with a plow, salter, and a pre-wet system that activates the salt before it hits the pavement. The City's Fleet Division will refurbish the slurry box in-house for continued use. If ordered now we expect delivery of the truck in 22-24 months.
>
> The vehicle purchase plan is described below:

Vehicle Type	Qty	Estimated Vehicle Cost	Estimated Upfit Cost	Total Cost
International HV613	1	$178,000	$182,000.00	$360,000

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Christensen moved to approve Resolution 23-153.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes

Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-154: AUTHORIZE THE PURCHASE OF STREETLIGHTS AND RELATED INSTALLATION SERVICES AND EQUIPMENT

Dan Johnson, Public Works Director, presented proposed Resolution 23-154 that would authorize the Purchase of Streetlights and Related Installation Services and Equipment.

Written documentation previously provided to the City Council included information as follows:

> The Public Works Department requested bids for a street lighting project in Lake Park. The project adds new street lights to Links Drive from Lake Park Blvd. to Stonebridge Golf Course and restores lighting on Lake Park Blvd from Parkway Blvd to 2400 South at Bangerter Highway. The original street lights on Lake Park Blvd. were installed using direct burial wires that cannot be easily repaired once the conductor is damaged. The new system will be installed with electrical conduit that can be maintained in the future. The light poles and fixtures will also be replaced as part of the project.
>
> A total of six bids were received, and the lowest responsible bid was received by Skyline Electric Co. in the amount of $282,297.00.
>
> This resolution also authorizes the City to purchase thirty street light assemblies from Mountain States Lighting in the amount of $73,026.00.

Councilmember Harmon asked if this would replace the lights as well. Dan replied yes and stated they would be replaced to the current standard.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

> Councilmember Harmon moved to approve Resolution 23-154.
>
> Councilmember Whetstone seconded the motion.
>
> A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes

Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

CONSENT AGENDA

A. **RESOLUTION 23-155: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED WITH AND FROM J&R PARTNERS, LLC FOR PROPERTY LOCATED AT 2684 SOUTH 3200 WEST**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-155 that would Authorize the City to Enter into a Real Estate Purchase Contract and Accept a Warranty Deed With and From J&R Partners, LLC for Property Located at 2684 South 3200 West

Written documentation previously provided to the City Council included information as follows:

> The J & R Partners parcel located at 2684 South 3200 West is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of the Warranty Deed and improvements is $4,680.00 was negotiated based upon the Administrative Compensation Estimate prepared by Meridian Engineering, Inc. which indicated a value of $4,180.00.
>
> The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $316.84.

B. **RESOLUTION 23-156: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM GUADALUPE AND MARIA AGUILERA FOR PROPERTY LOCATED AT 2762 SOUTH BELMONT DOWNS LANE**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-156 that

would authorize the City to Enter into a Real Estate Purchase Contract and Accept a Warranty Deed and a Temporary Construction Easement With and From Guadalupe and Maria Aguilera for Property Located at 2762 South Belmont Downs Lane

Written documentation previously provided to the City Council included information as follows:

> The Guadalupe Aguilera and Maria Aguilera parcel located at 2762 S. Belmont Downs Lane is one of several parcels affected by the Parkway Boulevard Reconstruction Project (MVC to 6400 West). This project will reconstruct the pavement and construct curb, gutter, sidewalk and decorative street lighting on both sides of Parkway Boulevard. Compensation for the purchase of the Warranty Deed, Temporary Construction Easement and improvements is $20,715.00 which was negotiated based upon the Appraisal Report prepared by Integra Realty Resources which indicated a value of $18,300.00.
>
> The project is being funded by Surface Transportation Program (STP) using federal funds. The city is responsible 6.77% of all project costs, including right of way. The total value for the Warranty Deed, Temporary Construction Easement and improvements is $20,715.00, making the West Valley City share of the acquisition $1,402.41.

C. **RESOLUTION 23-157: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM DANIEL R. COTTER, III FOR PROPERTY LOCATED AT 3658 SOUTH BISHOP STREET**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-145 that would authorize the City to Enter into a Real Estate Purchase Contract and Accept a Temporary Construction Easement With and From Daniel R. Cotter, III for Property Located at 3658 South Bishop Street

Written documentation previously provided to the City Council included information as follows:

> The Daniel R. Cotter, III parcel located at 3658 S. Bishop Street is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the temporary construction easement and improvements is $4,100.00 and was

based upon an administrative compensation estimate prepared by HDR Engineering, Inc.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $277.57.

D. **RESOLUTION 23-158: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM CHHARLLI CHEA AND BOUNNY MAO FOR PROPERTY LOCATED AT 3660 SOUTH AMERICAN STREET**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-158 that would authorize the City to Enter into a Real Estate Purchase Contract and Accept a Temporary Construction Easement With and From Chharlli Chea and Bounny Mao for Property Located at 3660 South American Street.

Written documentation previously provided to the City Council included information as follows:

The Chharlli Chea and Bounny Mao parcel located at 3660 S. American Drive is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the Temporary Construction Easement and improvements is $5,000.00 was based upon the administrative compensation estimate prepared by HDR Engineering, Inc.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $338.50.

E. **RESOLUTION 23-159: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A PUBLIC UTILITY EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JEANIE BETH DELANEY FOR PROPERTY LOCATED AT 3659 SOUTH BISHOP STREET**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-159 that would Authorize the City to Enter into a Real Estate Purchase Contract and Accept a

Public Utility Easement and a Temporary Construction Easement With and From Jeanie Beth Delaney for Property Located at 3659 South Bishop Street

Written documentation previously provided to the City Council included information as follows:

The Jeanie Beth Delaney parcel located at 3659 S. Bishop Street is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen Lancer Way and provide for curb, gutter and sidewalk from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the Temporary Construction Easement, Public Utility Easement and improvements is $6,050.00 and was based upon an administrative compensation estimate prepared by HDR Engineering, Inc.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $409.59.

F. **RESOLUTION 23-160: AUTHORIZE THE CITY TO APPROVE A DELAY AGREEMENT WITH THE LYLE R. MOODY AND DAWNA L. MOODY MOKULEIA PROPERTY TRUST TO DELAY CERTAIN IMPROVEMENTS AT 6778 WEST SR-201 NORTH FRONTAGE ROAD**

Dan Johnson, Public Works Director, discussed proposed Resolution 23-160 that would Authorize the City to Approve a Delay Agreement with the Lyle R. Moody and Dawna L. Moody Mokuleia Property Trust to Delay Certain Improvements at 6778 West SR-201 North Frontage Road

Written documentation previously provided to the City Council included information as follows:

The Moody Subdivision is a 9-lot commercial subdivision with frontage on the SR-201 North Frontage Road near 6778 West. Sidewalk, curb, gutter, and streetlights do not exist in the area. The lack of storm drain infrastructure has resulted in the approval of delay agreements for several parcels within the area.

There is anticipation of a future roadway project along the North Frontage Road that would include a storm drain system and enable the improvements to be constructed. Completing all right-of-way infrastructure along the frontage road at the same time, as part of a larger project, will ensure the

improvements are built at the correct location and elevation. The North Frontage Road project is not currently funded and will require extensive coordination with UDOT to finalize a design for the road. Due to the risk of constructing improvements in the wrong location, and the lack of a drainage system to accommodate storm water runoff, staff is recommending the approval of a delay agreement.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Nordfelt moved to approve items on the Consent Agenda.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

UNFINISHED BUSINESS

A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-8-2023, FILED BY LIEU TRAN, REQUESTING A GENERAL PLAN CHANGE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 3, 2023, in order for the City Council to hear and consider Application GPZ-8-2023, Filed by Lieu Tran, Requesting a General Plan Change from Parks and Open Space Existing to Light Manufacturing and a Zone Change from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing) for Property Located at 7007 West Apaloosa Drive

Written documentation previously provided to the City Council included

information as follows:

The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

Mayor Lang noted that a public meeting was opened and closed on October 10, 2023.

ACTION: ORDINANCE NO. 23-35, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE

The City Council previously held a public hearing regarding proposed Ordinance 23-35 that would amend the General Plan to Show a Change of Land Use from Parks and Open Space Existing to Light Manufacturing for Property Located at 7007 West Apaloosa Drive.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to continue Ordinance 23-35 to the November 7, 2023 City Council Meeting.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous. Continued.

ACTION: ORDINANCE NO. 23-36, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING)

The City Council previously held a public hearing regarding proposed Ordinance 23-36 that would amend the Zoning Map to Show a Change of Zone for Property Located at 7007 West Apaloosa Drive from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing).

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to continue Ordinance 23-36 to the November 7, 2023 City Council Meeting.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

MOTION TO ADJOURN
Upon motion by Councilmember Huynh all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, OCTOBER 17, 2023 WAS ADJOURNED AT 6:52 P.M. BY MAYOR LANG.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, October 17, 2023.

_____
Nichole Camac, CMC
City Recorder

DRAFT

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: N/A

Budget Opening Required: ☐

ISSUE:

Application: #Z-2-2023
Applicant: Jackie Carlson
Location: 2256 and 2260 South 5700 West
Size: 2.2 acres

SYNOPSIS:

LI (Light Industrial) to M (Manufacturing)

BACKGROUND:

The applicant acquired the property in March 2023 to serve as a truck service center to maintain Carlson Distributing's own fleet of trucks for their distribution business at 2449 South 6755 West. Penske Truck, another West Valley City business, would operate the facility. The outside area would be used for employee parking and truck staging while they are in-between servicing.

Within the LI zone, automobile service is only allowed as a use that is incidental to a permitted or conditional use such as truck sales. In this situation, the truck service is the primary use proposed. In addition, the LI zone does not allow outside storage and the trucks awaiting service would be considered outside service. Given the LI zone limitations on truck service and outside storage, the applicant is requesting the M zone.

The applicant is proposing a number of improvements to the property including the installation of asphalt on the east, west, and south sides of the property; new metal siding for the west portion of the building; new overhead doors on the building; interior remodeling of the building to include restrooms and an office; landscaping along the east and west sides of the property; placing power underground; storm water improvements; and repaired or replaced fencing.

RECOMMENDATION:

The Planning Commission recommends approval subject to a development agreement.

SUBMITTED BY:

Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: _____
Date Adopted:_____
Effective Date:_____

AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2256 AND 2260 SOUTH 5700 WEST FROM LI (LIGHT INDUSTRIAL) TO M (MANUFACTURING)

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in application #Z-2-2023, filed by Jackie Carlson and located at 2256 and 2260 South 5700 West is hereby reclassified from zone LI (Light Industrial) to M (Manufacturing), said property being more particularly described as follows:

Parcel #s: 14-23-277-017 and 14-23-277-019

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: N/A
Budget Opening Required: ☐

ISSUE:

A resolution authorizing the City to enter into a development agreement with CDC Maintenance, LLC.

SYNOPSIS:

This resolution authorizes a development agreement between the City and CDC Maintenance, LLC to establish minimum standards for an industrial development at 2256 and 2260 South 5700 West.

BACKGROUND:

Jackie Carlson has submitted a zone change on 2.2 acres of property at parcel at 2256 and 2260 South 5700 West from LI (Light Industrial) to M (Manufacturing). The Planning Commission recommended approval of the zone change subject to a development agreement.

The proposed development agreement addresses the following topics: use limitations, maintenance, required approvals, improvements, and right-of-way dedication.

RECOMMENDATION:

The Planning Commission recommends approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CDC MAINTENANCE, LLC FOR APPROXIMATELY 2.2 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2256 AND 2260 SOUTH 5700 WEST.

WHEREAS, CDC Maintenance, LLC (herein "Developer") owns real property within the limits of West Valley City, Utah, on which Developer proposes to develop an industrial project (herein the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein "Agreement"); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City's Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein the "Agreement") is entered into this _____ day of _____, 20____, by and between CDC Maintenance, LLC, a Utah limited liability company, (herein "Developer") for the land to be included in or affected by the project located at approximately 2256 and 2260 South 5700 West in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the "City").

RECITALS

WHEREAS, Developer owns or is under contract to acquire approximately 2.2 acres of real property located at approximately 2256 and 2260 South 5700 West in West Valley City, Utah, as described in Exhibit "A" (the "Property"), on which Developer proposes to establish minimum standards for a new industrial development (the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Agreement; and

WHEREAS, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City's master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq*., and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit "A". No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.

2. **Reserved Legislative Powers**. Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards**. Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees, and compliance with the City's design and construction standards.

4. **Specific Design Conditions**. The Project shall be developed and constructed as set forth in the specific design conditions set forth in Exhibit "B". The Project shall also comply with all requirements set forth in the minutes of the City Council hearings on this matter.

5. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

7. **No Joint Venture, Partnership or Third Party Rights**. This Agreement neither creates any joint venture, partnership, undertaking or business arrangement between the parties hereto nor conveys any rights or benefits to third parties, except as expressly provided herein.

8. **Integration. Modification, and Entire Agreement**. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits "A" and "B" are hereby incorporated into this Agreement.

9. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:	CDC Maintenance, LLC 1864 South 3730 West Salt Lake City, UT 84104
TO CITY:	West Valley City Wayne Pyle, City Manager 3600 Constitution Blvd. West Valley City, Utah 84119
WITH A COPY TO:	West Valley City Attorney's Office Attn: Brandon Hill 3600 Constitution Blvd. West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. **Choice of Law and Venue**. Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

11. **Court Costs**. In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

APPROVED AS TO FORM
WVC Attorney's Office

By: _____

Date: _____

DEVELOPER

By ____:_____

Its: _____

State of _____)
:ss
County of _____)

On this _____ day of _____, 20___, personally appeared before me_____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and affirmed that he or she is the _____of CDC Maintenance, LLC, a Utah limited liability company, and that said document was signed by him or her in behalf of said limited liability company by authority of its members or articles of organization, and he or she acknowledged to me that said entity executed the same.

_____
No tary Pu b lic

EXHIBIT A

LEGAL DESCRIPTION

Parcel #: 14-23-277-017
LOTS 13 THRU 17, BLK 6, HAYNES ADDITION PLAT E. TOGEATHER WITH 1/2 VACATED ALLEY ON WEST.

Parcel #: 14-23-277-019
LOTS 18 THRU 36, INCLUSIVE BLK 6, HAYNES ADDITION PLAT E. TOGETHER WITH VACATED STREET ABUTTING ON N & TOGETHER WITH E1/2 VACATED STREET ABUTTING ON W SIDE OF LOTS 25 THRU 36, INCLUSIVE BLK 6, OF SD SUB. ALSO TOGETHER WITH VACATED ALLEYABUTTING ON W SIDE LOTS 18 THRU 24 & 1/2 VACATED ALLEY ABUTTING ON E SIDE LOTS 32 THRU 36. LESS & EXCEPT BEG S 89°45'57" E 331.94 FR NW COR OF SE 1/4 OF NE 1/4 OF SEC 23, T1S, R2W, SLM; S 89°45'57" E 9.13 FT; S 03°40'07" W 158.23 FT; N 00°21'32" E 157.95 FT TO BEG. 1.82 ACRES M OR L.

EXHIBIT B

DEVELOPMENT STANDARDS

1. The following uses, which are defined in Section 7-1-103 of the West Valley City Zoning Ordinance, shall be prohibited:
    a. Agricultural Business or Industry
    b. Commercial Raising, Rental, Stabling, Training and Grazing of Animals
    c. Detention Facility/Jail
    d. Incinerator
    e. Heavy Industrial
    f. Outdoor Kennel
    g. Towing and Impound Yard
    h. Vehicle Recycling Facility
2. Prior to any use of the property, a conditional use permit shall be obtained and all required improvements shall be installed.
3. The right-of-way between the east property line and the curb and gutter along 5700 West shall be maintained weed free by the Developer.
4. The sign frame in the upper lefthand corner of the east building façade shall either be removed or utilized for a new wall sign after obtaining a sign permit.
5. A building permit shall be obtained for the addition on the west side of the original building and all building code deficiencies shall be corrected. A building permit shall also be obtained for any interior remodeling.
6. The exterior of the addition on the west side of the original building shall be sided with metal siding that matches the original building.
7. The entire building exterior, including the addition, shall be painted consistently on all sides of the building.
8. All weeds on the Property shall be removed and replaced with either paving or landscaping according to a plan approved by the City.
9. Damaged fencing, including razor wire, shall be repaired, removed, or replaced. All fencing shall meet setback requirements.
10. All fence components shall be free of rust.
11. The Developer shall dedicate 6-inches of right-of-way to the City along 5700 West.

Z-2-2023
Jackie Carlson
2256 and 2260 South 5700 West
Zone change from LI to M
2.2 acres

Jackie Carlson has submitted a zone change on two parcels totaling 2.2 acres at 2256 and 2260 South 5700 West from LI (Light Industrial) to M (Manufacturing). The subject property is designated as Light Manufacturing in the West Valley City General Plan.

The property is surrounded by LI zoning. Neighboring uses include the Mountain View Corridor to the west, vacant property owned by UDOT to the north and south, and vacant property and a vehicle storage lot to the east. The larger of the two parcels includes a 7,150 square foot metal building built in 1990 that was originally constructed for storage. Staff anticipates UDOT selling their vacant parcels that were acquired as part of the Mountain View Corridor project. The property is not currently being used for a business and is not licensed.

Up until earlier this year, a tiny home manufacturer called Modules Factory was operating without a license or use approval on the property and had built an addition onto the building without a permit. The previous owner submitted an application in an attempt to come into compliance; however, the use eventually vacated the property before receiving approval.

The City's Commercial and Manufacturing Zones use table is included with this report for reference so the Commission can see the difference between uses allowed in both the LI and M zones.

Development Proposal

The applicant acquired the property in March 2023 to serve as a truck service center to maintain Carlson Distributing's own fleet of trucks for their distribution business at 2449 South 6755 West. Penske Truck, another West Valley City business, would operate the facility. The outside area would be used for employee parking and truck staging while they are in-between servicing.

Within the LI zone, automobile service is only allowed as a use that is incidental to a permitted or conditional use such as truck sales. In this situation, the truck service is the primary use proposed. In addition, the LI zone does not allow outside storage and the trucks awaiting service would be considered outside service. Given the LI zone limitations on truck service and outside storage, the applicant is requesting the M zone.

The applicant is proposing a number of improvements to the property including the installation of asphalt on the east, west, and south sides of the property; new metal siding for the west portion of the building; new overhead doors on the building; interior remodeling of the building

to include restrooms and an office; landscaping along the east and west sides of the property; placing power underground; storm water improvements; and repaired or replaced fencing.

If this rezone is approved, a conditional use permit will be required for the outside storage of trucks awaiting service. The ordinance requires outside storage uses to be screened from public view along 5700 West through fencing, landscaping, building placement, topography, berming, or other methods as determined by the Planning Commission. For screening along Mountain View Corridor and other high-image arterial streets, the ordinance was recently amended to require screening of outside storage by means of a building or a 6' tall, precast concrete wall meeting certain specifications. However, the Planning Commission can waive screening requirements when, due to changes in topography, screening techniques would not be effective. In this situation, solid screening along the west side would not be effective for motorists on the Mountain View Corridor as it is elevated. However, solid screening would be effective for users of the trail along the east side of Mountain View Corridor.

Area History

A brief history of the surrounding area between 5800 West and 5600 West and from 2200 South to 2400 South (about 46 acres), which has been referred to as the salvage yards, is helpful background information.

- Early 1960's: Development began within the area with some unpaved roads and salvage yards.
- 1980: By the time of the City's incorporation in 1980, the area was occupied mostly by salvage yard businesses. The zoning in the area at the time was M-2, which was a zone for heavy industrial uses. The City also had a M-1 zone in 1980 for light industrial uses.
- 1984: The City's first General Plan designated the area as light industrial.
- 1986: The City consolidated the M-1 and M-2 zones into the M zone.
- 1999: The City's General Plan included the goal of relocating or replacing the salvage yards from this gateway location.
- 2001: The City created the 5600 W Gateway Redevelopment Area to provide incentives for redevelopment within the area.
- 2004: The City formed a special improvement district (SID) to install utilities and road improvements in the area.
- 2015: UDOT began to acquire land for the Mountain View Corridor which ultimately consumed about 22 acres of the 46 acres. UDOT will eventually sell about 5.5 acres of the 22 acres acquired that were not needed for the Mountain View Corridor project.
- 2015: The City passed a moratorium or temporary land use regulation on all land use applications to reevaluate zoning in the area.
- 2016: The City created the LI (Light Industrial) zone and rezoned the area to the new LI zone.
- 2021: Mountain View Corridor was completed in this area.

Development Agreement

As described in the history above, significant progress has been made in transitioning this area

from mostly salvage yards to either vacant property awaiting development or light industrial uses. If the Planning Commission is supportive of a zone change to the M zone here to accommodate a truck service center, staff is concerned about the possibility of a future use that would be counter to the transitions occurring in the area. In addition, staff is also concerned about the outstanding issues on the site including the illegal building addition, trailer storage that is already occurring on-site, and the poor condition of the site.

Given these concerns, staff is recommending that the following items be addressed in a development agreement:

- The following uses shall be prohibited:
    - Agricultural Business or Industry
    - Commercial Raising, Rental, Stabling, Training and Grazing of Animals
    - Detention Facility/Jail
    - Incinerator
    - Heavy Industrial
    - Outdoor Kennel
    - Towing and Impound Yard
    - Vehicle Recycling Facility
- Prior to any use of the property, a conditional use permit shall be obtained and all required improvements shall be installed.
- The right-of-way between the east property line and the curb and gutter along 5700 West shall be maintained weed free by the property owner.
- The sign frame in the upper lefthand corner of the east building façade shall either be removed or utilized for a new wall sign after obtaining a sign permit.
- A building permit shall be obtained for the addition on the west side of the original building and all building code deficiencies shall be corrected. A building permit shall also be obtained for any interior remodeling.
- As proposed by the applicant, the exterior of the addition shall be sided with metal siding that matches the existing building.
- The entire building exterior, including the addition, shall be painted consistently on all sides of the building.
- All weeds on the site shall be removed and replaced with either paving or landscaping according to a plan approved by the City.
- Damaged fencing, including razor wire, shall be repaired, removed, or replaced.
- All fence components shall be free of rust.
- The applicant shall dedicate 6-inches of right-of-way to the City along 5700 West. The existing right-of-way width is 65-feet and the standard right for a commercial street is 66-feet.

