

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ACCEPTANCE BY PAYSON CITY OF A QUITCLAIM DEED FROM THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE BUREAU OF RECLAMATION, FOR CERTAIN REAL PROPERTY INTERESTS ASSOCIATED WITH THE STRAWBERRY HIGH LINE CANAL

WHEREAS, Payson City (“City”) is a municipal corporation organized and existing under the laws of the State of Utah; and

WHEREAS, The United States of America, acting by and through the Bureau of Reclamation (“Bureau”), owns and operates the Strawberry High Line Canal; and

WHEREAS, the Bureau has undertaken efforts a comprehensive survey and title review in connection with the piping, modernization, and long-term operation of the Strawberry Highline Canal; and

WHEREAS, as a part of that process, the Bureau has identified five parcels of land presently held of record in the name of the United States, portions overlap and encroach upon platted lots, fence lines, or areas intended for municipal ownership or control by Payson City; and

WHEREAS, the Bureau has agreed to quitclaim to Payson City all right, title, and interest it may have in the five parcels described in Exhibit A, in order to resolve boundary inconsistencies, cure title conflicts, and align record ownership with existing development and municipal use; and

WHEREAS, the proposed conveyance is being made pursuant to the terms and conditions of a written agreement between the United States of America and Payson City, Contract No. 26-LM-40-508080; and:

WHEREAS, the City Council finds that:

- a. The acceptance of the quitclaimed parcels will clarify title and property boundaries within the City,
- b. The parcels are appropriate for municipal ownership or control,
- c. Acceptance of the quitclaim will not impose operational responsibility for the Strawberry High Line Canal upon the City
- d. The conveyance served a valid public purpose, and
- e. Acceptance by ordinance provides a clear and permanent record of the City’s actions; and

WHEREAS, the City Council finds that it is in the best interest of the City to accept the quitclaim conveyance from the United States of America as described herein;

NOW, THEREFORE, be it ordained by the City Council of Payson, Utah, that:

1. **Acceptance of the Quitclaim Deed.** Payson City hereby accepts a Quitclaim Deed from the United States of America, acting by and through the Bureau of Reclamation, conveying all right, title, and interest, if any, of the United States in the real property described in Exhibit A, attached hereto and incorporated by reference.
2. **Nature of Conveyance.** The City acknowledges that the conveyance is made by quitclaim only, without warranty of title, express or implied, and conveys only whatever interest the United State may have, if any, in the subject parcels.
3. **Execution of Documents.** The Mayor and City Recorder are hereby authorized and directed to execute any certificates of acceptance and to record the Quitclaim Deed and this Ordinance with the Utah County Recorder, together with the attached Exhibits.
4. **Reservation of Federal Interests.** Nothing in this Ordinance or the acceptance of the Quitclaim Deed shall be construed as:
 - a. An assumption by the City of any federal obligations related to the Strawberry Highline Canal,
 - b. An acceptance of responsibility for canal operation or maintenance, or
 - c. A conveyance of any water rights or federally reserved interests, which are expressly excluded from the conveyance.
5. **Effective Date.** This Ordinance shall take effect upon adoption and publication as provided by law.

Passed and adopted by the Payson City Council, Utah, this 4th day of February 2026.

William R. Wright, Mayor

Attest:

Amalie R. Ottley, City Recorder

EXHIBIT "A"

(Legal Descriptions of Quitclaimed Property)

Parcel 1:
(30:053:0092)

A tract of land acquired by the United States of America by Warranty Deed, recorded December 11, 1915, as Entry No. 6710 in Book 154 at pages 261-262 in the office of the Utah County Recorder, described in said Warranty Deed as follows:

