**ORDINANCE NO. \_\_\_\_\_\_\_\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING PAYSON CITY TO QUITCLAIM CERTAIN REAL PROPERTY INTERESTS TO THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, IN CONNECTION WITH THE PIPING OF THE STRAWBERRY HIGH LINE CANAL**

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

**WHEREAS,** The Bureau is preparing to pipe portions of the Strawberry High Line Canal and, in anticipation of that work, has commissioned the surveying of the canal right-of-way to clarify ownership interests and resolve overlapping or conflicting property boundaries; and

**WHEREAS,** As a result of that survey, the Bureau has identified four (4) parcels of land currently held in the name of Payson City Corporation (“City”) that lie within or immediately adjacent to the canal right-of-way and are not necessary for continued municipal use; and

**WHEREAS,** Three (3) of the identified parcels consist of remnant or overlapping road rights-of-way (500 South Street, 600 South Street, and 700 South Street), and the fourth parcel consists of a remnant portion of 800 South Street, all of which encumber the Bureau’s canal right-of-way; and

**WHEREAS,** The City has existing encroachments within the Bureau’s canal right-of-way related to the City’s Pressurized Irrigation pond and storm drain ponds, and the Bureau has agreed to resolve those encroachments as part of an overall exchange and cleanup of property interests; and

**WHEREAS,** The proposed quitclaim conveyance will clarify ownership, eliminate future title and right-of-way conflicts, facilitate the canal piping project, and serve a valid public purpose by improving infrastructure coordination and avoiding future disputes; and

**WHEREAS,** The City Council finds that the conveyance of the subject parcels to the United States of America, acting through the Bureau of Reclamation, is in the best interests of the City and its residents and that the properties are no longer required for municipal purposes; and

**WHEREAS,** Utah Code § 10-8-2 and other applicable provisions of Utah law authorize a municipality to convey real property by ordinance when such conveyance serves a public purpose.

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

**1. Authorization to Convey Property.** The City Council hereby authorizes Payson City Corporation to quitclaim all of the City’s right, title, and interest in the real property described in Exhibits A through D, attached hereto, and incorporated by reference, to the United States of America, acting through the Bureau of Reclamation.

**2. Description of Conveyed Property.** The property authorized for conveyance consists of four (4) parcels of land, more particularly described as follows:.

* Parcel 1: A portion of 500 South Street, as legally described in *Exhibit A*.
* Parcel 2: A portion of 600 South Street, as legally described in *Exhibit B*.
* Parcel 3: A portion of 700 South Street, as legally described in *Exhibit C*.
* Parcel 4: A remnant portion of 800 South Street, as legally described in *Exhibit D*.

Each parcel is further identified by Utah County Parcel No. 08:145:0013, and by detailed legal descriptions contained in the attached exhibits.

**3. Nature of Conveyance.** The conveyance shall be by Quitclaim Deed, without warranty, subject to:

1. Existing rights-of-way, easements, and encumbrances of record;
2. Reservations of minerals, water rights, or other interests previously reserved or outstanding in third parties; and
3. Any terms and conditions required by the Bureau of Reclamation and reflected in the final conveyance documents.

**4. Public Purpose and Consideration**

The City Council finds that the conveyance serves a valid public purpose by:

1. Resolving conflicting and overlapping property interests;
2. Facilitating federal infrastructure improvements;
3. Addressing existing City encroachments within the canal right-of-way; and
4. Reducing the potential for future land use and title disputes.

The consideration for the conveyance includes, but is not limited to, the resolution of encroachments, clarification of property ownership, and associated public benefits.

**5. Authorization to Execute Documents.** The Mayor is hereby authorized and directed to execute, and the City Recorder to attest, the Quitclaim Deed and any related agreements, certifications, or documents necessary to effectuate the intent of this Ordinance, subject to approval as to form by the City Attorney.