Staff Alternatives:

- Approval. This application should be approved subject to a development agreement that includes the items listed above.

- Continuance, for reasons determined at the public hearing.
- Denial. The LI zone should remain.

Discussion: Steve Pastorik presented the application. He explained that staff recommends a development agreement for several reasons if this application is approved. Steve pointed out that the area in question has been transitioning away from salvage yards, and we want to ensure we continue in that direction. He noted that if the zone change is approved, we would like to avoid heavier manufacturing uses, which would be prohibited via the development agreement. Steve said the remaining staff suggestions aim to clean up the site and bring it into compliance with current ordinances.

James Overturf, the applicant, said that they purchased this property unaware of what the previous owner had or had not done with it. However, we want to improve the site dramatically. Mr. Overturf explained that this would be a satellite site used as a truck maintenance facility.

Chair Fuller asked Mr. Overturf what his plans were for the fence along the west side of the property. James said that they would be repairing the existing fence. He asked if the Commission wanted a solid wall put in.

Steve Pastorik explained that per our code, a pre-cast wall is required. However, the Commission can waive this requirement if the topography renders the fence ineffective. He believes this is what Chair Fuller was asking. Chair Fuller added that it could help prevent anyone utilizing the trail from getting onto the property. Mr. Overturf stated that they would look into this more as they start improving the site. Steve pointed out that if the zone change is approved, this would return to the Commission as a conditional use, and the wall could be discussed then.

Motion: Commissioner Lovato motioned to approve Z-2-2023. This application should be approved subject to a development agreement that includes the items listed in the staff report.

Commissioner Woodruff seconded the motion.

Vote:

Commissioner Lovato	Yes
Chair Fuller	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes
Commissioner McEwen	Yes

Unanimously – Z-2-2023 – Approved



0 250 500 Feet

Z-2-2023
Jackie Carlson
2256 and 2260 S 5700 W

N

Z-2-2023

Petition by JACKIE CARLSON requesting a zone change from LI (Light Industrial) to M (Manufacturing). The property is located at 2256 and 2260 S 5700 W on 2.2 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



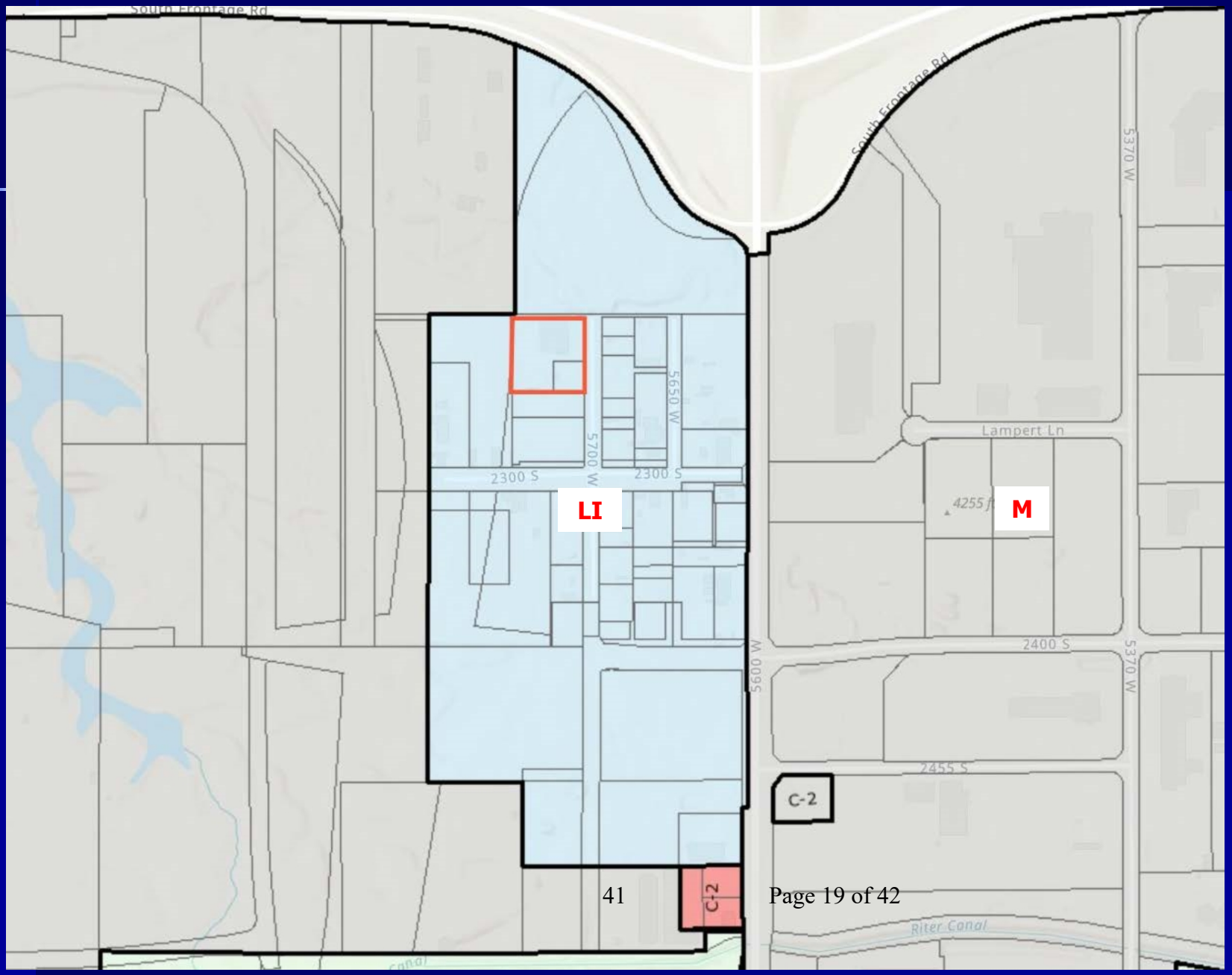
Z-2-2023

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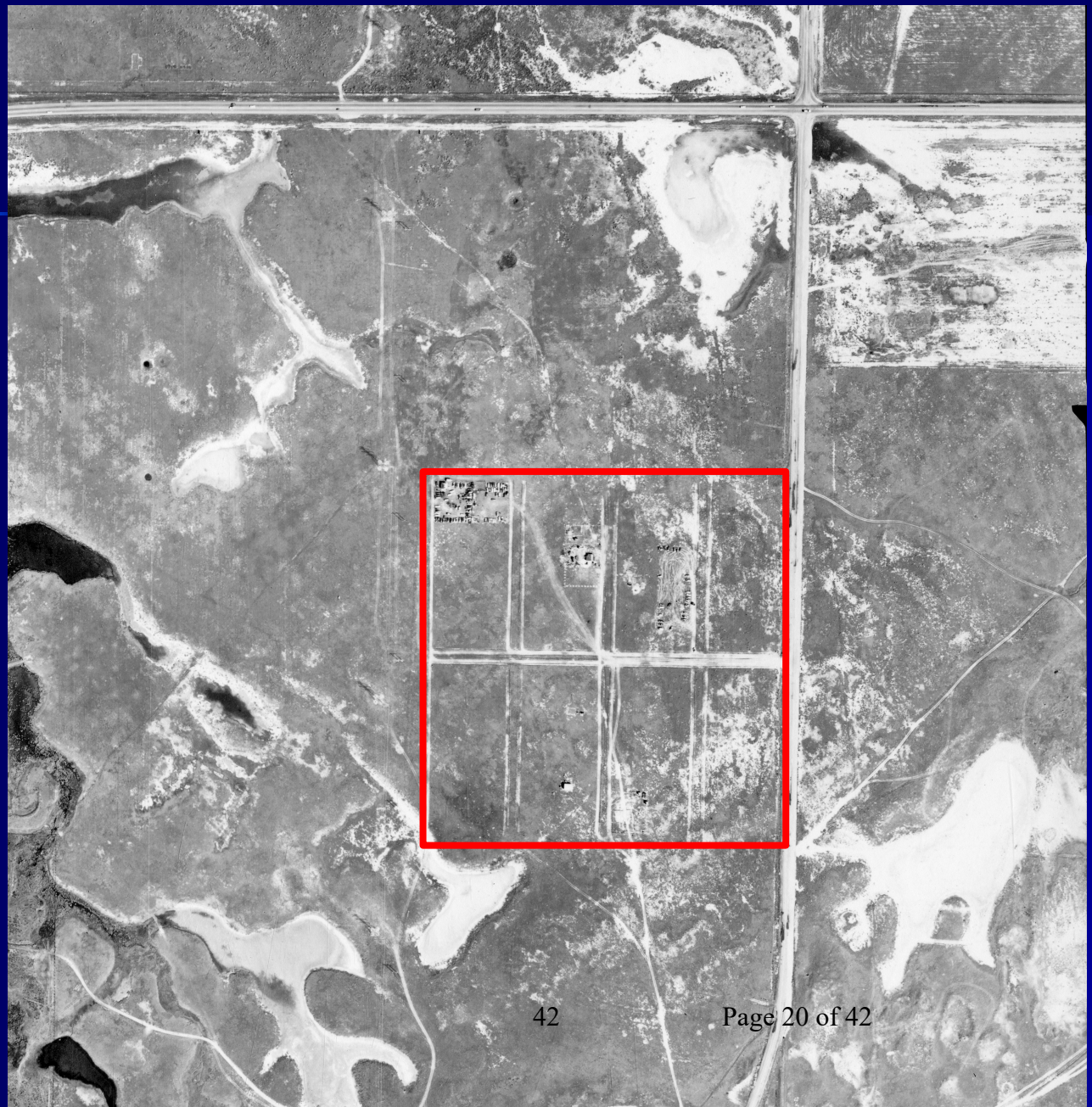
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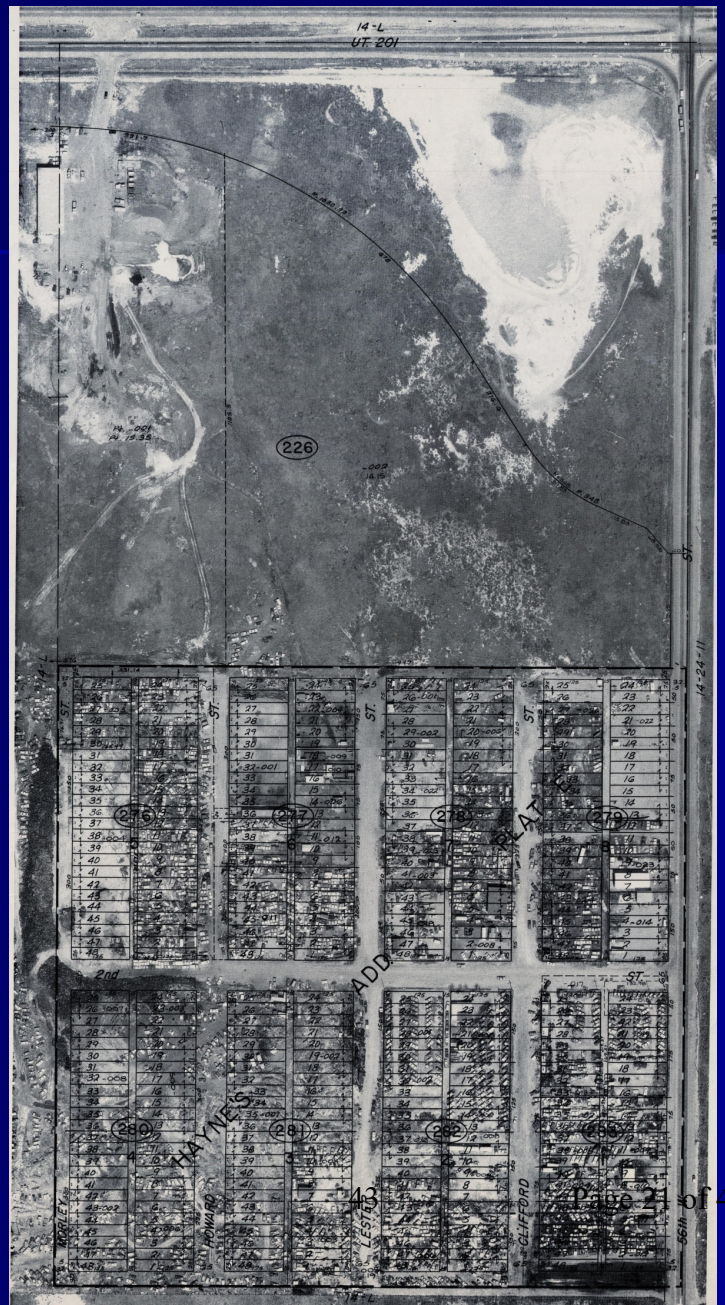
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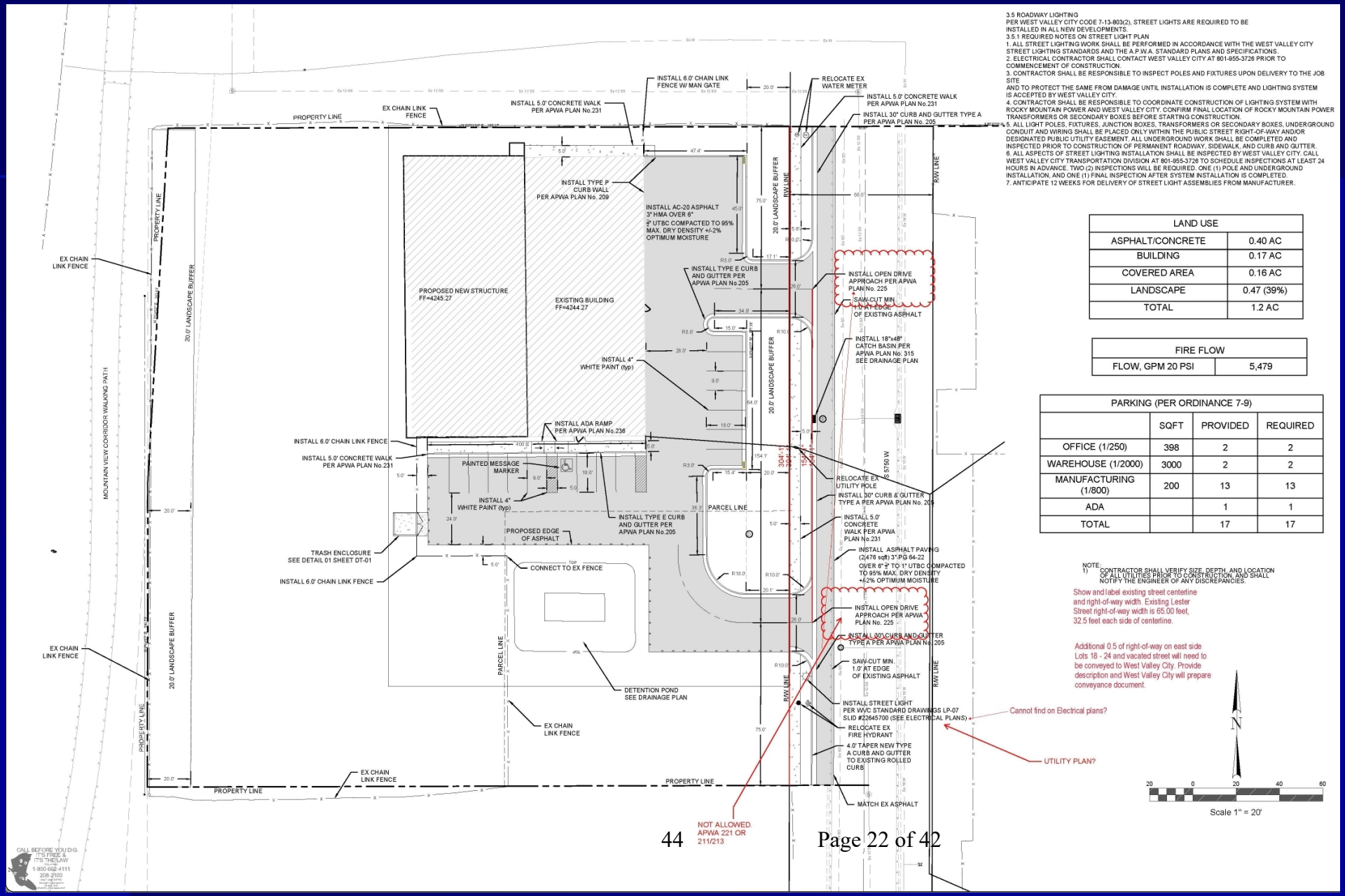
Z-2-2023

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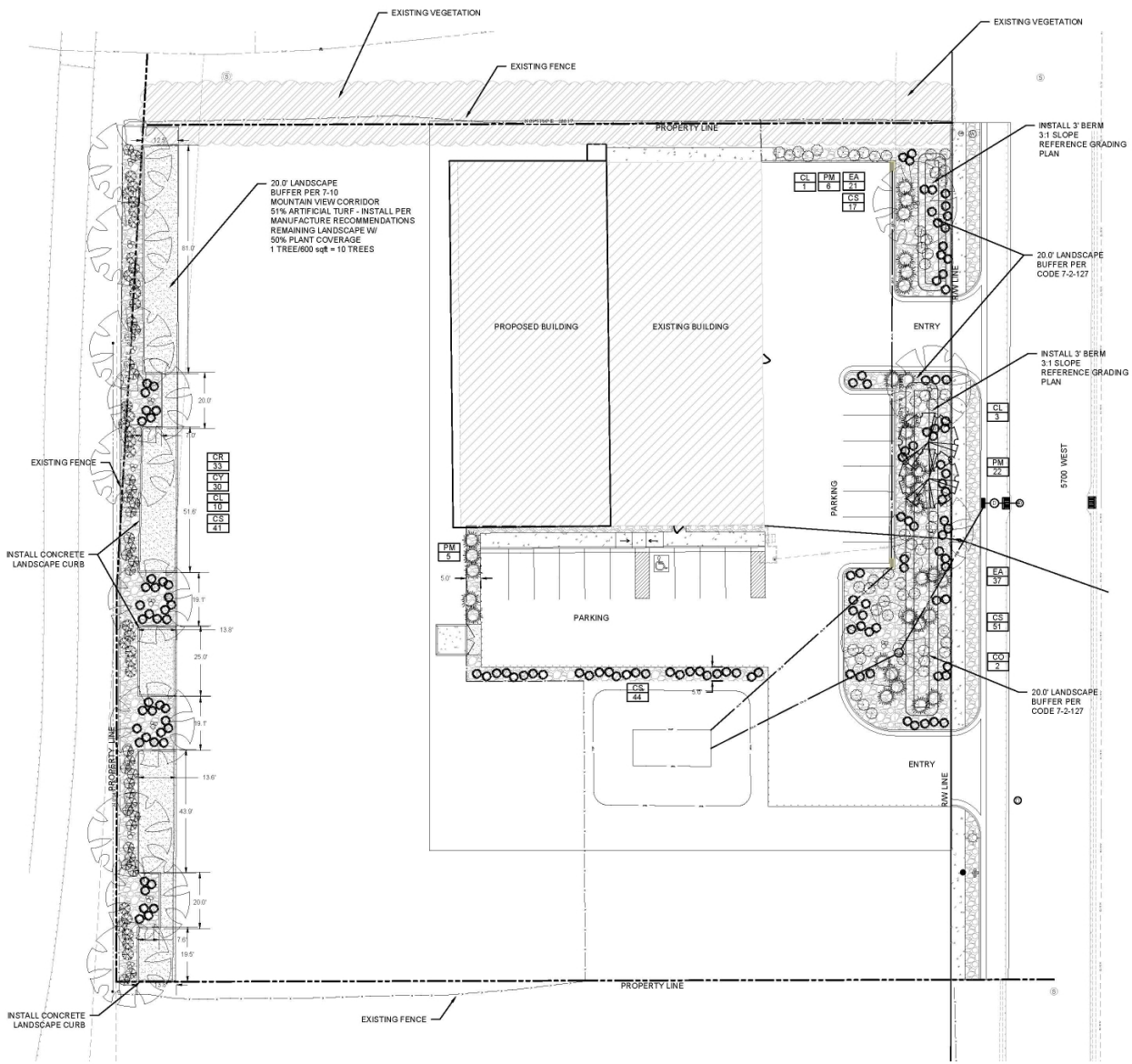
Z-2-2023

Petition by JACKIE CARLSON requesting a zone change from LI (Light Industrial) to M (Manufacturing). The property is located at 2256 and 2260 S 5700 W on 2.2 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



Z-2-2023

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PLANT LEGEND

TREES - T

CODE	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE (mature)	NOTES
CL	14	Celtis occidentalis	Hackberry	2"-CAL (50Hx40W)	D/R
CO	2	Cercis occidentalis	Western Redbud	2"-CAL (20Hx20W)	D/R

SHRUBS - WC

CR	33	Cornus stolonifera 'red variety'	Red Twig Dogwood	5 GAL (4Hx4W)	
CY	30	Cornus stolonifera 'yellow variety'	Yellow Twig Dogwood	5 GAL (4Hx4W)	
EA	57	Euonymus alatus 'compacta'	Dwarf Burning Bush	5 GAL (4Hx5W)	
PM	33	Pinus Mughus	Mugho Pine	5 GAL (4Hx6W)	D/R

GROUND COVER - WC

CS	136	Coreopsis spc.	Coreopsis varieties	1 GAL (2Hx3W) D/R
	2,732SF	PURCHASE GREEN ARTIFICIAL GRASS of Salt Lake City or Equivalent 801-695-3095 purchasegreen.com		
	8,897	2"-5" Decorative Cobble Stone Mulch - color selected by owner		

D/R: Drought Tolerant

GENERAL NOTES

1. ALL QUANTITIES ARE SHOWN AS AN AID ONLY - PLANS TAKE PRECEDENCE. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR FOR ALL ACTUAL QUANTITY CALCULATIONS.
2. PLANT COMMON NAMES ARE SHOWN AS AN AID ONLY. USE BOTANICAL NAME WHEN PURCHASING ALL PLANT MATERIAL.
3. ALL PLANTING TO BE DONE PER DETAILS SHEET LA-200, AND COMMON INDUSTRY BEST PRACTICES

NOTE:
1. ALL PLANTING AREAS TO RECEIVE PERMEABLE WEED FABRIC (NO PLASTIC) AND STONE MULCH 4" DEEP, UNLESS NOTED ON PLAN. SEE PLANTING NOTE 8 SHEET LA-001
2. ALL PLANTS TO BE INSTALLED IN CLUMPS AS SHOWN. DO NOT PLANT EVENLY SPACED.
3. ALL PLANTING AREAS TO RECEIVE TOP SOIL PER SPEC. SEE PLANTING NOTE 11 SHEET LA-001

PROJECT AREA: 2.20 ac
LANDSCAPE AREA: 0.47 ac (39%)
PLANT COVERAGE: 0.24 ac (51%)

N

20 0 20 40 60

Scale 1" = 20'

CALL BEFORE YOU DIG. IT'S FREE & IT'S THE LAW 1-800-662-4111 208-2100

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+Item #:	
Fiscal Impact:	$738,904.00
Funding Source:	Finance or Unreserved General Fund Balance
Account #:	
Budget Opening Required:	

ISSUE:

Authorization of replacement apparatus purchase for fire engine

SYNOPSIS:

This resolution authorizes the purchase of one Pierce engine to replace the current Pierce 2002 engine. The current engine was deemed unusable.