A tract of land lying adjacent to the lower right of way line of the High Line Canal between Stations six hundred seventy-six plus eighty-two (676+82) and six hundred seventy-seven plus eighty-two (677+82) more particularly described as follows, to-wit:
Beginning at a point on the lower edge of the High Line Canal right of way in Section sixteen (16), Township Nine (9) South, Range Two (2) East, Salt Lake Base and Meridian, located from the Southeast corner of the Southwest quarter (SW $\frac{1}{4}$) of said section sixteen (16) as follows: one thousand seven and seventeen one-hundredths (1007.17) feet along the section line South eighty-nine degrees twenty-seven minutes West (S 89° 27' W) and thirty-two and ninety-two one-hundredths (32.92) feet parallel to the quarter section line North no degrees forty-six minutes West (N 0° 46' W), and running thence North forty-one degrees forty-three minutes West (N 41° 43' W) one hundred fifty (150) feet; thence North forty-eight degrees seventeen minutes East (N 48° 17' E) one hundred (100) feet; thence South forty-one degrees forty-three minutes (S 41° 43' E) one hundred fifty (150) feet to a point on the lower edge of the High Line Canal right of way; thence South forty-eight degrees seventeen minutes West (S 48° 17' W) one hundred (100) feet along the right of way line to the place of beginning, containing an area of three hundred forty-four one thousandths (0.344) acre, more or less, situated in the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Sixteen (16), Township Nine (9) South, Range Two (2) East, Salt Lake Base and Meridian.

Contract No. 26-LM-40-508080

Said tract of land is more particularly described by survey as follows:

Beginning at a Point on the northwesterly boundary of the Strawberry High Line Canal at Canal centerline Station 677+82 marked by a 2.5-inch diameter aluminum cap monument stamped United States Bureau of Reclamation, said Point lies South 89°35'36" West along the section line (record = South 89°27' West) 981.02 feet and North 34.58 feet from the Utah County Surveyor brass monument, dated 1956, currently representing the South Quarter Corner of Section 16, Township 9 South, Range 2 East, Salt Lake Base and Meridian (Basis of Bearing for this description is the Utah State Plane Coordinate System which yields a bearing of South 89°35'36" West 2651.86 feet along the section line defined by Utah County Surveyor brass monuments currently representing the South Quarter Corner and the

Southwest Corner of said Section 16);
thence North 41°34'00" West (record = North 41°43' West) 150.00 feet to a 2.5-inch diameter aluminum monument stamped United States Bureau of Reclamation;
thence North 48°26'00" East (record = North 48°17' East) 100.00 feet to a 2.5-inch diameter aluminum monument stamped United States Bureau of Reclamation;
thence South 41°34'00" East (record = South 41°43' East) 150.00 feet to a 2.5-inch diameter aluminum monument stamped United States Bureau of Reclamation on the northwesterly boundary of said Strawberry High Line Canal at Canal centerline Station 676+82;
thence along said northwesterly boundary, South 48°26'00" West (record = South 48°17' West) 100.00 feet to the Point of Beginning as depicted in Exhibit A attached hereto and by reference made a part hereof.

The above-described tract of land contains 15,000 square feet in area or 0.344 of an acre, more or less.

Parcel 2:
(30:072:0015)

A portion of two tracts of land acquired by the United States of America by Warranty Deed, recorded March 13, 1915, as Entry No. 1580 in Book 94 at Page 36 and Warranty Deed, recorded December 14, 1914, as Entry No. 5636 in Book 141 at Pages 356-357 in the office of the Utah County Recorder, said portion is described as follows:

Beginning at a Point on the northwesterly boundary of the Strawberry High Line Canal which lies South 89°35'36" West (record = South 89°27' West) 1114.65 feet along the section line and South 82.96 feet from the Utah County Surveyor brass monument, dated 1956, currently representing North Quarter Corner of Section 21, Township 9 South, Range 2 East, Salt Lake Base and Meridian (Basis of Bearing for this description is the Utah State Plane Coordinate System which yields a bearing of South 89°35'36" West 2651.86 feet along the section line defined by Utah County Surveyor brass monuments currently representing the North Quarter Corner and the Northwest Corner of said Section 21);