**Section 6. 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 Description of a portion of 500 South)

Parcel 1:

A portion of 500 South Street in the city of Payson, Utah County, State of Utah bounded

westerly by a line perpendicularly distant 98.75 feet westerly from the centerline of the

Strawberry High Line Canal, bounded northerly, easterly and southerly by lands acquired by the

United States of America for the construction, operation and maintenance of said Strawberry

High Line Canal, by Warranty Deed, recorded October 13, 1914 as Entry No. 4670 in Book 148

at Page 349 in the office of the Utah County Recorder, located in the Southeast Quarter of the

Northwest Quarter of Section 16, Township 9 South, Range 2 East Salt Lake Base and

Meridian, and is more particularly described as follows:

Beginning at the northeast corner of Block 9, Plat Q, Payson City Survey of Building Lots, said

point lies North 89°36’07” East (record = North 89°27’ East) 8.23 feet and North 0°18’53”

West 3542.53 feet from the Utah County Surveyor brass monument 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 North 89°36’07” East 2717.06 feet along the section line defined by

Utah County Surveyor brass monuments currently representing the South Quarter Corner and

the Southeast Corner of said Section 16);

thence along the northerly line of said Block 9 and the southerly line of said 500 South Street,

North 89°40’00” West 143.90 feet to a point 98.75 feet perpendicularly distant northwesterly

from the centerline of the Strawberry High Line Canal;

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thence parallel with said centerline of said Strawberry High Line Canal the following two (2)

courses:

1.) Northeasterly 87.14 feet along the arc of a non-tangent curve to the right whose center

bears South 55°26’02” East, has a Radius of 359.185 feet, a central angle of 13°54’02” and

a long chord bearing and length of North 41°30’59” East 86.93 feet to a point of tangency;

2.) thence North 48°28’00” East 25.59 feet to intersect the northerly line of said 500 South

Street and the southerly line of Block 10 of said Plat Q;

thence along said line South 89°40’00” East 66.68 feet to the southeast corner of said Block 10,

the easterly terminus of said 500 South Street and the easterly boundary of said Plat Q;

thence along said easterly boundary, South 0°18’53” East 82.50 feet to the Point of Beginning,

as depicted in Exhibit A attached hereto and by reference made a part hereof.

The above-described parcel contains 8,974 square feet in area or 0.206 of an acre, more or

less.

**EXHIBIT B**

(Legal Description of a portion of 600 South)

Parcel 2:

A portion of 600 South Street in the city of Payson, Utah County, State of Utah bounded

northerly by Block 9 and southerly by Block 4 of Plat Q, Payson City Survey of Building Lots,

said Block 9 and Block 4 having been acquired by the United States of America for the

construction, operation and maintenance of the Strawberry High Line Canal, by Warranty Deed,

recorded October 13, 1914 as Entry No. 4670 in Book 148 at Page 349 in the office of the Utah

County Recorder, located in the Southeast Quarter of the Northwest Quarter of Section 16,

Township 9 South, Range 2 East Salt Lake Base and Meridian and is more particularly

described as follows:

Beginning at the northeast corner of Block 4, Plat Q, Payson City Survey of Building Lots, said

point lies North 89°36’07” East (record = North 89°27’ East) 8.23 feet and North 0°18’53”

West 2882.49 feet from the Utah County Surveyor monument 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 North 89°36’07” East 2717.06 feet along the section line defined by Utah County

Surveyor brass monuments currently representing the South Quarter Corner and the Southeast

Corner of said Section 16);

thence along the northerly line of said Block 4 and the southerly line of said 600 South Street,

North 89°40’00” West 216.69 feet to the northwest corner of said Block 4;

thence North 0°20’00” East 82.50 feet to the southwest corner of said Block 9;

thence along the southerly line of said Block 9 and the northerly line of said 600 South Street,

South 89°40’00” East 215.75 feet to the southeast corner of said Block 9, the easterly terminus

of said 600 South Street and the easterly boundary of said Plat Q;

thence along said easterly boundary, South 0°18’53” East 82.50 feet to the Point of Beginning,

as depicted in Exhibit B attached hereto and by reference made a part hereof.

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The above-described parcel contains 17,838 square feet in area or 0.410 of an acre, more or

less.