This engine is compatible with the current apparatus which we utilize.

BACKGROUND:

The current unit was purchased in 2002 and has been utilized as the front line and now as the main reserve engine which we operate. In April of this year an inspection of the unit found that the frame rails for the truck were fractured and broken in numerous places. At that time we began a conversation with the council about the possibility of pre-committing to some engines Pierce was building to a generic specification list that would fit most departments' needs. As we discussed this, we missed the opportunity to purchase two ready-built apparatus. A third unit became available for commitment in a timeframe for a fall purchase.

As with other fire apparatus the wait time for engines is approximately two years, which we needed a unit right away. Pierce manufacturing had a unit which was being built as a demonstration unit and we were able to purchase the unit with a delivery time of six to seven months.

With this purchase we will be able to place this unit as a front-line unit and move a front-line unit to reserve status and have a dependable unit for the department.

In the discussion in the spring, the city manager relayed that at the time of purchase, two options would be presented to the council. One for a lease-purchase of the usual sort when purchasing fire apparatus. The second would be a cash purchase from unreserved general fund balance. The amount above represents the cash purchase price. We have received tentative pricing for lease purchasing for a 10 year or a 15 year loan schedule at 5.5 or 5.7% respectively. The payment prices would be $105,000 per year or $80,000 per year, respectively. Other payment schedules could be considered as well, these are tentative numbers provided by a local bank.

RECOMMENDATION:

Approve the purchase of one replacement fire engine for the Fire Department.

SUBMITTED BY:

John Evans, West Valley City Fire Department- Fire Chief

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF A FIRE ENGINE FROM PIERCE MANUFACTURING.

WHEREAS, the City desires to purchase a fire engine for use by the Fire Department (the "Equipment"); and

WHEREAS, Pierce Manufacturing produces the fire engine compatible with existing Fire Department equipment and can deliver said fire engine in a timeframe meeting the needs of the City; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety and welfare of the citizens of West Valley City to authorize the purchase of said Equipment from Pierce Manufacturing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah that the City is hereby authorized to purchase the Equipment from Pierce Manufacturing for an amount not to exceed $738,904.00 and that the Mayor and the City Manager are hereby authorized to execute, for and on behalf of the City, any documents necessary to complete said purchase.

PASSED, APPROVED, and **MADE EFFECTIVE** this _____ day of_____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item:
Fiscal Impact: $225,000
Funding Source: General Fund

ISSUE:

A resolution authorizing West Valley City to enter into an agreement with The Hamm Consulting Group, L.L.C., for representation in Washington, D.C., for the three-year period commencing July 1, 2023 and ending June 30, 2026.

SYNOPSIS:

In exchange for the services to be provided by The Hamm Consulting Group, the City will pay The Hamm Consulting Group $75,000 for each year of the agreement, payable in monthly installments.

BACKGROUND:

Ron Hamm of The Hamm Consulting Group has represented the City in Washington, D.C., for the past three years, and prior to that, was the City's representative with the Ferguson group. He is well versed regarding the City's needs and able to provide consulting and lobby services. The Hamm Consulting Group will help the City attain numerous goals and objectives and maintain an aggressive federal agenda. This Agreement is for the three-year period commencing July 1, 2023 and ending June 30, 2026, with a 30-day termination clause.

The three-year term helps the City stay on track with the cycles of legislative activity in Washington DC. Issues being discussed at the federal level typically take a long cycle to come to fruition.

RECOMMENDATION:

City staff recommends approval of the resolution.

SUBMITTED BY:

Lincoln Shurtz, Government Relations Director, Economic Optimization Agency

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HAMM CONSULTING GROUP.

WHEREAS, the City requires certain services in Washington, D.C.; and

WHEREAS, Hamm Consulting Group ("Hamm") is a qualified firm willing to perform said professional services for the City; and

WHEREAS, an Agreement (the "Agreement") has been prepared by and between the City and Hamm Consulting Group setting forth the terms on which said services shall be rendered; 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 said Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that Agreement is hereby approved, and that 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 said Agreement by the City Manager and the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

AGREEMENT

WEST VALLEY CITY, UTAH

AND

HAMM CONSULTING GROUP

This AGREEMENT is made this _____ day of _____, 2023 by and between West Valley City, a municipal corporation of the state of Utah located at 3600 Constitution Boulevard, West Valley City, Utah (hereinafter referred to as the "City") and the Hamm Consulting Group, a limited liability company located at 42997 Lago Stella Place, Ashburn, Virginia, 20148 (hereinafter referred to as the "Washington Representative"). Pursuant to this Agreement, the City and the Washington Representative agree to assume the following obligations:

1. **OBLIGATIONS OF THE HAMM CONSULTING GROUP**

   a. The Hamm Consulting Group will act as a Washington Representative to the City in Washington, D.C.
   b. The Washington Representative will confer with the City Manager and such other City personnel as the City Manager may designate at the times and places mutually agreed to by the City Manager and the Washington Representative on all organizational planning and program activity that has bearing on the ability of the City to make the best use of federal aid programs.
   c. The Washington Representative will review federal executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations and other Washington developments for the purpose of advising the City of those items that may have a bearing on City policy or programs.
   d. The Washington Representative will secure and furnish such detailed information as may be available on federal programs in which the City indicates an interest.
   e. The Washington Representative will review and comment on proposals of the City that are being prepared for submission to federal agencies when requested to do so by the City Manager.
   f. The Washington Representative will maintain liaison with the City's Congressional delegation and will assist the delegation with any matter which the City determines to be in its best interest in the same manner as any other member of the City's administrative staff might render assistance.
   g. The Washington Representative will counsel with the City regarding appearance by City personnel before Congressional committees and administrative agencies and will arrange for appointments and accommodations for City personnel as necessary.
   h. The Washington Representative will contact federal agencies on the City's behalf prior to the submission of applications by the City to such agencies and otherwise take whatever steps required to obtain the most favorable consideration of such applications.

i. In fulfilling responsibilities under this Agreement, the Washington Representative will act in the name of West Valley City, Utah and with the title Washington Representative to the City Manager.
j. The Washington Representative shall pay all travel, long distance phone, document production, and incidental expenses incurred for the performance of this Agreement.

2. **OBLIGATIONS OF THE CITY.**

a. This Agreement shall commence upon execution by the parties and shall continue for a term of one year; thereafter this Agreement shall automatically renew for two additional one-year terms, subject to Section 4 of this Agreement.
b. The City will pay the Washington Representative $75,000 for each one-year term of the Agreement, payable in monthly installments for all terms.
c. The City will advise the Washington Representative of the name or names of persons other than the City Manager authorized to request service by the Washington Representative and the person or persons to be kept advised by the Representative.
d. The City will supply the Washington Representative with a summary of all federal programs in which the City is participating and will advise the Washington Representative of any new application filed, together with the pertinent details as to the substance of such applications.
e. The City will supply the Washington Representative with copies of budgets, planning documents, and regular reports of the City Manager and departments, Council agendas and proceedings, newspapers and other materials that will assist the Washington Representative in keeping current on City policies and programs.

3. **WEST VALLEY CITY, UTAH AND THE HAMM CONSULTING GROUP CONCUR THAT THE FOLLOWING EXCLUSIONS SHALL APPLY TO THIS AGREEMENT.**

The Washington Representative assigned to the City:

a. Will not represent the interest of local constituents to the City in pursuit of federal business;
b. Will not represent the City before Congressional Committees or in any judicial or quasi-judicial hearing conducted by hearing boards or examiners of federal agencies, boards, or commissions;
c. Will not perform any legal, engineering, accounting or other similar professional services.

4. Either party may terminate this Agreement at any time by giving the other at least thirty (30) days' notice in writing of such termination by certified mail, return receipt requested, postage prepaid, and addressed to the respective parties as follows:

If to the City: West Valley City
3600 Constitution Blvd.
West Valley City, Utah 84119

If to the Washington Representative: The Hamm Consulting Group
Attn: Ron Hamm, President
300 New Jersey Avenue, NW, Suite 900
Washington, D.C. 20001

IN WITNESS WHEREOF, the Parties to this Agreement have executed this Agreement as of the day and year first above written.

WEST VALLEY CITY

_____
Mayor

_____
City Manager

ATTEST:

_____
City Recorder

THE HAMM CONSULTING GROUP

_____
By:
Its:

State of _____)
:ss
County of _____)

On this _____ day of _____, 20_____, personally appeared before me _____ *[name of person(s)]*, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the _____ *[title]*, of Hamm Consulting Group, and that this *Agreement* was signed by him/her in behalf of said entity by authority of its bylaws or Articles of Organization or of a Resolution of its members or Board of Directors, and he/she acknowledged to me that said entity executed the same.

_____
Notary Public

Fiscal Impact:	$100,000
Funding Source:	General Fund
Account #:	NA
Budget Opening Required:	Yes

ISSUE:

Utility Study

SYNOPSIS:

Authorize a budget opening for a utility study

BACKGROUND:

It is proposed to evaluate operations of West Valley City and Granger Hunter Improvement District (GHID), together with GHID. This resolution authorizes up to $100,000 for a study, matching $100,000 which is anticipated to be commissioned by GHID. It is anticipated that the City and GHID will work cooperatively to procure qualified professional services to evaluate operations of the City and Granger Hunter.

RECOMMENDATION:

Authorize a budget opening of $100,000 for a study

SUBMITTED BY:

Daniel Johnson, Public Works Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A JOINT STUDY OF OPERATIONS WITH THE GRANGER-HUNTER IMPROVEMENT DISTRICT.

WHEREAS, the City and the Granger-Hunter Improvement District wish to evaluate certain operational and structural issues; and

WHEREAS, the District intends to commission a study of said matters; and

WHEREAS, the City desires to contribute funding to said study; 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 funding for said study.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that the City is authorized to contribute an amount not to exceed $100,000.00 toward the aforementioned study and related professional services, and that the Mayor is hereby authorized to execute any documents necessary to pursue said study for and on behalf of West Valley City, subject to approval of the final form of said documents by the City Manager and the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item #:	
Fiscal Impact:	$63,000.00 + closing costs
Funding Source:	Stormwater Utility
Account #:	45-9610-40750-75279-0200
Budget Opening Required:	No

ISSUE:

A resolution to authorize the execution of a Real Estate Purchase Agreement and acceptance of a Warranty Deed for the 6800 West Pond Overflow Project.

SYNOPSIS:

Eloy Santana Perez has signed a Real Estate Purchase Agreement along with a Warranty Deed for property located at 2720 South 6750 West (14-27-200-036).

BACKGROUND:

The Eloy Santana Perez parcel located at 2720 South 6750 West is one of three parcels affected by the 6800 West Pond Overflow Project. West Valley City is working with Eloy Santana Perez and the owners of two other properties to improve the City's 6800 West Pond Overflow facility. The 6800 West Pond facility serves as a flood storage area for a large portion of the City before it enters the Riter Canal. Improvements will include upsizing the existing overflow pipe under 6750 West, relocation of Magna Water fence/gate and construction of a new access to the area north of the West Valley Parks maintenance building. This project will improve access, facilitate maintenance and resolve flooding issues in the area. Compensation for the purchase of the Warranty Deed and improvements is $63,000.00 based upon the Appraisal Report prepared by the DH Group LLC.

.

RECOMMENDATION:

Accept Warranty Deed and authorize the mayor to execute the Real Estate Purchase Agreement. Final closing and recording of documents will be handled though a title company.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM ELOY SANTANA PEREZ FOR PROPERTY LOCATED AT 2720 SOUTH 6750 WEST.

WHEREAS, Eloy Santana Perez (herein "Owner") has entered into a Real Estate Purchase Agreement for property located at 2720 South 6750 West that is affected by the 6800 West Pond Overflow Project (herein "Project"); and

WHEREAS, Owner has also signed a Warranty Deed (the "Deed"), as required for the Project; 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 enter into the Real Estate Purchase Agreement with Owner, and to accept the Deed.

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

1. That the above-referenced document entitled "Real Estate Purchase Contract" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Deed for and on behalf of West Valley City.

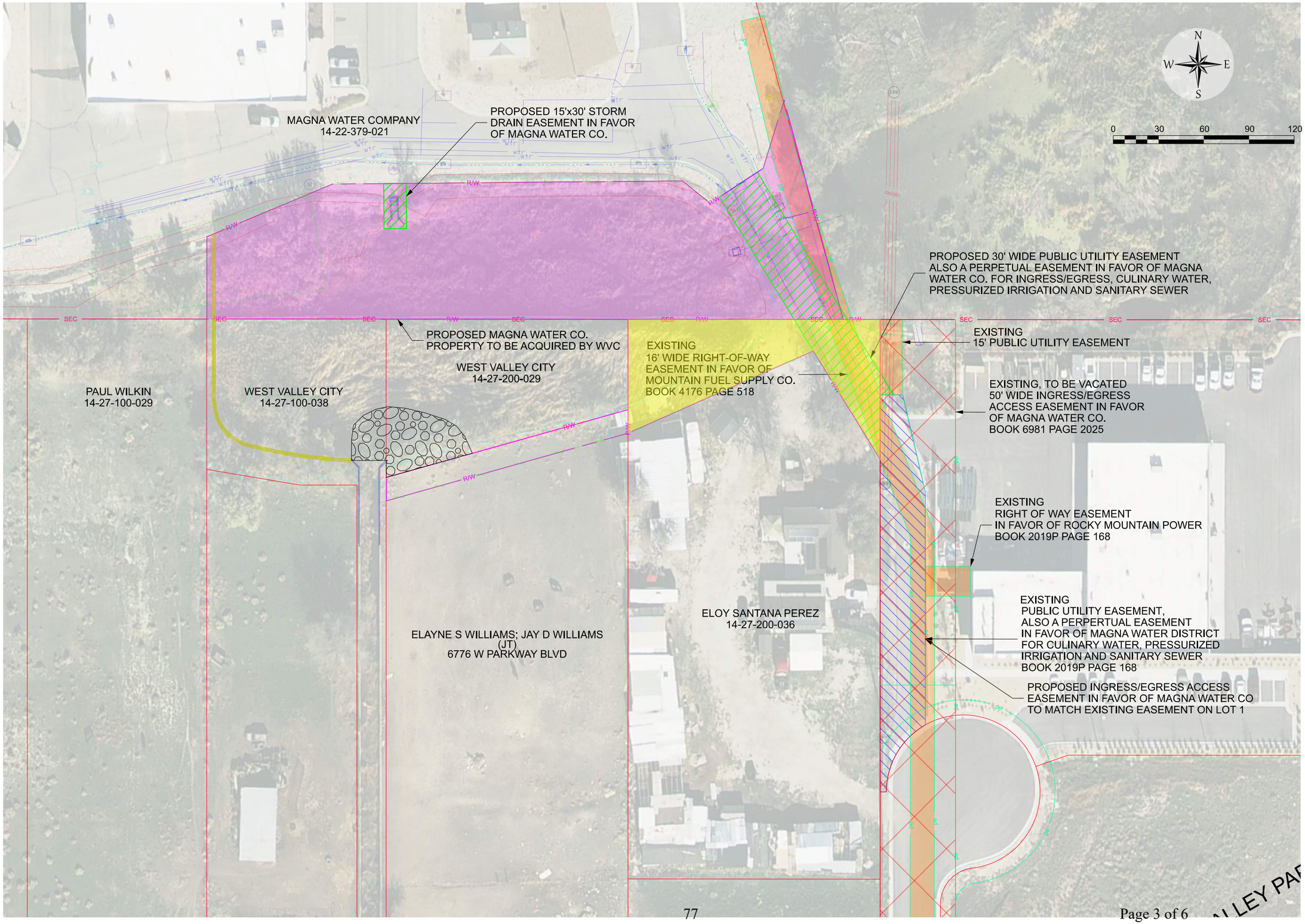
PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER



1/12/2023 1:06:24 PM H:\ENGDIV\PROJECTS\6800_W_Pond_Overflow\CAD\Drawings\PDF Exhibits\EX-2_ROW.dgn

REVISIONS

NO.	BY	DATE	REMARKS

DESIGN ___ CHECK ___ DRAWN ___ CHECK ___

WEST VALLEY CITY PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
3600 CONSTITUTION BOULEVARD
WEST VALLEY CITY, UTAH 84119-3720

DESIGN ___ DATE ___
PROFESSIONAL ENGINEER

6800 WEST POND OVERFLOW
SITE IMPROVEMENTS
R/W EXHIBIT
PROJECT NUMBER WVC ENG PW - 158

SHEET NO. EXB-2

WHEN RECORDED RETURN TO:
West Valley City Recorder
3600 S. Constitution Blvd.
West Valley City, Utah 84119

Space above for County Recorder's use

Portion of PARCEL I.D. #**14-27-200-036**

WARRANTY DEED

Eloy Santana Perez, GRANTOR, hereby conveys and warrants to WEST VALLEY CITY, a municipal corporation of the State of Utah, located at 3600 Constitution Blvd., West Valley City, Utah 84119, GRANTEE, for the sum of $10.00 and other good and valuable consideration, receipt of which is hereby acknowledged, a parcel of land in fee, located at **2720 South 6750 West**, in West Valley City, Salt Lake County, State of Utah. The boundaries of said parcel of land conveyed by this Warranty Deed are shown on attached Exhibit A and described as follows:

A parcel of land in fee, being part of an entire tract of property described in Warranty Deed in favor of Eloy Santana Perez recorded as Entry No. 11914903 in Book 10260 at Page 8939 in the Office of the Salt Lake County Recorder, situate in the Northeast Quarter of Section 27, Township 1 South, Range 2 West, Salt Lake Base and Meridian, in Salt Lake County, Utah. The boundaries of said parcel of land are described as follows:

Beginning at the Grantor's Northwest Corner, said point is 2657.30 feet East along the section line to the North Quarter Corner of said Section 27 and continuing along said section line 180.00 feet East from the Northwest Corner of said Section 27 (Basis of Bearing is East along the section line between the found monuments representing the Northwest Corner and the Northeast Corner of said Section 27); and running thence along the grantor's northerly boundary line East 167.30 feet (150 feet by record) to the Grantor's Northeast Corner; thence along the grantor's easterly boundary line S.00°02'07"E. (South by record) 92.64 feet; thence N.31°44'30"W. 84.47 feet; thence S.66°00'51"W. 134.49 feet to a point in the grantor's westerly boundary line; thence along said westerly boundary line N.00°02'07"W. (North by record) 75.48 feet to the Point of Beginning.

The above described parcel of land contains 8,435 square feet or 0.19 acre in area, more or less

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants, and taxes and assessments of record or apparent or enforceable in law or equity.

WITNESSED the hand of said GRANTOR this 16TH day of OCTOBER, 2023.

GRANTOR

Eloy Santana Perez

Eloy Santana Perez

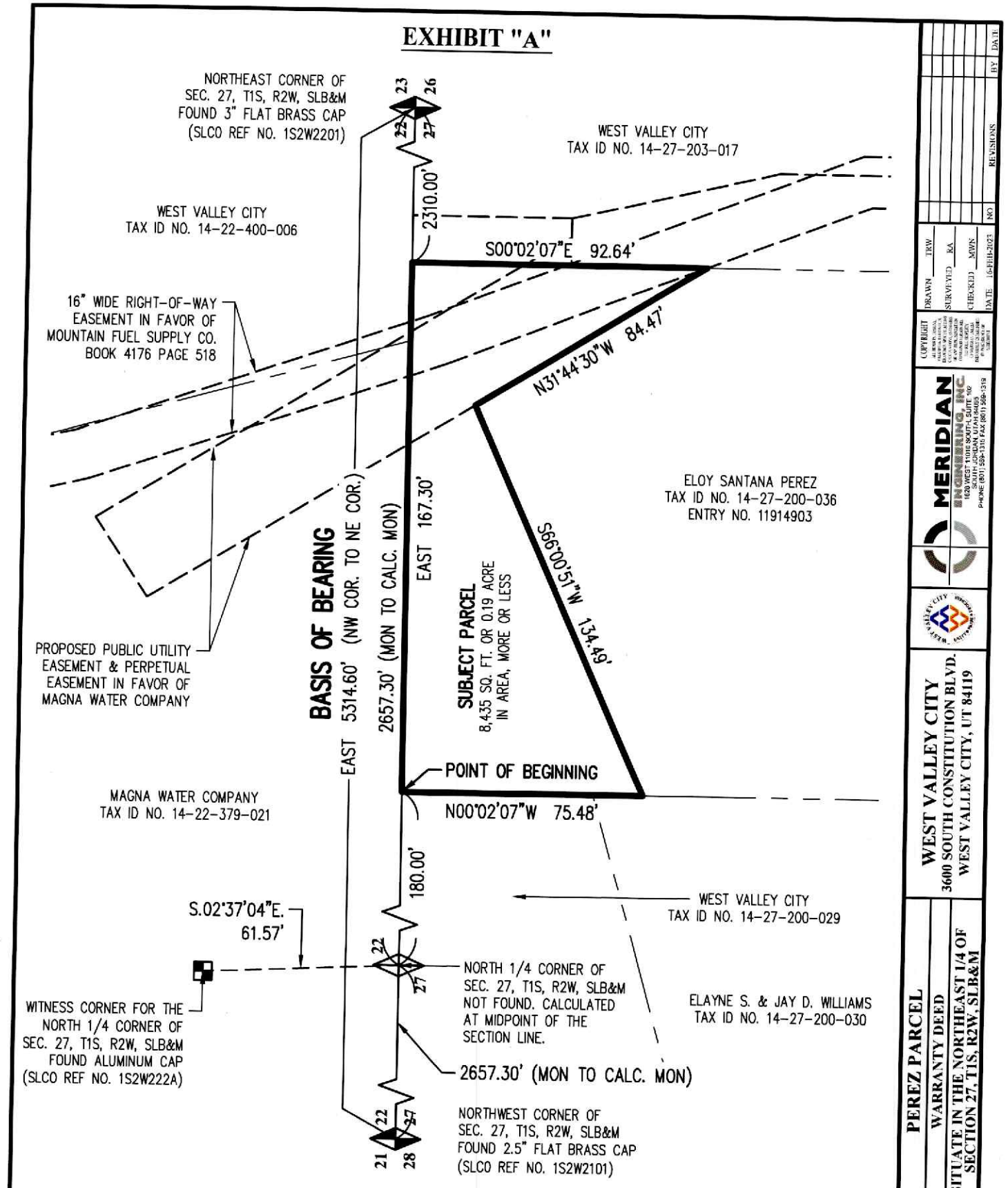
State of UTAH)
:ss
County of SALT LAKE)

On this 16TH day of OCTOBER, 2023, personally appeared before me **Eloy Santana Perez,** whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged that he executed the same.

