

**GOVERNING BOARD OF THE
AMERICAN PREPARATORY ACADEMY OF DRAPER**

Resolution No. 1

A Resolution Authorizing Utah Charter Academies, a Utah non-profit corporation, doing business as American Preparatory Academy of Draper to Acquire, by Negotiation or Condemnation, Real Property Located in the Vicinity of 330 West 12000 South Streets, Draper, Utah

WHEREAS, pursuant to State law, the Governing Board of Utah Charter Academies, a Utah non-profit corporation, doing business as American Preparatory Academy of Draper (being a charter school duly authorized by the State of Utah pursuant to Utah Code Ann. § 53A-1a-505 and by a Charter School Agreement between itself and the State Charter School Board of the State of Utah dated November 20, 2008, hereafter “Academy”) may purchase, receive, hold, sell, lease, convey or otherwise dispose of real property for school purposes pursuant to Utah Code Ann. § 78B-6-501(3); and

WHEREAS, the Governing Board of the Academy has constructed a new school campus located at 330 West 12000 South in Draper City, Salt Lake County, State of Utah (“New School Site”); and

WHEREAS, the Governing Board the Academy has further determined that the health, safety, and welfare of its students, faculty, employees, management, and the public generally mandate the creation of a separate point of ingress and egress to the New School Site from 11950 South Street in Draper, Utah; and

WHEREAS, the Governing Board has determined that acquisition of a right of access across adjacent or proximate parcels of real property in which third parties hold primary legal and/or beneficial interest would be for a public purpose and use; and

WHEREAS, the property to be acquired is shown on the site plan attached hereto as Exhibit 1 to this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Academy, as an entity authorized by law under the Charter School Agreement with the Utah State Charter School Board dated November 20, 2008, that the Academy, by and through its Governing Board, is authorized to acquire an access easement and right-of-way over and across the property described on Exhibit 1 hereto, and illustrated on Exhibit 2 hereto (hereinafter, the “Property”), for the purpose of affording vehicular and pedestrian access to and from the New School Site via adjacent public roads, free and clear of all outstanding competing claims, liens or encumbrances. This acquisition may be made by offer or negotiation with the owners or reputed owners of the interests in the Property by the Governing Board or its agents, for good and valuable consideration equal to the fair market value of the Property; and

BE IT FURTHER RESOLVED, that the Governing Board is hereby authorized to accept and record the deed to the Property, and to execute any and all documents that may be necessary to complete and finalize the acquisition of the Property; and

BE IT FURTHER RESOLVED, that should negotiations to acquire the Property be unsuccessful, and the use of eminent domain or other legal action be necessary, the Governing Board, through its legal counsel, is authorized to undertake condemnation action or such other legal action as may be necessary to acquire, in the name of the Academy, all interests in the Property in accordance with the applicable statutes relating to eminent domain, and, if necessary, to make application for an order of immediate occupancy, permitting the Academy to take immediate possession of the Property.

ADOPTED, APPROVED, AND MADE EFFECTIVE this 23rd day of December, 2014.

UTAH CHARTER ACADEMIES dba AMERICAN
PREPARATORY ACADEMY OF DRAPER

By _____

Its _____

CERTIFICATION

I, _____, duly appointed _____ for the Governing Board of Utah Charter Academies, a Utah non-profit corporation, doing business as American Preparatory Academy of Draper (“Academy”), a duly authorized charter school organized and existing under the laws of the State of Utah pursuant to Utah Code Ann. § 53A-1a-505 and the Charter School Agreement between the Academy and the Utah State Charter School Board dated November 20, 2008, do hereby certify that the attached Resolution, a resolution authorizing the Academy to acquire, by negotiation or condemnation, real property located at approximately 330 West 12000 South Street in Draper, Utah, dated December 22nd, 2014, to be a true and correct copy of the document as adopted on that date and included in the Official Records of the American Preparatory Academy of Draper.

Dated this 23rd day of December, 2014.

Its _____

EXHIBIT 1

DESCRIPTION

A parcel of land located in the Northeast Quarter of Section 25, Township 3 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, described as follows:

BEGINNING at a point on the north line of the Southwest Quarter of the Northeast Quarter of Section 25, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point being South 00°12'10" West 1,327.06 feet (South 1,319.79 feet by record) along the east line of said Section 25 to said north line and North 89°41'58" West 1,510.87 feet (West 1,515.73 feet by record) along said north line from the Northeast Corner of said Section 25, and thence along the west line of property described in that certain Quit Claim Deed recorded April 27, 1995 as Entry No. 6068786 in Book 7140 at Page 1641 of the Salt Lake County records South 10°07'51" East 2.51 feet to the north right-of-way line of the 72.00 foot wide road dedication described in that certain Special Warranty Deed recorded June 12, 1990 as Entry No. 4927653 in Book 6227 at Page 2839 of said records; thence North 89°41'28" West 846.17 feet; thence North 00°18'32" East 2.34 feet to said north line of the Southwest Quarter of the Northeast Quarter; thence South 89°41'58" East 845.71 feet to the POINT OF BEGINNING. Said parcel contains 2,032 square feet or 0.05 acres, more or less.

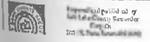
EXHIBIT 2
PROPERTY MAP

COUNTY PLAT



This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property is necessary.

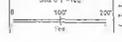
This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property may be necessary.



B 1/2 NW 1/4 Sec 25 T3S R1W
 CAYTE AVE COUNTY PLAT



W 1/2 NE 1/4 Sec 25 T3S R1W
 CAYTE AVE COUNTY PLAT



AERIAL MAP