Contract No. 26-LM-40-508080

thence South 7°19'00" East 48.50 feet;
thence South 67°18'00" West 254.50 feet;
thence South 87°50'00" West 245.30 feet;
thence South 89°29'00" West 100.25 feet;
thence North 35°13'11" West 46.66 feet to intersect the northerly boundary of the Strawberry High Line Canal as acquired by said Warranty Deeds;
thence along said northerly boundary the following three (3) courses:
1.) Northeasterly 4.15 feet along the arc of a non-tangent curve to the right whose center bears South 3°43'28" East, has a radius of 361.478 feet, a central angle of 0°39'28" and a long chord bearing and length of North 86°36'16" East 4.15 feet to a point of tangency;

2.) North $86^{\circ}56'00''$ East (record = North $86^{\circ}47'$ East) 353.52 feet to a point of curvature;
3.) Northeasterly 268.08 feet along the arc of a tangent curve to the left having a radius of 402.464 feet, a central angle of $38^{\circ}09'55''$ and a long chord bearing and length of North $67^{\circ}51'02''$ East 263.16 feet to the Point of Beginning as depicted in Exhibit B attached hereto and by reference made a part hereof.

The above-described tract of land contains 24,174 square feet in area or 0.555 of an acre, more or less.

Parcel 3:
(49:384:0042)

All of Lot 24, PAYSON VIEW ESTATES PLAT B, according to the official plat thereof, recorded July 14, 2000 as Entry No. 55012:2000 in the office of the Utah County Recorder, being located in the Northwest Quarter of Section 21, Township 9 South, Range 2 East, Salt Lake Base and Meridian, as depicted in Exhibit C attached hereto and by reference made a part hereof.

Parcel 4:
(49:416:0074)

All of Lot 71A, PAYSON VIEW ESTATES PLAT E, according to the official plat thereof, recorded June 15, 2001 as Entry No. 58780:2001 in the office of the Utah County Recorder, being located in the Northwest Quarter of Section 21, Township 9 South, Range 2 East, Salt Lake Base and Meridian, as depicted in Exhibit D attached hereto and by reference made a part hereof.

Contract No. 26-LM-40-508080

Parcel 5:
(49:669:0300)

A parcel of land contained within an existing fence line encroaching upon lands acquired by the United States of America by Warranty Deed, recorded as Entry No. 982 in Book 141 at Page 470, February 15, 1915 in the office of the Utah County Recorder, for the construction, operation and maintenance of the Strawberry High Line Canal, said encroaching parcel is described as follows:

Beginning at the most northerly corner of Lot 300, PAYSON VIEW ESTATES PLAT F AMENDED, recorded May 16, 2007 as Entry No. 72237:2007 in the office of the Utah County Recorder, said corner lies North $0^{\circ}25'36''$ West along the section line 639.24 feet and West 181.63 feet from the Utah County Surveyor brass monument, dated 2011, currently representing the East Quarter Corner of Section 20, Township 9 South, Range 2 East, Salt Lake Base and Meridian (Basis of Bearing for this description is the Utah State Plane Coordinate System which yields a bearing of North $0^{\circ}25'36''$ West 2644.54 feet along the section line defined by

Utah County Surveyor brass monuments currently representing said East Quarter Corner and the Northeast Corner of said Section 20);
thence along the boundary of said Lot 300 as currently recorded, Southwesterly 26.55 feet along the arc of a non-tangent curve to the left whose center bears South $72^{\circ}56'45''$ East, has a radius of 402.52 feet, a central angle of $3^{\circ}46'43''$ and a long chord bearing and length of South $15^{\circ}09'54''$ West 26.54 feet;
thence North $1^{\circ}15'00''$ East 26.99 feet;
thence South $77^{\circ}50'06''$ East 6.50 feet to the Point of Beginning as depicted in Exhibit E attached hereto and by reference made a part hereof.

The above-described parcel contains 82 square feet in area or 0.002 of an acre, more or less.