STEVEN J DALE
Notary Public State of Utah
My Commission Expires on:
February 08, 2027
Comm. Number: 729306

Notary Public

EXHIBIT "A"



NO.	REVISIONS	BY	DATE

DRAWN TRW
SURVEYED RA
CHECKED MWN
DATE 16-FEB-2023

COPYRIGHT

MERIDIAN ENGINEERING, INC
1828 WEST TAYLOR SOUTH, SUITE 102
SALT LAKE CITY, UTAH 84104
PHONE (801) 599-1310 FAX (801) 599-1319

WEST VALLEY CITY
3600 SOUTH CONSTITUTION BLVD.
WEST VALLEY CITY, UT 84119

PEREZ PARCEL
WARRANTY DEED
SITUATE IN THE NORTHEAST 1/4 OF SECTION 27, T1S, R2W, SLB&M

COMP. FILE 22304_EXHIBIT
PROJECT NO. 22304
SHEET NO. 1 OF 1

Fiscal Impact:	NA
Funding Source:	NA
Account #:	NA
Budget Opening Required:	No

ISSUE:

A resolution for the acceptance of a Warranty Deed.

SYNOPSIS:

E & E Investments Co., LLC, a Utah limited liability company has signed a Warranty Deed for property located at 4527 West 2100 South (15-20-126-015) which is the site for the Peak JCB project.

BACKGROUND:

The E & E Investments Co., LLC parcel is located on the south side of the 2100 South (SR-201 South Frontage Road) at 4527 West. As a condition of approval of the project, conveyance of additional SR-201 South Frontage Road right-of-way was required.

RECOMMENDATION:

Accept Warranty Deed. Authorize City Recorder to record said Warranty Deed for and on behalf of West Valley City.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A WARRANTY DEED FROM E&E INVESTMENTS CO., LLC FOR PROPERTY LOCATED AT 4527 WEST 2100 SOUTH.

WHEREAS, E&E Investments Co., LLC ("Owner") is developing property located at 4527 West 2100 South (the "Project"); and

WHEREAS, a Warranty Deed (the "Deed") is required to convey right of way currently owned by Owner in order to construct the Project; and

WHEREAS, Owner has executed said Deed; 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 accept the Deed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that the Deed is hereby accepted in substantially the form attached and that the City Recorder is authorized to record said Deed for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WHEN RECORDED RETURN TO:
West Valley City Recorder
3600 South Constitution Blvd.
West Valley City, Utah 84119

Space above for County Recorder's use

Portion of PARCEL I.D. #**15-19-126-015**

WARRANTY DEED

E & E Investments Co., LLC, a Utah limited liability company, GRANTOR, hereby conveys and warrants to WEST VALLEY CITY, a municipal corporation of the State of Utah, located at 3600 Constitution Blvd., West Valley City, Utah 84119, GRANTEE, for the sum of $10.00 and other good and valuable consideration, receipt of which is hereby acknowledged, a strip of land in fee for public road purposes, located at **4527 West 2100 South**, in West Valley City, Salt Lake County, State of Utah. The boundaries of said parcel of land conveyed by this Warranty Deed are described as follows:

SEE ATTACHED EXHIBIT "A" and "B"

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants, and taxes and assessments of record or apparent or enforceable in law or equity.

WITNESSED the hand of said GRANTOR this 10th day of October, 2023.

GRANTOR
E & E Investments Co., LLC, a Utah limited liability company

By: Josh England
Title: President / Director

State of Utah)
:ss
County of Salt Lake)

On this 10th day of October, 2023, personally appeared before me Josh England, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the President of **E & E Investments Co., LLC, a Utah limited liability company**, by authority of its members or its articles of organization, and he/she acknowledged to me that said limited liability company executed the same.

DAVID KRIS ALLRED
Notary Public - State of Utah
Comm. No. 710666
My Commission Expires on
Feb 21, 2024

Notary Public

Road Dedication

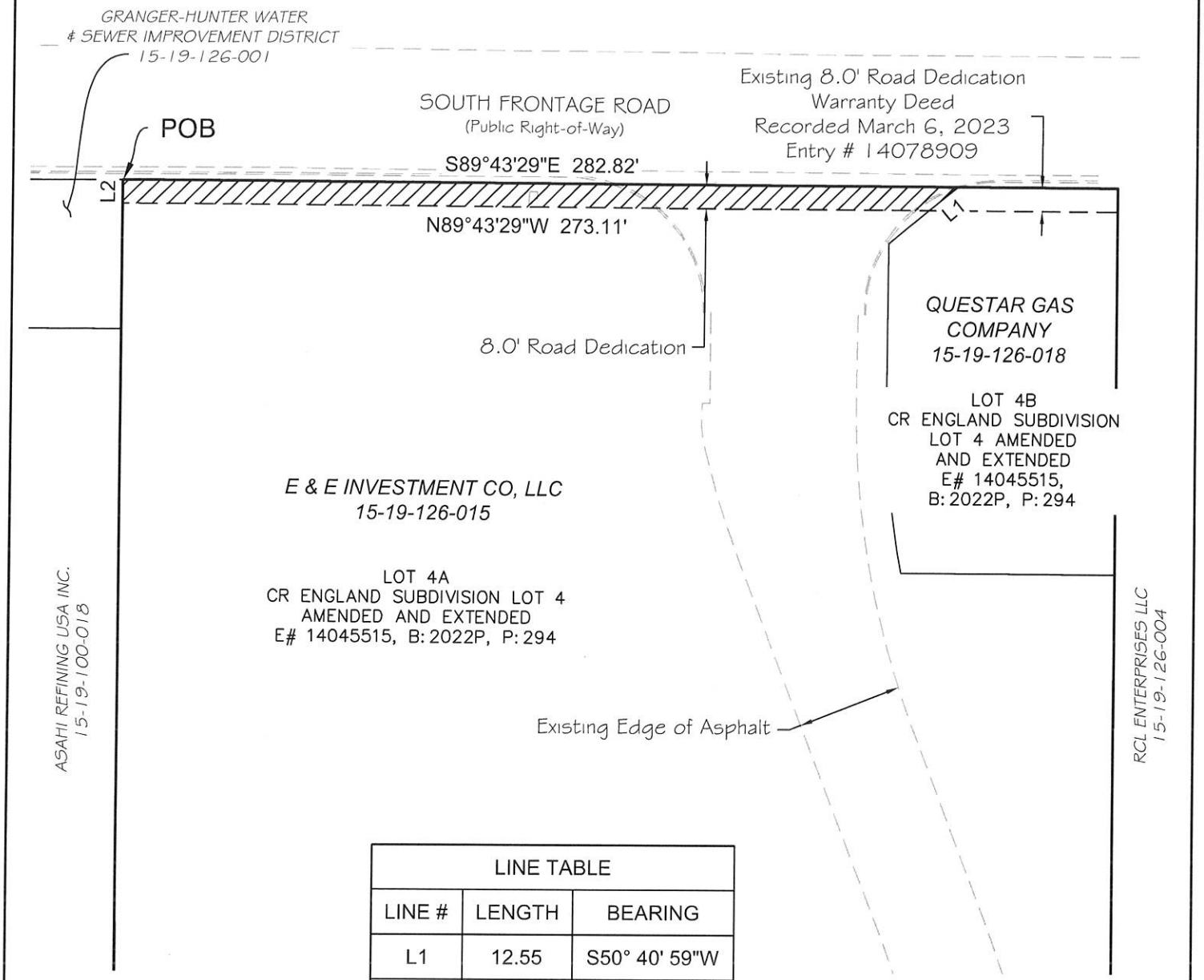
A road dedication being a part of Lot 4A, CR England Subdivision Lot 4 Amended and Extended, recorded November 23, 2022 as Entry No. 14045515 in Book 2022P, at Page 294 in the Office of the Salt Lake County Recorder. Said parcel is located in the Northwest Quarter of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian and is described as follows:

Beginning at the Northwest Corner of said Lot 4A, CR England Subdivision Lot 4 Amended and Extended, said corner is 2569.80 feet North and 1650.25 feet East from the West Quarter Corner of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian; thence S.89°43'29"E. 282.82 feet along northerly line of said Lot 4A to the Northwest Corner of Lot 4B, CR England Subdivision Lot 4 Amended and Extended; thence S.50°40'59"W. 12.55 feet along westerly line of said Lot 4B; thence N.89°43'29"W. 273.11 feet to the westerly line of said Lot 4A; thence N.00°00'24"E. 8.00 feet along westerly line of said Lot 4A to the **Point of Beginning**.

The above-described road dedication contains 2,224 sq. ft. in area or 0.51 acres, more or less.

EXHIBIT "B": By this reference, made a part hereof.

BASIS OF BEARING: S. 89°53'30" E. between the West Quarter Corner and the Center Quarter Corner of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian.



LINE TABLE		
LINE #	LENGTH	BEARING
L1	12.55	S50° 40' 59"W
L2	8.00	N0° 00' 24"W

LEGEND

Boundary

Adjacent parcel

Road Dedication

N

0 50

Scale in Feet
1"=50'

EXHIBIT "B"

E & E Investment Co.
Road Dedication

Assessor Parcel No:
15–19–126–015

Part of the Northwest Quarter
Sec. 19, T.1S., R.1W., S.L.B.&M.

PREPARED BY:

CIR | CIVIL ENGINEERING + SURVEYING

10718 South Beckstead Lane, Suite 102, South Jordan, Utah 84095
Phone: 435-503-7641

September 21, 2023

Item #:	
Fiscal Impact:	$2,816.32 (6.77% of actual cost)
Funding Source:	Transportation Alternatives Program (TAP)
Account #:	45-9610-40750-75268-0200
Budget Opening Required:	No

ISSUE:

Authorization and execution of a Real Estate Purchase Contract and acceptance of a Perpetual Easement and a Temporary Construction Easement.

SYNOPSIS:

Ridgeland Downs Owners Association has signed a Real Estate Purchase Contract and has agreed to sign a Perpetual Easement and a Temporary Construction Easement for property located at 2745 South 3600 West (15-29-201-001).

BACKGROUND:

The Ridgeland Downs Owners Association parcel located at 2745 South 3600 West is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of the Perpetual Easement, Temporary Construction Easement and improvements is $41,600.00 based upon the appraisal prepared by Integra Realty Resources.

The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $2,816.32.

RECOMMENDATION:

Accept Perpetual Easement and Temporary Construction Easement and authorize the mayor to execute the Real Estate Purchase Contract. Documents will be recorded after payment by UDOT.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM THE RIDGELAND DOWNS OWNERS ASSOCIATION FOR PROPERTY LOCATED AT 2745 SOUTH 3600 WEST.

WHEREAS, the Ridgeland Downs Owners Association (herein "Owner") has entered into a Real Estate Purchase Contract for property located at 2745 South 3600 West that is affected by the Cross Towne Trail Project (herein "Project"); and

WHEREAS, Owner has also signed a Perpetual Easement and a Temporary Construction Easement (the "Documents"), as required for the Project; 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 enter into the Real Estate Purchase Contract with Owner, and to accept the Documents.

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

1. That the above-referenced document entitled "Real Estate Purchase Contract" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Documents for and on behalf of West Valley City.

PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Perpetual Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-201-001
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:107:EC

Ridgeland Downs Owners Association, Grantor(s), hereby GRANTS AND CONVEYS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A perpetual easement, upon part of an entire tract of property, being part of the common area of Ridgeland Downs Condominium Project, recorded as Entry No. 2116037, Book DD, Page 39 of plats, in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing, maintaining, repairing and replacing a wall and appurtenant parts thereof to facilitate the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall run with the Real Property and shall be binding upon the Grantor(s), successors, heirs and assigns. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing southerly right of way line of Parkway Boulevard, which point is 33.03 feet S.00°07'30"E. along the quarter section line and 40.97 feet N.89°56'59"E. from the North Quarter Corner of said Section 29, said point is also approximately 40.19 feet perpendicularly distant southerly from the control line of said project opposite engineer station 23+49.16; and running thence N.89°59'32"E. 621.37 feet along said existing southerly right of way line to the northeasterly corner of said entire tract at a point approximately 40.00 feet perpendicularly distant southerly from said control line opposite engineer station 29+69.98; thence S.00°04'57"E. 2.00 feet along the easterly boundary line of said entire tract; thence S.89°59'32"W. 623.36 feet to said existing southerly right of way line; thence N.44°54'44"E. 2.82 feet along said existing southerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 1,244 square feet in area or 0.029 acre, more or less.

(Note: Rotate all bearings in the above description 00°12'29" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:107:EC

STATE OF _____)
) ss.
)
COUNTY OF _____)

Ridgeland Downs Owners Association

_____
Signature

_____
Print Name and Title

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of Ridgeland Downs Owners Association and that said document was signed by him/her on behalf of said Ridgeland Downs Owners Association by Authority of its _____.

_____
Notary Public

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of Ridgeland Downs Owners Association and that said document was signed by him/her on behalf of said Ridgeland Downs Owners Association by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-201-001
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:107:E

Ridgeland Downs Owners Association, Grantor hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, being part of the common area of Ridgeland Downs Condominium Project, recorded as Entry No. 2116037, Book DD, Page 39 of plats, in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing southerly right of way line of Parkway Boulevard, which point is 33.03 feet S.00°07'30"E. along the quarter section line and 40.97 feet N.89°56'59"E. from the North Quarter Corner of said Section 29; and running thence N.89°59'32"E. 621.37 feet along said existing southerly right of way line to the northeasterly corner of said entire tract; thence S.00°04'57"E. 5.00 feet along the easterly boundary line of said entire tract; thence S.89°59'32"W. 626.36 feet to said existing southerly right of way line; thence N.44°54'44"E. 7.06 feet along said existing southerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 3,119 square feet in area or 0.072 acre, more or less.

(Note: Rotate all bearings in the above description 00°12'29" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:107:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

Ridgeland Downs Owners Association

_____
Signature

_____
Print Name and Title

_____
Signature

_____
Print Name and Title

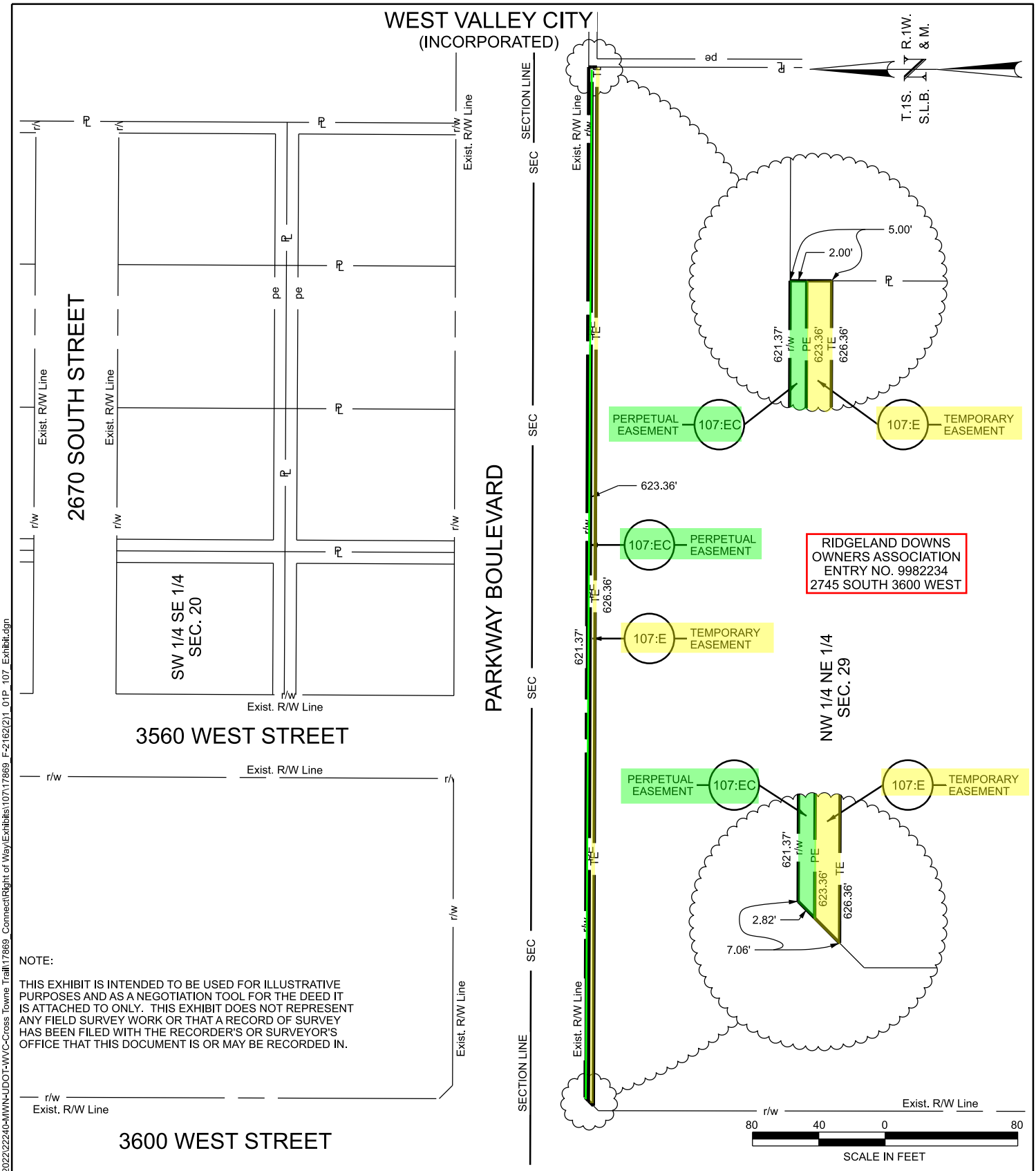
On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of Ridgeland Downs Owners Association and that said document was signed by him/her on behalf of said Ridgeland Downs Owners Association by Authority of its _____.

_____
Notary Public

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of Ridgeland Downs Owners Association and that said document was signed by him/her on behalf of said Ridgeland Downs Owners Association by Authority of its _____.

_____
Notary Public

DocuSign Envelope ID: 82C9B574-784C-4897-AB72-F274B89BCC77



NOTE:

THIS EXHIBIT IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES AND AS A NEGOTIATION TOOL FOR THE DEED IT IS ATTACHED TO ONLY. THIS EXHIBIT DOES NOT REPRESENT ANY FIELD SURVEY WORK OR THAT A RECORD OF SURVEY HAS BEEN FILED WITH THE RECORDER'S OR SURVEYOR'S OFFICE THAT THIS DOCUMENT IS OR MAY BE RECORDED IN.

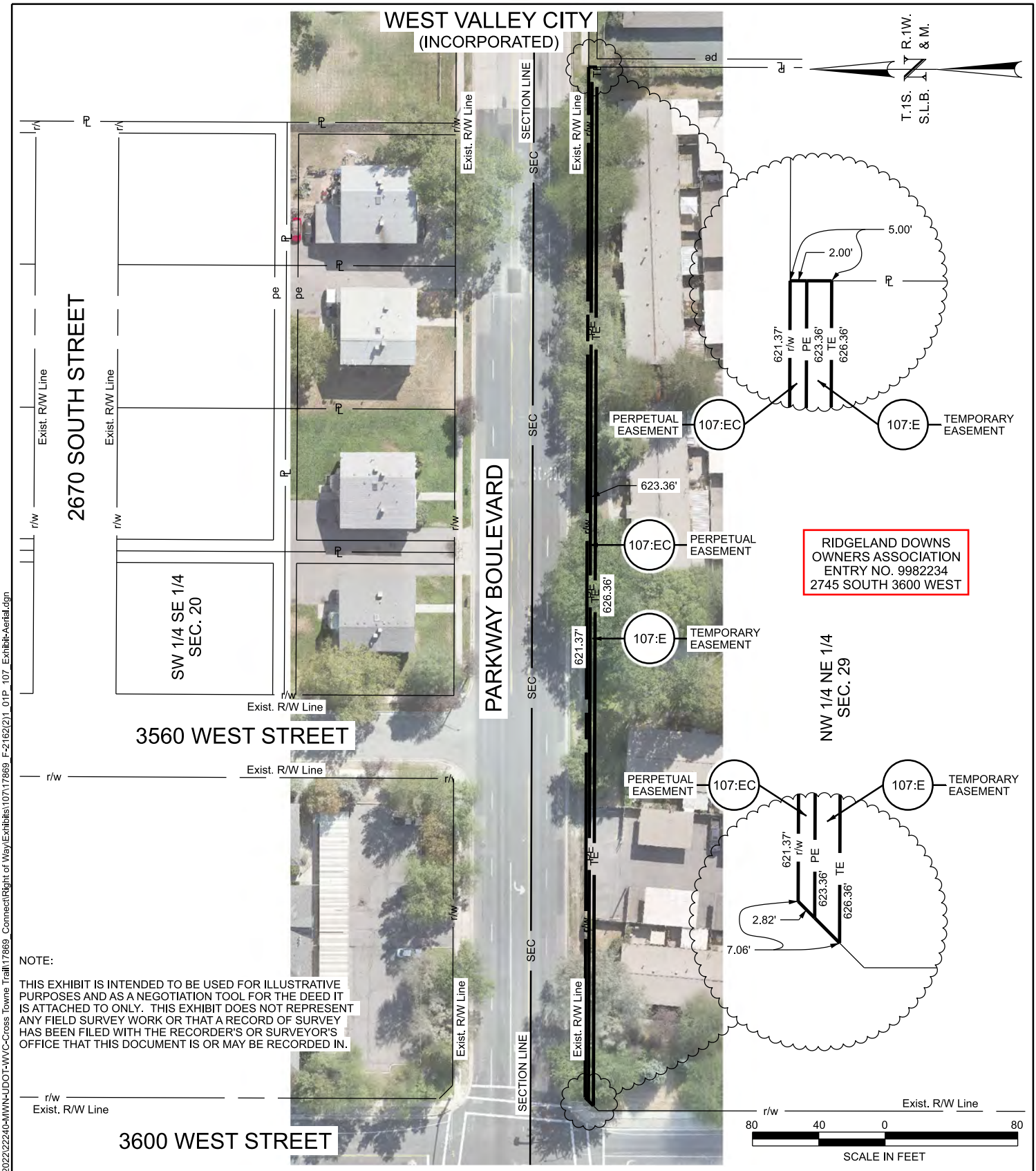
PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
107:EC	RIDGELAND DOWNS OWNERS ASSOCIATION	0.029	1,244			PERPETUAL	
107:E	RIDGELAND DOWNS OWNERS ASSOCIATION	0.072	3,119			TEMPORARY	

SHEET NO. 107-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	RIDGELAND DOWNS OWNERS ASSOCIATION
PROJECT	CROSS TOWNE TRAIL; 2700 WEST	PROPERTY ADRESS:	2745 SOUTH 3600 WEST
	TO BANGERTER HWY		UTAH DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER	F-2162(2)1 PIN 17869		MERIDIAN ENGINEERING, INC.

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\107\17869_F-2162(2)1_01P_107_Exhibit.dgn

27-APR-2023

DocuSign Envelope ID: 82C9B574-784C-4897-AB72-F274B89BCC77



NOTE:

THIS EXHIBIT IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES AND AS A NEGOTIATION TOOL FOR THE DEED IT IS ATTACHED TO ONLY. THIS EXHIBIT DOES NOT REPRESENT ANY FIELD SURVEY WORK OR THAT A RECORD OF SURVEY HAS BEEN FILED WITH THE RECORDER'S OR SURVEYOR'S OFFICE THAT THIS DOCUMENT IS OR MAY BE RECORDED IN.

PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
107:EC	RIDGELAND DOWNS OWNERS ASSOCIATION	0.029	1,244			PERPETUAL	
107:E	RIDGELAND DOWNS OWNERS ASSOCIATION	0.072	3,119			TEMPORARY	

SHEET NO. 107-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	RIDGELAND DOWNS OWNERS ASSOCIATION
PROJECT	CROSS TOWNE TRAIL; 2700 WEST	PROPERTY ADRESS:	2745 SOUTH 3600 WEST
	TO BANGERTER HWY		UTAH DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER	F-2162(2)1 PIN 17869		MERIDIAN ENGINEERING, INC.

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\107\17869_F-2162(2)1_01P_107_Exhibit-Aerial.dgn

27-APR-2023

Item #:	
Fiscal Impact:	$138.79 (6.77% of actual cost)
Funding Source:	Transportation Alternatives Program (TAP)
Account #:	45-9610-40750-75268-0200
Budget Opening Required:	No

ISSUE:

Authorization and execution of a Real Estate Purchase Contract and acceptance of two Warranty Deeds and two Temporary Construction Easements.

SYNOPSIS:

West Brook Park Owners Association, Inc. has signed a Real Estate Purchase Contract and has agreed to sign two Warranty Deeds and two Temporary Construction Easements for property located at 2849 S. Brookway Drive (15-29-203-098).

BACKGROUND:

The West Brook Park Owners Association, Inc. parcel located at 2849 S. Brookway Drive is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of two Warranty Deeds, two Temporary Construction Easements and improvements is $2,050.00 based upon the Administrative Compensation Estimate prepared by Meridian Engineering.

The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $138.79.

RECOMMENDATION:

Accept two Warranty Deeds and two Temporary Construction Easement and authorize the mayor to execute the Real Estate Purchase Contract. Documents will be recorded after payment by UDOT.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT TWO WARRANTY DEEDS AND TWO TEMPORARY CONSTRUCTION EASEMENTS WITH AND FROM THE WEST BROOK PARK OWNER'S ASSOCIATION, INC. FOR PROPERTY LOCATED AT 2849 SOUTH BROOKWAY DRIVE.

WHEREAS, the West Brook Park Owner's Association, Inc. (herein "Owner") has entered into a Real Estate Purchase Contract for property located at 2849 South Brookway Drive that is affected by the Cross Towne Trail Project (herein "Project"); and

WHEREAS, Owner has also signed two Warranty Deeds and two Temporary Construction Easements (the "Documents"), as required for the Project; 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 enter into the Real Estate Purchase Contract with Owner, and to accept the Documents.

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

1. That the above-referenced document entitled "Real Estate Purchase Contract" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Documents for and on behalf of West Valley City.

PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

DocuSign Envelope ID: 4927DEAA-46B7-4631-87D9-A06ACCE9C5B4

WEST VALLEY CITY
Unity Pride Progress

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 112:2C, 112:2E, 112:C, 112:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-29-203-098
Property Address: 2849 South Brookway Drive WEST VALLEY CITY UT, 84119
Owner's Address: 2790 Centerbrook Drive,West Valley City,UT,84119
Primary Phone: 801-637-1918 Owner's Home Phone: Owner's Work Phone: (801)637-1918
Owner / Grantor (s): West Brook Park Owners Association, Inc., A Utah Corporation

IN CONSIDERATION of the mutual promises herein and subject to approval of the Local Government Authority, West Brook Park Owners Association, Inc., A Utah Corporation ("Owner") agrees to sell to West Valley City ("The City") the Subject Property described below for Transportation Purposes,[1] and the City and Owner agree as follows:

1. SUBJECT PROPERTY. The Subject Property referred to in this Contract is identified as parcel numbers 112:2C, 112:2E, 112:C, 112:E, more particularly described in Exhibit A, which is attached hereto and incorporated herein.

2. PURCHASE PRICE. The City shall pay and Owner accepts $2,050 for the Subject Property including all improvements thereon and damages, if any, to remaining property. The foregoing amount includes compensation for the following cost to cure items, which are the responsibility of Owner to cure (if applicable): **N/A**

3. SETTLEMENT AND CLOSING.

3.1 Settlement. "Settlement" shall mean that Owner and the City have signed and delivered to each other or to the escrow/closing office all documents required by this Contract or by the escrow/closing office, and that all monies required to be paid by Owner or the City under this Contract have been delivered to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office.

3.2 Closing. "Closing" shall mean that: (a) Settlement has been completed; (b) the amounts owing to Owner for the sale of the Subject Property have been paid to Owner, and (c) the applicable closing documents have been recorded in the office of the county recorder ("Recording"). Settlement and Closing shall be completed at the earliest time convenient to the parties and the closing office.

3.3 Possession. Upon signing of this Contract by Owner and the Local Government Authority, Owner grants the City, its employees and contractors, including utility service providers and their contractors, the right to immediately occupy the Subject Property and do whatever construction, relocation of utilities or other work as required in furtherance of the above referenced project.

4. PRORATIONS / ASSESSMENTS / OTHER PAYMENT OBLIGATIONS.

4.1 Prorations. All prorations, including but not limited to, homeowner's association dues, property taxes for the current year and rents shall be made as of the time of Settlement.

---

1. "Transportation Purposes" is defined as all current or future transportation uses authorized by law, including, without limitation, the widening, expansion, and/or construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio-fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, statutory relocations caused by the project, and other related transportation uses.

DS ML
Grantor's Initials

Project No: F-2162(2)1 Parcel No.(s): 112:2C, 112:2E, 112:C, 112:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-29-203-098
Property Address: 2849 South Brookway Drive WEST VALLEY CITY UT, 84119
Owner's Address: 2790 Centerbrook Drive,West Valley City,UT,84119
Primary Phone: 801-637-1918 Owner's Home Phone: Owner's Work Phone: (801)637-1918
Owner / Grantor (s): West Brook Park Owners Association, Inc., A Utah Corporation

4.2 Fees/Costs.

(a) Escrow Fees. The City agrees to pay the fees charged by the escrow/closing office for its services in the settlement/closing process.

(b) Title Insurance. If the City elects to purchase title insurance, it will pay the cost thereof.

5. TITLE TO PROPERTY. Owner represents and warrants that Owner has fee title to the Subject Property. Owner shall indemnify and hold the City harmless from all claims, demands and actions from lien holders, lessees or third parties claiming an interest in the Subject Property or the amount paid hereunder. Owner will convey marketable title to the Subject Property to the Grantee shown on Exhibit A at Closing by deed(s) in the form shown on Exhibit A, except for easements which Owner will convey in the form also shown on Exhibit A. The provisions of this Section 5 shall survive Closing.

6. OWNER DISCLOSURES CONCERNING ENVIRONMENTAL HAZARDS. Owner represents and warrants that there are no claims and/or conditions known to Owner relating to environmental hazards, contamination or related problems affecting the Subject Property. Owner agrees to transfer the Subject Property free of all hazardous materials including paint, oil and chemicals. The provisions of this Section 6 shall survive Closing.

7. CONDITION OF SUBJECT PROPERTY AND CHANGES DURING TRANSACTION. Owner agrees to deliver the Subject Property to the City in substantially the same general condition as it was on the date that Owner signed this Contract.

8. AUTHORITY OF SIGNER(S). If Owner is a corporation, partnership, trust, estate, limited liability company or other entity, the person signing this Contract on its behalf warrants his or her authority to do so and to bind the Owner.

9. COMPLETE CONTRACT. This Contract, together with any attached addendum and exhibits, (collectively referred to as the "Contract"), constitutes the entire contract between the parties and supersedes and replaces any and all prior negotiations, representations, warranties, understandings or contracts between the parties whether verbal or otherwise. The Contract cannot be changed except by written agreement of the parties.

10. ELECTRONIC TRANSMISSION AND COUNTERPARTS. This Contract may be executed in counterparts. Signatures on any of the documents, whether executed physically or by use of electronic signatures, shall be deemed original signatures and shall have the same legal effect as original signatures.

11. ADDITIONAL TERMS (IF APPLICABLE):

Owner(s) acknowledge receiving payment in the amount of $410.00 for 82 square feet of sod and sprinklers, which is included in the total purchase price.
The contractor shall restore damage to the sod and sprinklers within the easement area.

DS
Grantor's Initials

DocuSign Envelope ID: 4927DEAA-46B7-4631-87D9-A06ACCE9C5B4

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 112:2C, 112:2E, 112:C, 112:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-29-203-098
Property Address: 2849 South Brookway Drive WEST VALLEY CITY UT, 84119
Owner's Address: 2790 Centerbrook Drive,West Valley City,UT,84119
Primary Phone: 801-637-1918 Owner's Home Phone: Owner's Work Phone: (801)637-1918
Owner / Grantor (s): West Brook Park Owners Association, Inc., A Utah Corporation

SIGNATURE PAGE TO
WEST VALLEY CITY
REAL ESTATE PURCHASE CONTRACT

Authorized Signature(s):

DocuSigned by:
Michelle Loveland
CE54E2E13C734B7...

Loveland
100% Print Name:

West Brook Park Owners Association, Inc.
HOA President

10/6/2023 | 3:04 PM PDT
Date

WEST VALLEY CITY

_____ _____
Date

Local Government Authority

DS
Grantor's Initials

DocuSign Envelope ID: 4927DEAA-46B7-4631-87D9-A06ACCE9C5B4

Project No: F-2162(2)1 Parcel No.(s): 112:2C, 112:2E, 112:C, 112:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-29-203-098
Property Address: 2849 South Brookway Drive WEST VALLEY CITY UT, 84119
Owner's Address: 2790 Centerbrook Drive,West Valley City,UT,84119
Primary Phone: 801-637-1918 Owner's Home Phone: Owner's Work Phone: (801)637-1918
Owner / Grantor (s): West Brook Park Owners Association, Inc., A Utah Corporation

Exhibit A
(Attach conveyance documents)

DS
ML
Grantor's Initials

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:C

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the northeast corner of Area B of said Westbrook Park P.U.D. at the intersection of the existing westerly right of way line of Centerbrook Drive (3475 West Street) and the existing southerly right of way line of Parkway Boulevard, said corner is 794.56 feet N.89°56'59"E. along the section line and 33.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence S.00°07'30"E. 6.00 feet along said existing westerly right of way line to a point 46.00 feet perpendicularly distant southerly from the control line of said project opposite engineer station 331+02.19; thence N.48°09'00"W. 8.98 feet to said existing southerly right of way line at a point 40.00 feet perpendicularly distant southerly from said control line opposite engineer station 30+95.50; thence N.89°56'59"E. 6.68 feet along said existing southerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 20 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:2C

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the northwest corner of Area A of said Westbrook Park P.U.D. at the intersection of the existing easterly right of way line of Centerbrook Drive (3475 West Street) and the existing southerly right of way line of Parkway Boulevard, said corner is 854.56 feet N.89°56'59"E. along the section line and 33.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence N.89°56'59"E. 11.32 feet along said existing southerly right of way line to a point 40.00 feet perpendicularly distant southerly from the control line of said project opposite engineer station 31+73.50; thence S.45°44'13"W. 15.77 feet to said existing easterly right of way line at a point 51.00 feet perpendicularly distant southerly from said control line opposite engineer station 31+62.19; thence N.00°07'30"W. 11.00 feet along said existing easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 62 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:2C

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:E

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing westerly right of way line of Centerbrook Drive (3475 West Street), said point is 794.56 feet N.89°56'59"E. along the section line and 39.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence S.00°07'30"E. 5.00 feet along said existing westerly right of line; thence N.46°48'02"W. 16.05 feet to the existing southerly right of way line of Parkway Boulevard; thence N.89°56'59"E. 5.00 feet along said existing southerly right of way line; thence S.48°09'00"E. 8.98 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 44 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:2E

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing easterly right of way line of Centerbrook Drive (3475 West Street), said point is 854.56 feet N.89°56'59"E. along the section line and 44.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence N.45°44'13"E. 15.77 feet to the existing southerly right of way line of Parkway Boulevard; thence N.89°56'59"E. 5.00 feet along said existing southerly right of way line; thence S.45°28'55"W. 22.84 feet to said existing easterly right of way line; thence N.00°07'30"W. 5.00 feet along said existing easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 68 square feet in area or 0.002 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:2E

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:C

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the northeast corner of Area B of said Westbrook Park P.U.D. at the intersection of the existing westerly right of way line of Centerbrook Drive (3475 West Street) and the existing southerly right of way line of Parkway Boulevard, said corner is 794.56 feet N.89°56'59"E. along the section line and 33.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence S.00°07'30"E. 6.00 feet along said existing westerly right of way line to a point 46.00 feet perpendicularly distant southerly from the control line of said project opposite engineer station 331+02.19; thence N.48°09'00"W. 8.98 feet to said existing southerly right of way line at a point 40.00 feet perpendicularly distant southerly from said control line opposite engineer station 30+95.50; thence N.89°56'59"E. 6.68 feet along said existing southerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 20 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:2C

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor(s), hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the northwest corner of Area A of said Westbrook Park P.U.D. at the intersection of the existing easterly right of way line of Centerbrook Drive (3475 West Street) and the existing southerly right of way line of Parkway Boulevard, said corner is 854.56 feet N.89°56'59"E. along the section line and 33.00 feet S.00°07'30"E. from the North Quarter Corner of said Section 29; and running thence N.89°56'59"E. 11.32 feet along said existing southerly right of way line to a point 40.00 feet perpendicularly distant southerly from the control line of said project opposite engineer station 31+73.50; thence S.45°44'13"W. 15.77 feet to said existing easterly right of way line at a point 51.00 feet perpendicularly distant southerly from said control line opposite engineer station 31+62.19; thence N.00°07'30"W. 11.00 feet along said existing easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 62 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:2C

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:E

West Brook Park Owners Association, Inc., A Utah Corporation, Grantor hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, being part of the common area of Westbrook Park P.U.D., recorded as Entry No. 3246726, Book 79-3, Page 70 of plats in the Office of the Salt Lake County Recorder, situate in the NW1/4 NE1/4 of Section 29, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

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(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

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Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Corporation)

Salt Lake County

Tax ID No.	15-29-203-098
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:112:2E

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(Note: Rotate all bearings in the above description 00°15'02" clockwise to obtain highway bearings.)

Continued on Page 2

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:112:2E

STATE OF _____)
) ss.
)
COUNTY OF _____)

West Brook Park Owners Association, Inc.

_____
Signature

_____
Print Name and Title

On this _____ day of _____, in the year 20_____, before me personally appeared, _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of West Brook Park Owners Association, Inc., A Utah Corporation and that said document was signed by him/her on behalf of said West Brook Park Owners Association, Inc. by Authority of its _____.

_____
Notary Public

WEST VALLEY CITY
(INCORPORATED)

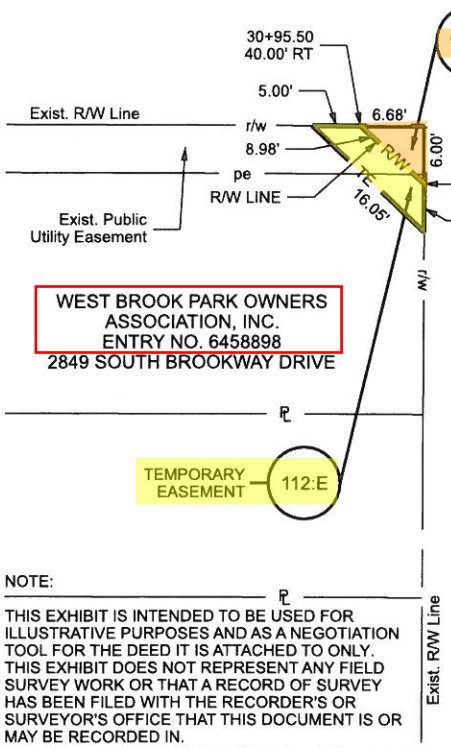
SW 1/4 SE 1/4
SEC. 20

T.1S. S.L.B. R.1W. & M.

Exist. R/W Line r/w r/w Exist. R/W Line

PARKWAY BOULEVARD

SEC SECTION LINE SEC SEC SEC SECTION LINE

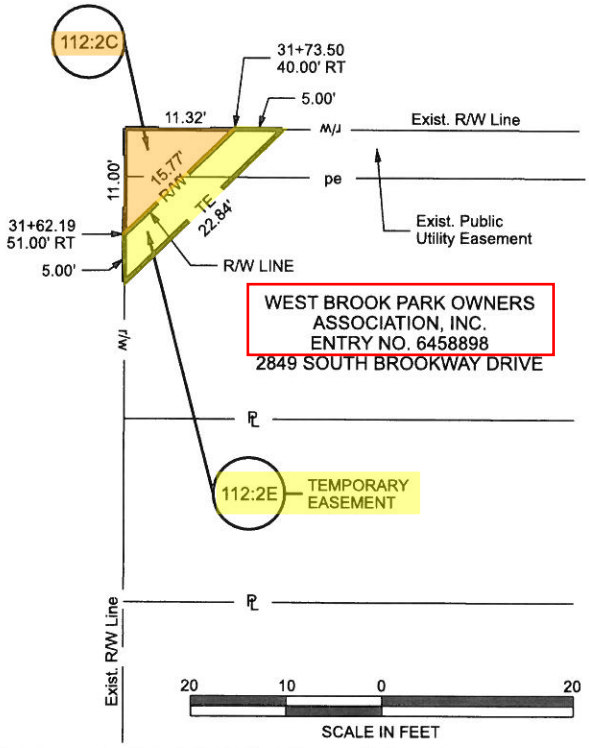


NOTE:

THIS EXHIBIT IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES AND AS A NEGOTIATION TOOL FOR THE DEED IT IS ATTACHED TO ONLY. THIS EXHIBIT DOES NOT REPRESENT ANY FIELD SURVEY WORK OR THAT A RECORD OF SURVEY HAS BEEN FILED WITH THE RECORDER'S OR SURVEYOR'S OFFICE THAT THIS DOCUMENT IS OR MAY BE RECORDED IN.

NW 1/4 NE 1/4
SEC. 29

CENTERBROOK DRIVE

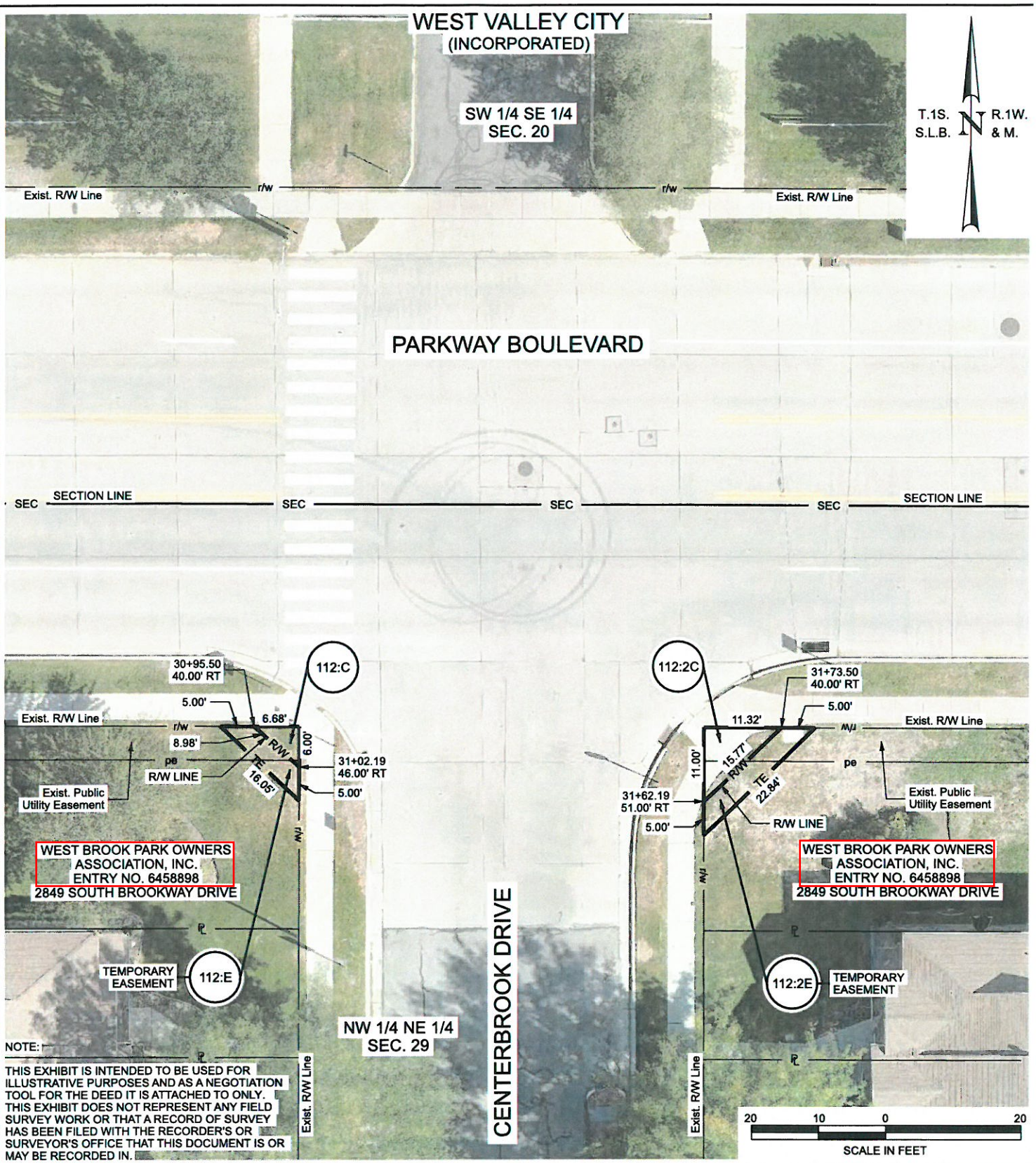


PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
112:C	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.001	20	NONE	7.980	NONE	7.979
112:2C	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.001	62	NONE	7.979	NONE	7.978
112:E	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.001	44			TEMPORARY	
112:2E	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.002	68			TEMPORARY	

SHEET NO. 112-EXHIBIT	PARTIAL SUMMARY NO. 01P	PROPERTY OWNER:	WEST BROOK PARK OWNERS ASSOCIATION, INC.
PROJECT	CROSS TOWNE TRAIL; 2700 WEST	PROPERTY ADRESS:	2849 SOUTH BROOKWAY DRIVE
	TO BANGERTER HWY		
PROJECT NUMBER	F-2162(2)1 PIN 17869		UTAH DEPARTMENT OF TRANSPORTATION
			MERIDIAN ENGINEERING, INC.

DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\112\17869_F-2162(2)1_01P_112_Exhibit.dgn

27-APR-2023



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
112:C	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.001	20	NONE	7.980	NONE	7.979
112:2C	WEST BROOK PARK OWNERS ASSOCIATION, INC.	0.001	62	NONE	7.979	NONE	7.978
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			MERIDIAN ENGINEERING, INC.

DGN File: U:\Projects\202222240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\112\17869_F-2162(2)1_01P_112_Exhibit-Aerial.dgn

27-APR-2023

Item #:	
Fiscal Impact:	$40.62 (6.77% of actual cost)
Funding Source:	Transportation Alternatives Program (TAP)
Account #:	45-9610-40750-75268-0200
Budget Opening Required:	No

ISSUE:

Authorization and execution of a Real Estate Purchase Contract and acceptance of a Warranty Deed and a Temporary Construction Easement.

SYNOPSIS:

Pascal Braun has signed a Real Estate Purchase Contract and has signed a Warranty Deed and a Temporary Construction Easement for property located at 3550 W. Parkway Boulevard (15-20-458-005).

BACKGROUND:

The Pascal Braun parcel located at 3550 W. Parkway Boulevard is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of the Warranty Deed, Temporary Construction Easement and improvements is $600.00 based upon the Administrative Compensation Estimate prepared by Meridian Engineering, Inc.

The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition $40.62.

RECOMMENDATION:

Accept Warranty Deed and Temporary Construction Easement and authorize the mayor to execute the Real Estate Purchase Contract. Documents will be recorded after payment by UDOT.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM PASCAL BRAUN FOR PROPERTY LOCATED AT 3550 WEST PARKWAY BOULEVARD.

WHEREAS, Pascal Braun (herein "Owner") has entered into a Real Estate Purchase Contract for property located at 3550 West Parkway Boulevard that is affected by the Cross Towne Trail Project (herein "Project"); and

WHEREAS, Owner has also signed a Warranty Deed and a Temporary Construction Easement (the "Documents"), as required for the Project; 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 enter into the Real Estate Purchase Contract with Owner, and to accept the Documents.

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

1. That the above-referenced document entitled "Real Estate Purchase Contract" is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement, and any other documents necessary to complete the transaction, for and on behalf of West Valley City, subject to final approval of the documents by the City Manager and the City Attorney's Office.

2. The Mayor is hereby authorized to accept, and the City Recorder is authorized to record, the Documents for and on behalf of West Valley City.

PASSED, APPROVED and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

WEST VALLEY CITY
Unity Pride Progress

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 108:C, 108:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
County of Property: SALT LAKE Tax ID(s) / Sidwell No: 15-20-458-005
Property Address: 3550 West Parkway Blvd WEST VALLEY CITY UT, 84119
Owner's Address: 1292 South Slate Canyon Drive,PROVO,UT,84606
Primary Phone: 435-580-9042 Owner's Home Phone: (435)580-9042 Owner's Work Phone:
Owner / Grantor (s): Pascal Braun

IN CONSIDERATION of the mutual promises herein and subject to approval of the Local Government Authority, Pascal Braun ("Owner") agrees to sell to West Valley City ("The City") the Subject Property described below for Transportation Purposes,[1] and the City and Owner agree as follows:

1. SUBJECT PROPERTY. The Subject Property referred to in this Contract is identified as parcel numbers 108:C, 108:E, more particularly described in Exhibit A, which is attached hereto and incorporated herein.

2. PURCHASE PRICE. The City shall pay and Owner accepts $600 for the Subject Property including all improvements thereon and damages, if any, to remaining property. The foregoing amount includes compensation for the following cost to cure items, which are the responsibility of Owner to cure (if applicable): **N/A**

3. SETTLEMENT AND CLOSING.

3.1 Settlement. "Settlement" shall mean that Owner and the City have signed and delivered to each other or to the escrow/closing office all documents required by this Contract or by the escrow/closing office, and that all monies required to be paid by Owner or the City under this Contract have been delivered to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office.

3.2 Closing. "Closing" shall mean that: (a) Settlement has been completed; (b) the amounts owing to Owner for the sale of the Subject Property have been paid to Owner, and (c) the applicable closing documents have been recorded in the office of the county recorder ("Recording"). Settlement and Closing shall be completed at the earliest time convenient to the parties and the closing office.

3.3 Possession. Upon signing of this Contract by Owner and the Local Government Authority, Owner grants the City, its employees and contractors, including utility service providers and their contractors, the right to immediately occupy the Subject Property and do whatever construction, relocation of utilities or other work as required in furtherance of the above referenced project.

4. PRORATIONS / ASSESSMENTS / OTHER PAYMENT OBLIGATIONS.

4.1 Prorations. All prorations, including but not limited to, homeowner's association dues, property taxes for the current year and rents shall be made as of the time of Settlement.

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1. "Transportation Purposes" is defined as all current or future transportation uses authorized by law, including, without limitation, the widening, expansion, and/or construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio-fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, statutory relocations caused by the project, and other related transportation uses.

DS PB
Grantor's Initials

WEST VALLEY CITY
Unity Pride Progress

West Valley City

REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 108:C, 108:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
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Owner's Address: 1292 South Slate Canyon Drive,PROVO,UT,84606
Primary Phone: 435-580-9042 Owner's Home Phone: (435)580-9042 Owner's Work Phone:
Owner / Grantor (s): Pascal Braun

4.2 Fees/Costs.

(a) Escrow Fees. The City agrees to pay the fees charged by the escrow/closing office for its services in the settlement/closing process.

(b) Title Insurance. If the City elects to purchase title insurance, it will pay the cost thereof.

5. TITLE TO PROPERTY. Owner represents and warrants that Owner has fee title to the Subject Property. Owner shall indemnify and hold the City harmless from all claims, demands and actions from lien holders, lessees or third parties claiming an interest in the Subject Property or the amount paid hereunder. Owner will convey marketable title to the Subject Property to the Grantee shown on Exhibit A at Closing by deed(s) in the form shown on Exhibit A, except for easements which Owner will convey in the form also shown on Exhibit A. The provisions of this Section 5 shall survive Closing.

6. OWNER DISCLOSURES CONCERNING ENVIRONMENTAL HAZARDS. Owner represents and warrants that there are no claims and/or conditions known to Owner relating to environmental hazards, contamination or related problems affecting the Subject Property. Owner agrees to transfer the Subject Property free of all hazardous materials including paint, oil and chemicals. The provisions of this Section 6 shall survive Closing.

7. CONDITION OF SUBJECT PROPERTY AND CHANGES DURING TRANSACTION. Owner agrees to deliver the Subject Property to the City in substantially the same general condition as it was on the date that Owner signed this Contract.

8. AUTHORITY OF SIGNER(S). If Owner is a corporation, partnership, trust, estate, limited liability company or other entity, the person signing this Contract on its behalf warrants his or her authority to do so and to bind the Owner.

9. COMPLETE CONTRACT. This Contract, together with any attached addendum and exhibits, (collectively referred to as the "Contract"), constitutes the entire contract between the parties and supersedes and replaces any and all prior negotiations, representations, warranties, understandings or contracts between the parties whether verbal or otherwise. The Contract cannot be changed except by written agreement of the parties.

10. ELECTRONIC TRANSMISSION AND COUNTERPARTS. This Contract may be executed in counterparts. Signatures on any of the documents, whether executed physically or by use of electronic signatures, shall be deemed original signatures and shall have the same legal effect as original signatures.

11. ADDITIONAL TERMS (IF APPLICABLE):

Owner acknowledges receiving $105.00 for 21 square feet of sod and sprinklers, which is included in the total purchase price.
The contractor shall restore damage to the sod and sprinklers within the easement area.

DS PB
Grantor's Initials

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

West Valley City
REAL ESTATE PURCHASE CONTRACT

Project No: F-2162(2)1 Parcel No.(s): 108:C, 108:E

Pin No: 17869 Job/Proj No: 55542 Project Location: Cross Towne Trail; 2700 West to Bangerter Hwy
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Owner's Address: 1292 South Slate Canyon Drive,PROVO,UT,84606
Primary Phone: 435-580-9042 Owner's Home Phone: (435)580-9042 Owner's Work Phone:
Owner / Grantor (s): Pascal Braun

SIGNATURE PAGE TO
WEST VALLEY CITY
REAL ESTATE PURCHASE CONTRACT

Authorized Signature(s):

DocuSigned by:
Pascal Braun
08F3B1A7DF14CE...

10/9/2023 | 8:02 AM PDT

100% Pascal Braun - OWNER(s) Date Date

WEST VALLEY CITY

Date

Local Government Authority

DS
PB
Grantor's Initials

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

Project No: F-2162(2)1 Parcel No.(s): 108:C, 108:E

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Owner's Address: 1292 South Slate Canyon Drive,PROVO,UT,84606
Primary Phone: 435-580-9042 Owner's Home Phone: (435)580-9042 Owner's Work Phone:
Owner / Grantor (s): Pascal Braun

Exhibit A
(Attach conveyance documents)

DS
PB
Grantor's Initials

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

WITH A COPY TO:
West Valley City
3600 South Constitution Boulevard
West Valley City, Utah 84119

Warranty Deed

(Individual)

Salt Lake County

Tax ID No.	15-20-458-005
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:108:C

Pascal Braun, Grantor(s), of Provo City, County of Utah, State of Utah, hereby CONVEYS AND WARRANTS to WEST VALLEY CITY, a Municipal Corporation of the State of Utah, Grantee, at 3600 South Constitution Blvd, West Valley City, Utah 84119, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to-wit:

A parcel of land in fee for the construction and improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1, situate in Lot 12, Ridgeland Acres No. 6, recorded as Entry No. 3242287, Book 79-2, Page 60 in the Office of the Salt Lake County Recorder, and in the SW1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the southwest corner of said Lot 12 and the intersection of the existing easterly right of way line of 3560 West Street and the existing northerly right of way line of Parkway Boulevard; and running thence North 6.50 feet along said existing easterly right of way line to a point 46.50 feet perpendicularly distant northerly from the control line of said project opposite engineer station 25+90.66; thence S.45°02'39"E. 9.19 feet to said existing northerly right of way line at a point 40.00 feet perpendicularly distant northerly from said control line opposite engineer station 25+97.15; thence S.89°54'42"W. 6.50 feet along said existing northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 21 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

Continued on Page 2

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:108:C

STATE OF _____)
) ss.
)
COUNTY OF _____)

_____
Pascal Braun

On this _____ day of _____, in the year 20_____, before me personally appeared, Pascal Braun, who proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged to me that he/she/they executed the same.

_____
Notary Public

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WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Individual)

Salt Lake County

Tax ID No.	15-20-458-005
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:108:E

Pascal Braun, Grantor(s), of Provo City, County of Utah, State of Utah, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN ($10.00) Dollars, and other good and valuable considerations, the following described easement in Salt Lake County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property, situate in Lot 12, Ridgeland Acres No. 6, recorded as Entry No. 3242287, Book 79-2, Page 60 in the Office of the Salt Lake County Recorder, and in the SW1/4 SE1/4 of Section 20, T.1S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the improvements of the existing Parkway Boulevard known as Project No. F-2162(2)1. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said easement upon part of an entire tract of property are described as follows:

Beginning at a point in the existing northerly right of way line of Parkway Boulevard, which point is 6.50 feet N.89°54'42"E. along said existing northerly right of way line from the southwest corner of said Lot 12; and running thence N.45°02'39"W. 9.19 feet to the existing easterly right of way line of 3560 West Street; thence North 5.00 feet along said existing easterly right of way line; thence S.45°02'39"E. 16.25 feet to said existing northerly right of way line; thence S.89°54'42"W. 5.00 feet along said existing northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described easement upon part of an entire tract of property contains 45 square feet in area or 0.001 acre, more or less.

(Note: Rotate all bearings in the above description 00°17'19" clockwise to obtain highway bearings.)

Continued on Page 2

DocuSign Envelope ID: 7067DE6B-CAAA-4D44-AF10-0331EF304560

PIN No. 17869
Project No. F-2162(2)1
Parcel No. 2162:108:E

STATE OF _____)
) ss.
)
COUNTY OF _____)

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Notary Public

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Salt Lake City, Utah 84114-8420

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West Valley City, Utah 84119

Warranty Deed
(Individual)

Salt Lake County

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Continued on Page 2

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Project No. F-2162(2)1
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STATE OF _____)
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Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Temporary Construction Easement

(Individual)

Salt Lake County

Tax ID No.	15-20-458-005
PIN No.	17869
Project No.	F-2162(2)1
Parcel No.	2162:108:E

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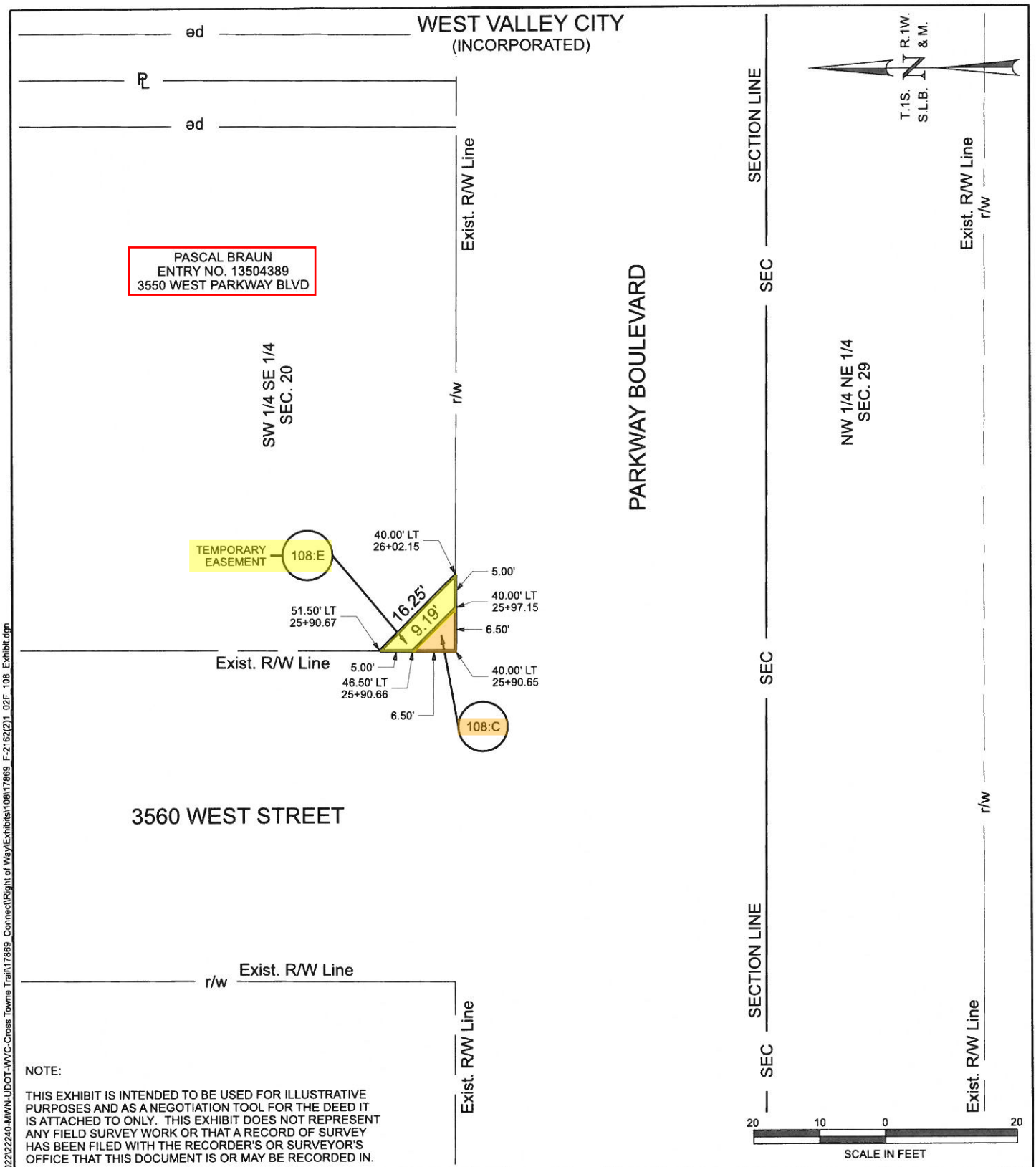
PIN No. 17869
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Parcel No. 2162:108:E

STATE OF _____)
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Pascal Braun

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_____
Notary Public

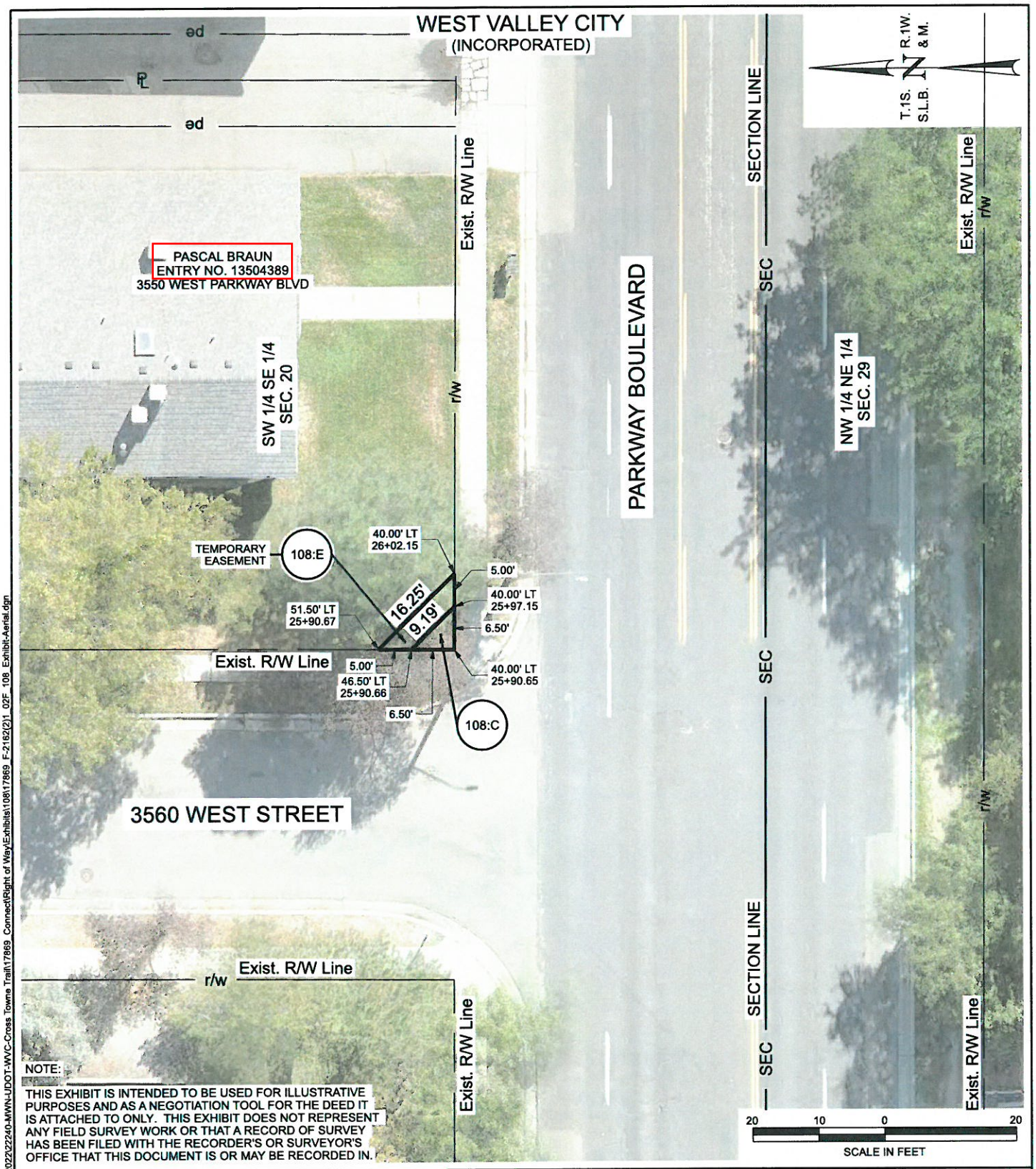


PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
108:C	PASCAL BRAUN	0.001	21	NONE	0.203	0.202	NONE
108:E	PASCAL BRAUN	0.001	45			TEMPORARY	

SHEET NO. 108-EXHIBIT	PARTIAL SUMMARY NO. 02F	PROPERTY OWNER:	PASCAL BRAUN
PROJECT	CROSS TOWNE TRAIL; 2700 WEST	PROPERTY ADRESS:	3550 WEST PARKWAY BLVD
	TO BANGERTER HWY	UTAH DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER	F-2162(2)1 PIN 17869	MERIDIAN ENGINEERING, INC.	

DGN File: U:\Projects\202222240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\108\17869_F-2162(2)1_02F_108_Exhibit.dgn

7-JUN-2023



PARCEL NO.	OWNER	NET AC.	SQ. FEET	EXIST. R/W IN DEED AC.	OWNERSHIP AC.	REMAINING AC. LEFT	REMAINING AC. RIGHT
108:C	PASCAL BRAUN	0.001	21	NONE	0.203	0.202	NONE
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DGN File: U:\Projects\2022\22240-MWN-UDOT-WVC-Cross Towne Trail\17869_Connect\Right of Way\Exhibits\108\17869_F-2162(2)1_02F_108_Exhibit-Aerial.dgn

7-JUN-2023

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: N/A

Budget Opening Required: ☐

ISSUE:
Application: #GPZ-8-2023
Applicant: Lieu Tran
Location: 7007 West Apaloosa Drive
Size: 5.91 acres

SYNOPSIS:
A General Plan change from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing).

BACKGROUND:
The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

RECOMMENDATION:
The Planning Commission recommends approval.

SUBMITTED BY:
Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE ON 5.91 ACRES.

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such General Plan amendment should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah that the General Plan be amended as follows:

SECTION 1. GENERAL PLAN AMENDMENT.

The property described in Application #GPZ-8-2023, filed by Lieu Tran, and located at 7007 West Apaloosa Drive within West Valley City, is hereby amended by reclassifying the following described property from Parks and Open Space Existing to Light Manufacturing. Said property is more particularly described as follows:

Parcel #: 14-22-376-008

SECTION 2. GENERAL PLAN MAP AMENDMENT.

The West Valley City General Plan Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE ON 5.91 ACRES FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING)

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in Application #GPZ-8-2023, filed by Lieu Tran, and located at 7007 West Apaloosa Drive within West Valley City, is hereby classified from zone A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing), said property more particularly described as follows:

Parcel #: 14-22-376-008

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

GPZ-8-2023
Lieu Tran
7007 West Apaloosa Drive
General plan change from Parks and Open Space Existing to Light Manufacturing and zone change from A-1 to M
5.91 acres

Lieu Tran has submitted a General Plan/zone change application for a 5.91-acre parcel located at 7007 West Apaloosa Drive. The property is currently zoned A-1 (Agriculture, minimum lot size 1 acre) acre) and the current General Plan designation is Parks and Open Space Existing. The current General Plan designation is in place because this property used to be part of the mobile home park to the west and was used as recreation space for the mobile home park residents. The proposed zone is M (Manufacturing) and the proposed General Plan designation is Light Manufacturing. The property includes a manufactured home along the west side that is accessed from Apaloosa Drive.

Surrounding zones include A-1 to the east and most of the south, RMH (Residential Mobile Home) to the west and remaining south portion, and M to the north. Surrounding land uses include largely vacant property owned by Magna Water to the south and east; the Western Mobile Estates mobile home park to the south; and the Riter Canal, Beagley Lane, and the ARA Industrial Park to the north. The property includes a manufactured home along the west side that is accessed from Apaloosa Drive.

Development Proposal

The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

Self-storage facilities, warehouses, and light industrial require a conditional use permit within the M zone whenever these uses are adjacent to a residential use, residential zone, or agricultural zone. If this application is approved, a conditional use permit will be required given the neighboring A-1 zoning.

The applicant provided the following justification for the proposed changes:

> "There is M Zoning to the north with several large distributions buildings. Manufacturing would be a logical use for the property. Other surrounding land uses include a mobile home park, a mobile homes subdivision and a single family detached subdivision to the northwest across Beagley Road. Magna Water Company owns the wetlands to the south and east. The property owner wishes to build a self storage facility and flex space for

manufacturing uses. The residential areas near the property would benefit from the self storage units, especially those residents in mobile homes. Beagley Road, a busy street that serves both industry and residential, provides good access to all planned manufacturing uses. Flexspace provides new or small manufacturing businesses with a space to grow. Home startup businesses often expand through renting flexspace. Flexspace has the ability to grow or shrink with a businesses need and ability to pay. It has created the opportunity for many entrepreneurs to start a business with minimal initial capital investment. There is water and sewer available in Beagley Road."

Issues to Consider

Since the adoption of the City's first General Plan in the 80's, the Riter Canal has been the dividing line between industrial uses to the north and residential uses to the south in the northwest part of the City. However, much has changed in the northwest part of the City since the 80's. The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

Access

If the Commission believes M zoning is appropriate here, the primary access would need to be off of Beagley Road. This will require the applicant to obtain permission to build a bridge over the Riter Canal. If this application is approved, access to the site will need to be addressed as part of the conditional use permit.

Staff Alternatives:

1. Approval. This application should be approved.

2. Continuance. This application should be continued for reasons determined during the public hearing.

3. Denial. Industrial uses should not be developed on the south side of the Riter Canal.

Discussion: Steve Pastorik presented the application. He pointed out that the City has used the Riter Canal as the dividing line between industrial and residential zoning. However, over time, there have been many changes to the area. Steve explained that Magna Water owns the wetland property to the south and west of the subject property and this property will most likely remain that way since it is a public utility. He noted that Magna Water has water wells accessing the groundwater on the property. Steve said running roads through Magna's property to access the subject property is unlikely. He stated that if this parcel were to develop residentially, a single access from the mobile home park to the west would not be sufficient. Steve explained that one access would need to come from the north through developed industrial property, which is not ideal.

Stephen McCutchan, Land Planner, said the applicant requested he speak on her behalf. He stated that they feel this application is logical and sensible for this area, and he is happy to answer any questions.

Commissioner Woodruff said he feels the applicant has done well with this application, especially where the property is challenging to develop.

Motion: Commissioner Woodruff motioned to approve GPZ-8-2023.

Commissioner Lovato seconded the motion.

Vote:	Commissioner Lovato	Yes
	Chair Fuller	Yes
	Commissioner Wood	Yes
	Commissioner Woodruff	Yes
	Commissioner McEwen	Yes

Unanimously – GPZ-8-2023 – Approved



Stephen G. McCutchan
Land & Community Planner
PO Box 382 Draper, UT 84020
(801) 557-6945
stevemplan@gmail.com

August 10, 2023

Re: General Plan/Zone Change Amendment Application Background

7007 Series Of Chinita, LLC requests a general plan/zone change amendment on 5.91 Acres at 7007 Apaloosa Drive in West Valley City. The change would be from Parks and Open Space Existing to Light Manufacturing and A-1 to M, respectively.

With the application, we have submitted a Concept Plan. Some explanation of the recent history of our efforts to prepare the Concept Plan is required to understand aspects of the plan, notably access.

The property is 5.91 Acres, located at 7007 Apaloosa Drive. The property is primarily landlocked except for access from a private street, Apaloosa Drive, located in the Western States mobilehome park, and 190 feet of frontage on Beagley Road that the Riter Canal separates. There is a residence on the property.

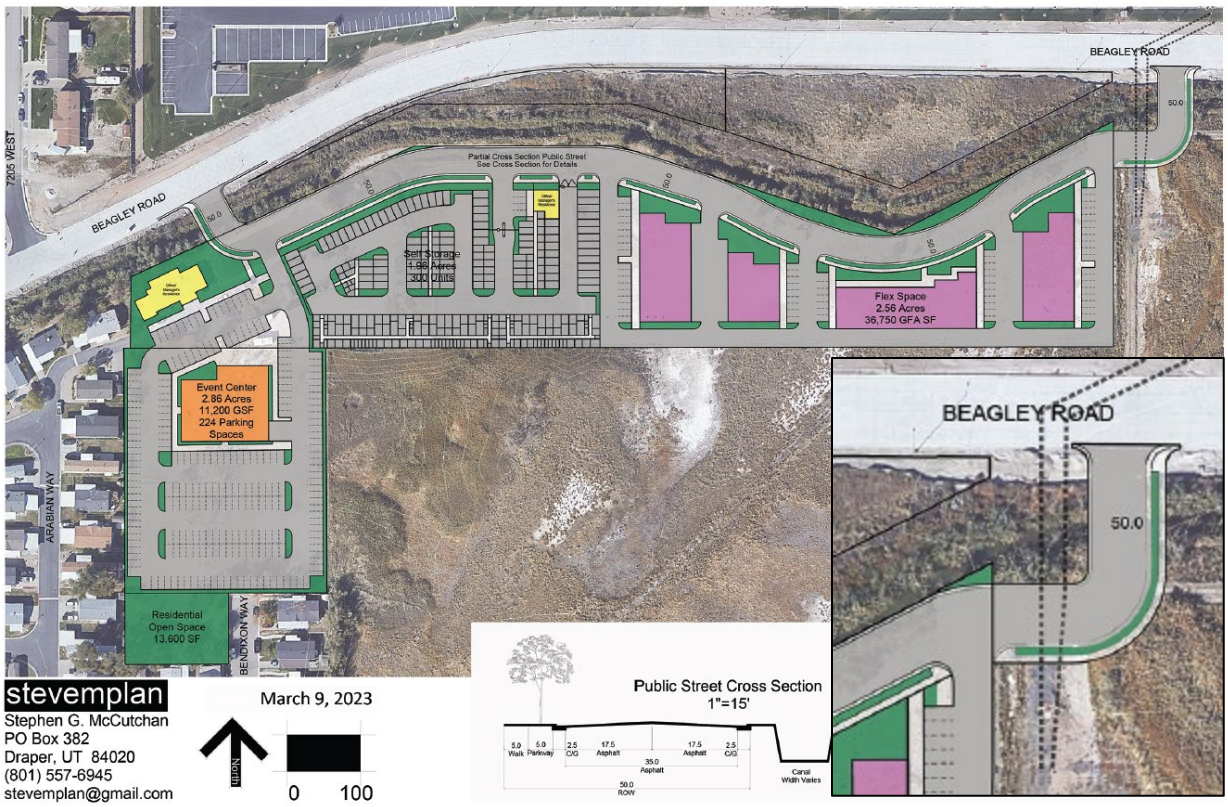


PROPERTY ACCESS

During the past year, we have tried to secure a second point of access to the property. We can access Beagley Road within the 190 feet of frontage, but a second access would require crossing one of three private properties.

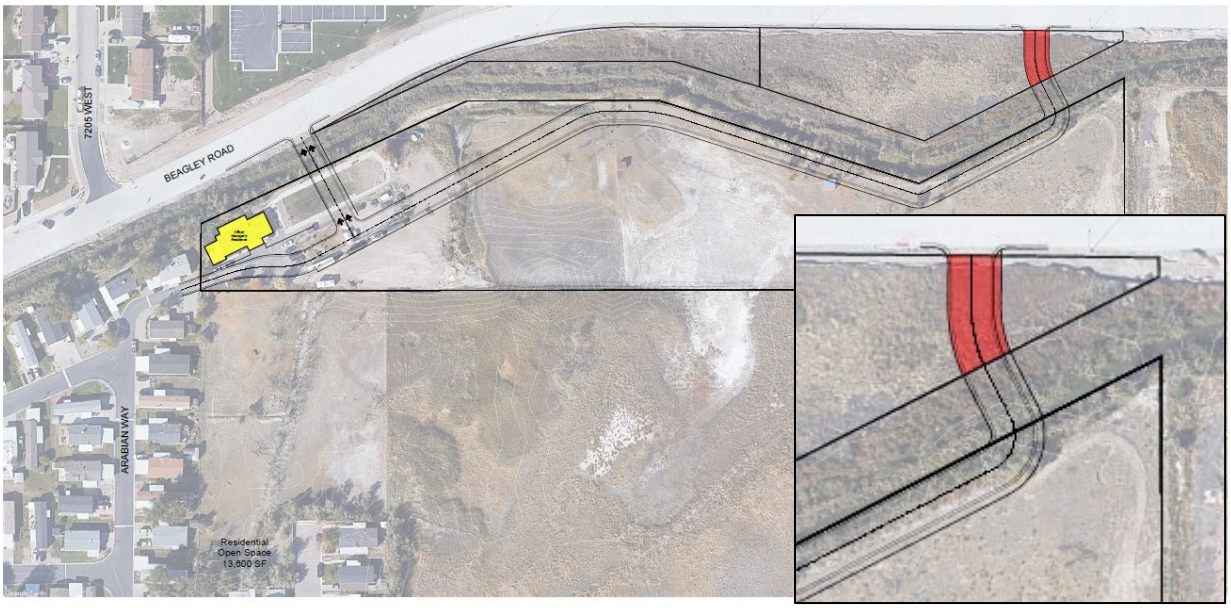
1. The logical location for a second point of access would be across Parcel 14223760080000, a 1.22 Acre parcel located north of the east half of our property. We attempted to contact the property owner, Natomas Meadows, LLC, without success.

2. Subsequently, we contacted Magna Water Company and had several meetings with their engineering staff. We submitted a proposal shown in the following exhibit. The inset figure shows our street proposal crossing the northwest corner of the Company's property. After considering our proposal, the Company decided against granting us right-of-way.

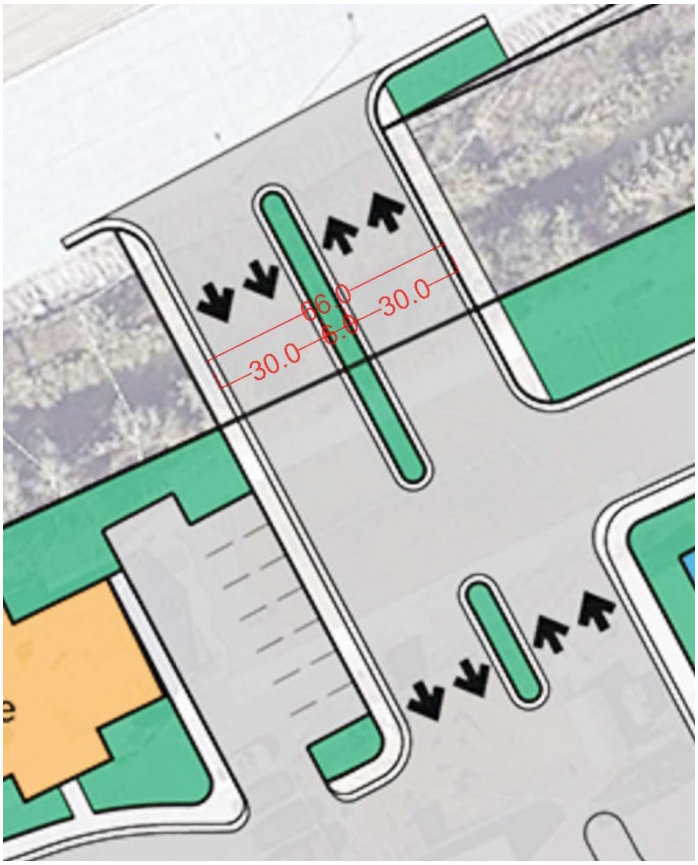


3. Our third proposal was again to Natomas Meadows, LLC. This time we were successful in contacting them. We proposed to purchase either an easement or

their entire property. We submitted to them the following graphic showing the street crossing their property. After considering our proposal, they declined.



With our options to secure a Beagley Road second access exhausted, we designed a single access point that could function as two access points in an emergency. As shown in the figure at right, we propose two access drives divided by a raised median, each with two lanes of travel, a total back of curb width of 66 feet. On each side of the raised median there is 30 feet back of curb to back of curb.



Understanding that this is a unorthodox alternative, we asked Hales Engineering, a respected traffic engineering firm, to review and comment on our proposal. Their study is attached.

Their study conclusions are the following.

Conclusions

The findings of this study are as follows:

- The proposed development includes 300 self-storage units and 40,000 square feet of manufacturing space. It is anticipated that the project will have one primary access onto Beagley Road and one emergency access to the west of the site onto Appaloosa Drive.
- It is anticipated that the proposed project will generate approximately 790 trips on an average weekday, including 62 trips during the morning peak hour, and 64 trips during the evening peak hour.
- The proposed access onto Beagley Road is anticipated to operate to have minimal impact to operations on Beagley Road and will have sufficient capacity to accommodate the demands of the project traffic and heavy vehicles that will access the project site.

There is an additional ingress/egress to and from the property. City Engineering Staff requested that we leave the access to Apaloosa Drive open and accessible to the mobilehome park residents. Currently, the Western States mobilehome park has a single point of ingress/egress. This would give mobilehome park residents a second point of ingress/egress.



CONCEPT PLAN USES AND DESIGN

We are proposing rezoning to M (Manufacturing) Zone. The uses of the property would need to be those permitted in the M Zone. The Concept Plan shows three (3) uses – Office, Self-Storage and Flex Space.

The Concept Plan is subject to change regarding both land uses and design. These are the land uses and design that the property owner contemplates now. All land uses and design of the property will require City approval.

Land Uses

Three (3) land uses are contemplated at this time – Office, Self-Storage and Flex Space.

Office

There is an existing residence on the property. The owner intends to convert this building for office use. The building is roughly 3,800 square feet.

Professional offices are a permitted use in the M Zone.

Self-Storage

Self-storage uses are usually permitted in the M Zone, but it is a conditional use because the property is adjacent to both residential and agricultural zoned land.

Roughly 35,000 square feet, or about 300 units, are shown on the Concept Plan. The facility would be enclosed with a wall and include two gates, an entrance and an exit. There is also an office/manager's residence.



Example self-storage frontage and entrance.

Flex Space

Flex space buildings are, by design, "flexible" and allow for a wide range of office, manufacturing and warehouse uses. They can be used for many purposes and are easier to retrofit to meet a company's needs than typical warehouse buildings. This flexibility is ideal for many uses requiring office space with a manufacturing or warehouse component. Flex buildings usually have a slightly lower ceiling clear height (14 – 24 ft

clear) and a larger percentage of office space than typical manufacturing or distribution warehouse buildings.

Roughly 30,000 square feet of flex space is contemplated in four buildings. Each building would have a front entrance and parking area and a rear delivery area with roll-up truck doors. The following photo is an example of current flex space exterior design.



Circulation Design

All streets within the development would be private. No parking would be permitted along the interior streets. The office, self-storage and flex space areas will have private drives with off-street parking.



Private Street Section

The private street cross-section is on the right.

Landscaped Setbacks

The M Zone requires a 20-foot setback between M Zone uses and residential and agricultural zoned land and residential uses. The landscaping along the south and east boundaries is this setback.

Very truly,



Stephen G. McCutchan



Stephen G. McCutchan
Land & Community Planner
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(801) 557-6945
stevemplan@gmail.com

September 27, 2023

Honorable Mayor and
Members of the City Council
3600 South Constitution Boulevard
West Valley City, UT 84119

Re: **Response to Study Session Comments: GPZ-8-2023**
Filed by Lieu Tran, Requesting a General Plan Change from Parks and Open Space Existing to Light Manufacturing and a Zone Change from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing) for Property Located at 7007 West Apaloosa Drive.

Executive Summary

- Private property should not be designated as Parks and Open Space Existing. The designation should be reserved for government-owned property. If a property owner requests a change from Parks and Open Space Existing, the City Is obligated to designate the property with a designation that allows development.

- Most of the area's open space/wetlands City-owned property is separated from the subject property by Magna Water Company-owned land.

- A 2.36-acre parcel is located along the southwest boundary of the subject property. The applicant petitioned the City to purchase the property to include in the development. The City stated that the terms of the property acquisition did not allow it to be sold to a private party.

- Per City Staff's request, the subject property development will provide a second access point to the Western Mobile Estates Mobilehome Park. Because of the narrow private drive and ten (10) speed bumps, it is improbable that manufacturing traffic from the subject property will travel through the mobilehome park.

- Due to the inability to secure access across adjoining properties, a single, separated access point to and from Beagley Road will be designed that, in an emergency, can be two points of egress. We submitted a traffic study that the single, separated access could act as two egress points in an emergency.

- We believe our request is a logical and sensible extension of the M Zone to the subject property.

On behalf of Lieu Tran, I wanted to respond to comments made by the City Council at the September 26, 2023 Study Session. We believe that some explanation will assist the City Council in understanding the circumstances by which the General Plan Amendment / Zone Change application was filed.

Private Property Designated at Parks and Open Space Existing on the General Plan

The subject property is designated as Parks and Open Space Existing. A council member asked questions about the designation and the City property owned near the subject property, that is open space and wetlands. The council member expressed concern about removing land from the Parks and Open Space Existing designation.

We are concerned about the statements made at the meeting for the following reasons:

Designating private property as Parks and Open Space Existing equals condemning private property.

If a private property owner requests the City to change the designation from Parks and Open Space Existing, then the City is obligated to either (1) change the designation to an appropriate use for development or (2) purchase the property.

The property owner, Lieu Tran, is not interested in selling the property.

City-Owned Property Close to the Subject Property

There was discussion about City-owned property close to the subject property. There are two areas of property. First, a large area east of the subject property that is wetlands and second, 2.36 Acres located along the southwest corner of the subject

property. The figure below identifies the subject property (outlined in yellow) and the two City-pwned properties.



The large area east of the subject property, shown in orange, is separated from the subject property by the Magna Water Company property.

It was stated at the meeting that the City had not contacted Magna Water Company about tying in proposed trails on the City's large property to Magna Water Company's property. It was also said that there was doubt that the Magna Water Company would allow public access to their property.

The applicant, Lieu Tran, contacted the City Administrative Office about purchasing the 2.36 2.36-acre city-owned property shown in red. She had hoped to include it in the development of the subject property. The City Administrative Office said that because of the terms of the property acquisition, they could not sell the property to a private party.

The development of the subject property will have no impact on either City-owned properties.

The applicant will contact the Magna Water Company and share their plans to develop the subject property and make reasonable revisions to accommodate Magna Water Company's comments.

Discussion About Traffic Connection Between Subject Property and Western Mobile Estates Mobilehome Park

Currently, there is a single house on the subject property with its only access through the Western Mobile Estates Mobilehome Park. Initially, we proposed to close the access between the subject property and the mobilehome park and two accesses to the subject property.

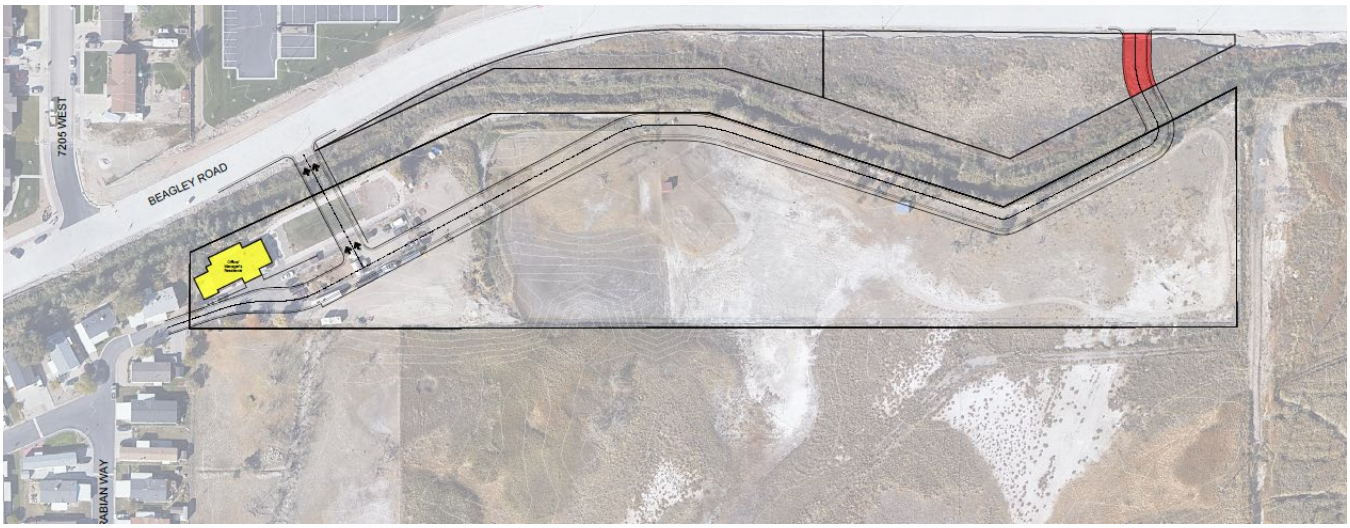
At our pre-application meeting with City Staff, it was requested that we make a street connection to the mobilehome park because the park only has a single point of access to 7200 West.

Concerns have been expressed that subject property manufacturing traffic might use the private drive to drive through the mobilehome park. We believe this will not happen because the private drive is narrow and there are ten (10) speed bumps between 7200 West and the subject property.

Single Separated Private Street Ingress and Egress to Subject Property

While preparing conceptual plans for the subject property, we tried to obtain a second access point to Beagley Road. Neither of these attempts were successful.

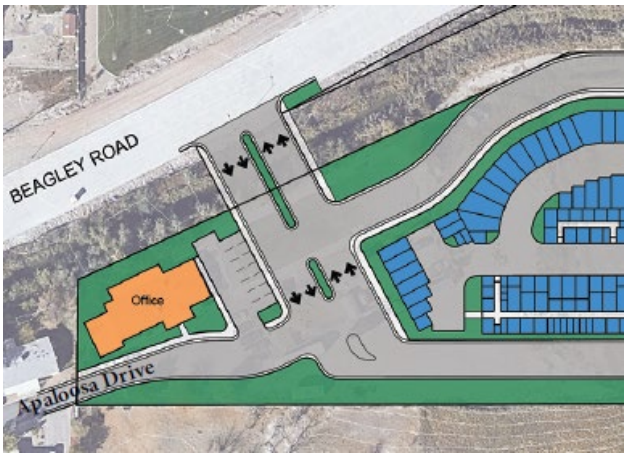
- We tried to obtain an access easement or purchase the property north of the subject property between the canal and Beagley Road. The property owner did not want to grant an access easement or sell the property. The following exhibit illustrates our proposal to cross the property to the north.



- We also worked with Magna Water Company to obtain an access easement to Beagley Road across their property due east of the subject property. Magna Water Company also chose not to grant us an access easement. The following exhibit illustrates our proposal to Magna Water Company to obtain an access easement across their property.



- Realizing that we would be left with a single point of access to Beagley Road – across the City-owned canal -- , we designed a single entrance, which, in an emergency, is two points of egress from the property. The exhibit at right is an enlargement of the single, separated access. Each divided lane is 30 feet in width.



- We submitted a traffic study prepared by Hales Engineering that states that single, separated access can act as two egress points in an emergency.

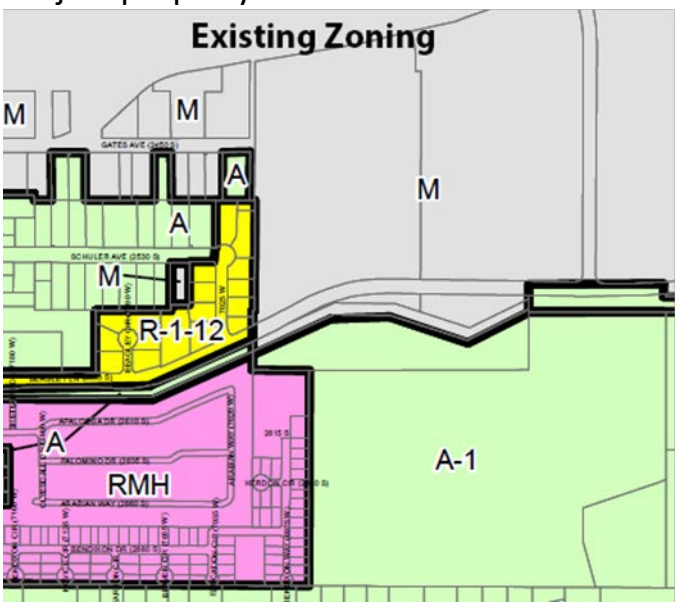
We believe our request is a logical and sensible extension of the M Zone to the subject property for the following reasons.

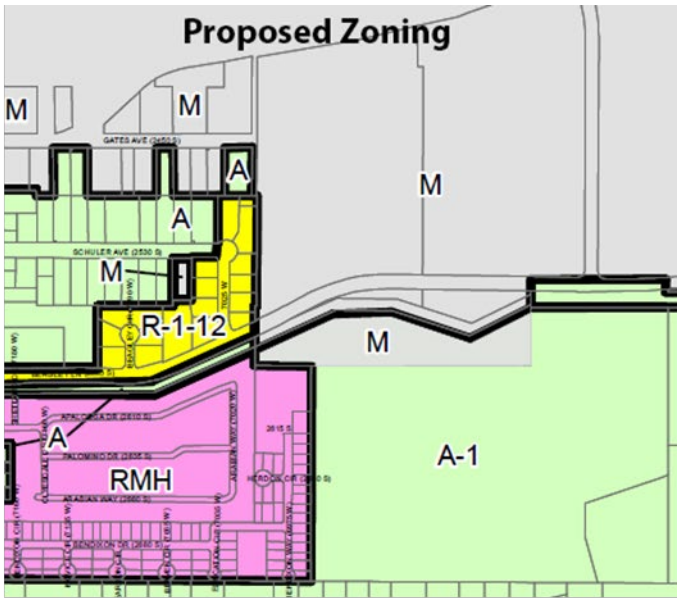
- The property Is the last private property in an area surrounded by property owned by either West Valley City or Magna Water District.

- The M Zone is a logical extension from the property to the north of the subject property.

- Property development would provide a much-needed second access point to the Western Mobile Estates Mobilehome Park.

The following two exhibits show the subject property's current A-1 Zoning and the proposed M Zone. As we have said, the M Zone is a logical and sensible extension to the subject property.





Stephen G. McCutchan



GPZ-8-2023
Lieu Tran
7007 West Apaloosa Drive

GPZ-8-2023

Petition by LIEU TRAN requesting a change to the General Plan from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing). The property is located at 7007 West Apaloosa Drive on 5.91 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



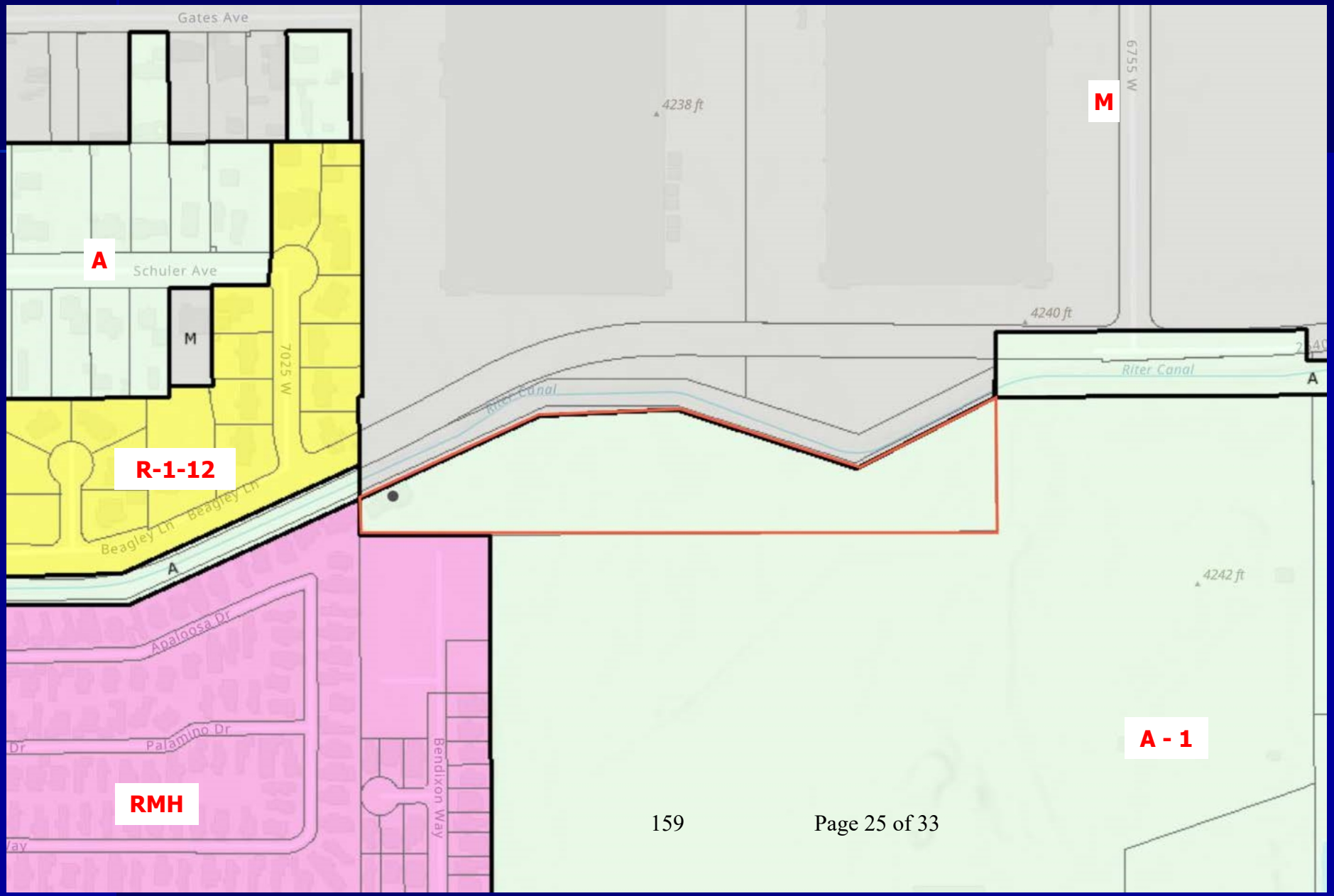
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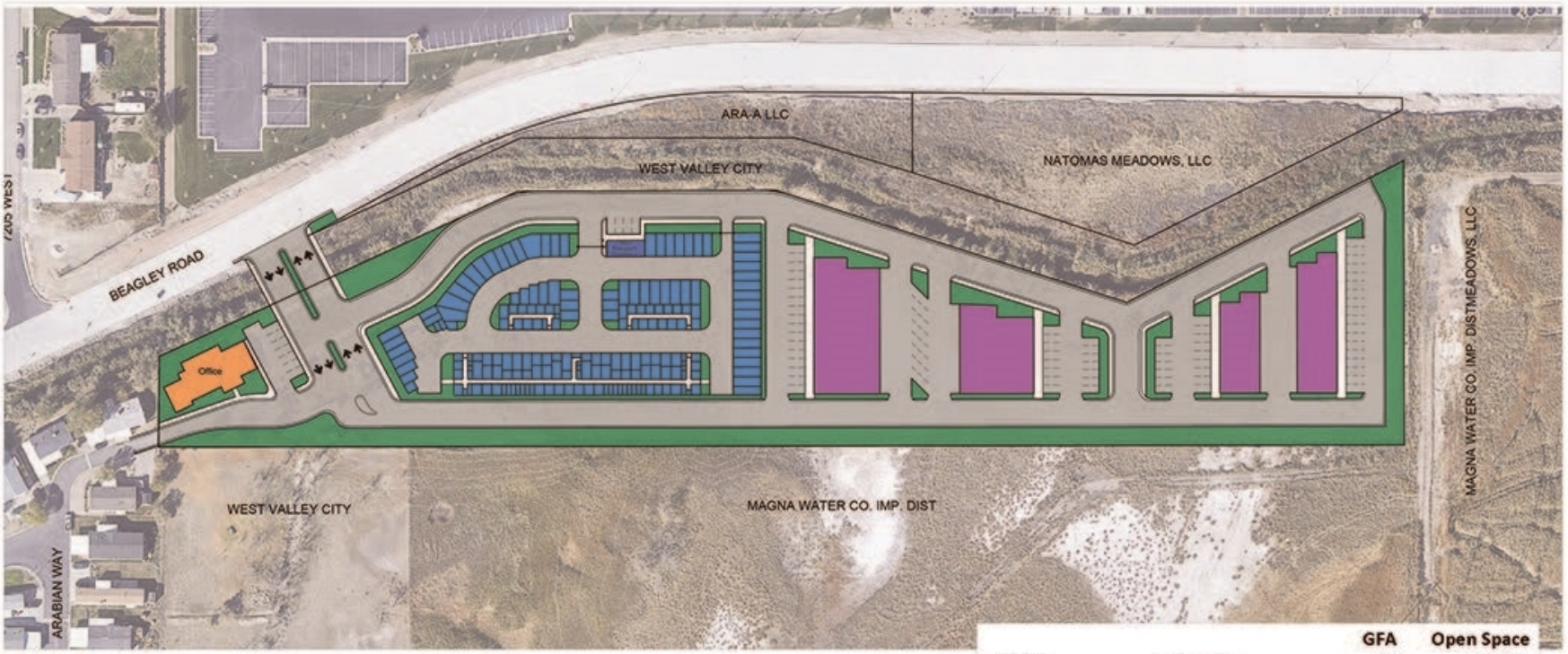
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General Plan/Zoning Amendment Concept Plan

This Concept Plan is subject to design and land use changes. Ultimate design and uses shall conform to the requirements of West Valley City codes and standards.

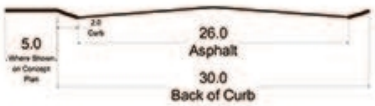
Acres	Land Use	GFA SF	Open Space Acres
0.28	Office	4,000	0.07
1.59	Self-Storage	35,000	0.16
1.95	Flex Space	30,000	0.39
0.81	Area Open Space		0.81
1.29	Private Streets		
5.91	**Total**	**69,000**	**1.43**

Land Planner:
Stephen G. McCutchan
PO Box 382
Draper, UT 84020
(801) 557-6945
stevemplan@gmail.com

March 9, 2023

NORTH

0 100

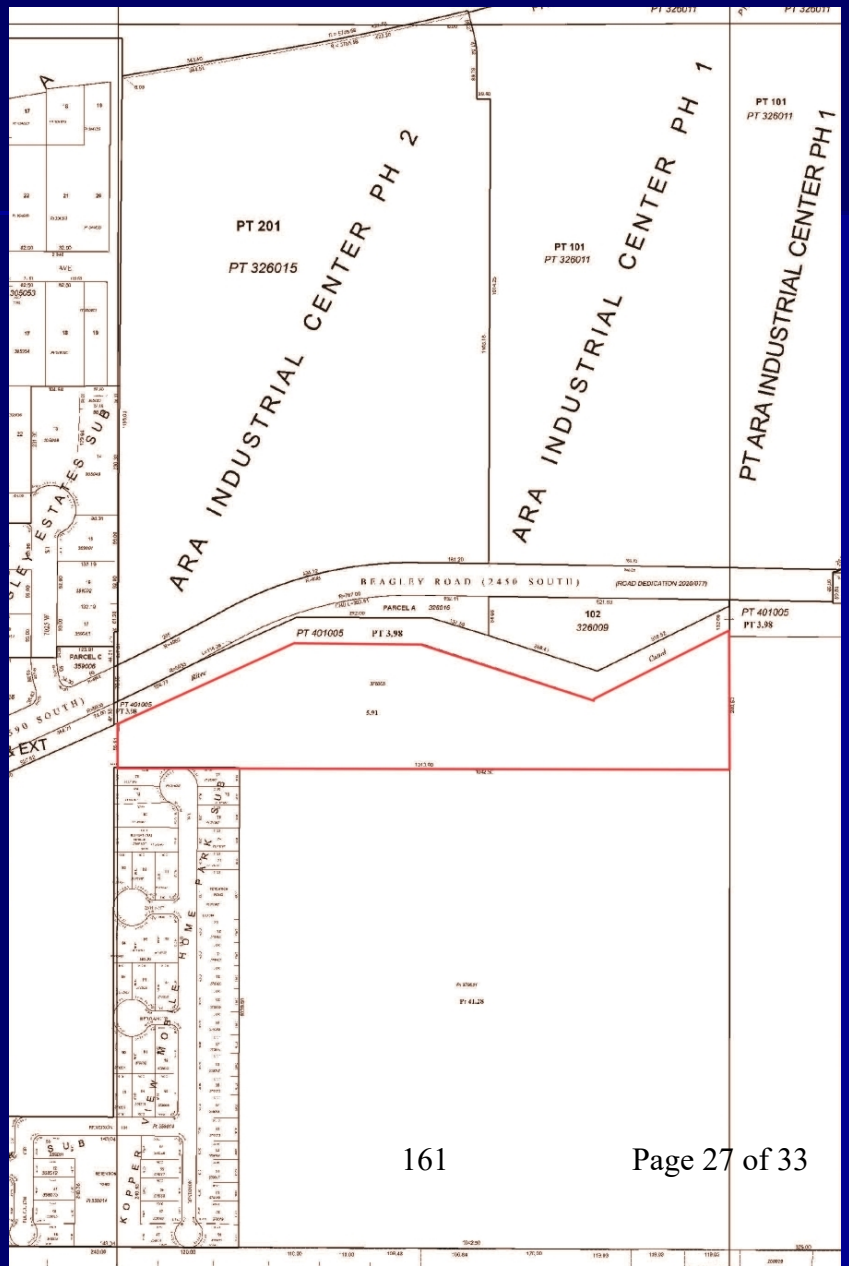


Private Street Section

APN: 14223760080000
Applicant/Owner: 7007 SERIES OF CHINITA, LL
Contact: Lieu Tran
Email: lieu@lachinita.com

GPZ-8-2023

Petition by LIEU TRAN requesting a change to the General Plan from Parks and Open Space Existing to Light Manufacturing and a zone change from A-1 (Agriculture, minimum lot size 1 acre) to M (Manufacturing). The property is located at 7007 West Apaloosa Drive on 5.91 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov)



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