**EXHIBIT C**

(Legal Description of a portion of 700 South)

Parcel 3:

A portion of 700 South Street in the city of Payson, Utah County, State of Utah bounded

westerly by a line perpendicularly distant 50.00 feet westerly from the centerline of the

Strawberry High Line Canal, bounded northerly and southerly by lands acquired by the United

States of America for the construction, operation and maintenance of said Strawberry High Line

Canal, by Warranty Deed, recorded October 13, 1914 as Entry No. 4670 in Book 148 at Page

349 and Warranty Deed, recorded February 26, 1915 as Entry No. 1183 in Book 141 at Pages

500-501 in the office of the Utah County Recorder, and easterly by the easterly boundary of Plat

Q, Payson City Survey of Building Lots, said portion located in the Northeast Quarter of the

Southwest Quarter of Section 16, Township 9 South, Range 2 East Salt Lake Base and

Meridian, and is more particularly described as follows:

Beginning at the northeast corner of Block 3, Plat Q, Payson City Survey of Building Lots, said

point lies North 89°36’07” East (record = North 89°27’ East) 8.23 feet and North 0°18’53”

West 2222.45 feet from the Utah County Surveyor brass monument 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 North 89°36’07” East 2717.06 feet along the section line defined by

Utah County Surveyor brass monuments currently representing the South Quarter Corner and

the Southeast Corner of said Section 16);

thence along the northerly line of said Block 3 and the southerly line of said 700 South Street,

North 89°40’00” West 131.03 feet to a point 50.00 feet perpendicularly distant westerly from

the centerline of the Strawberry High Line Canal;

thence North 20°00’00” West (record = North 20°09’ West) 48.01 feet to a point of curvature at

Canal centerline Station 651+15.99;

thence Northwesterly 39.46 feet along the arc of a tangent curve to the right having a radius of

527.435 feet, a central angle of 4°17’12” and a long chord bearing and length of North

17°51’24” West 39.45 feet to intersect the northerly line of said 700 South Street and the

southerly line of said Block 4;

thence along said line, South 89°40’00” East 159.10 feet to the easterly terminus of said 700

South Street and the easterly boundary of said Plat Q;

thence along said easterly boundary, South 0°18’53” East 82.50 feet to the Point of Beginning,

as depicted in Exhibit C attached hereto and by reference made a part hereof.

The above-described parcel contains 12,013 square feet in area or 0.276 of an acre, more or

less.

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**EXHIBIT D**

(Legal Description of a remnant portion of 800 South)

Parcel 4:

A remnant portion of 800 South Street in the city of Payson, Utah County, State of Utah

bounded westerly by the easterly boundary of CANYON COVE ESTATES PLAT B,

according to the official plat thereof, recorded February 24, 1994 as Entry No. 15357 and

CANYON COVE ESTATES PLAT C, according to the official plat thereof, recorded July 28,

1994 as Entry No. 60729 in the office of the Utah County Recorder, and bounded southerly

and easterly by lands of the United States of America acquired for the construction, operation

and maintenance of the Strawberry High Line Canal by Warranty Deed, recorded February 26,

1915 as Entry No. 1183 in Book 141 at Page 500-501 in the office of said Recorder, said

portion is located in the Northeast Quarter of the Southwest Quarter of Section 16, Township 9

South, Range 2 East, Salt Lake Base and Meridian, and is more particularly described as

follows:

Beginning at the easterly terminus of the southerly line of 800 South Street, Plat Q, Payson

City Survey of Building Lots, said point lies North 89°36’07” East (record = North 89°27’

East) 8.23 feet and North 0°18’53” West 1562.41 feet from the Utah County Surveyor

brass monument 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 North 89°36’07” East

2717.06 feet along the section line defined by Utah County Surveyor brass

monuments currently representing the South Quarter Corner and the Southeast Corner of

said Section 16); thence along the southerly line of said 800 South Street, North 89°40’00”

West 8.79 feet to intersect the easterly boundary of said CANYON COVE ESTATES

PLAT B;

thence along said easterly boundary and the easterly boundary of said CANYON COVE

ESTATES PLAT C, Northeasterly 45.72 feet along the arc of a non-tangent curve to the left

whose center bears North 77°15’12” West, has a radius of 664.96 feet, a central angle of

3°56’21” and a long chord bearing and length of North 10°46’37” East 45.71 feet to intersect

the easterly boundary of said Plat Q;

thence along said easterly boundary, South 0°18’53” East 44.95 feet to the Point of

Beginning, as depicted in Exhibit D attached hereto and by reference made a part hereof.

The above-described parcel contains 186 square feet in area or 0.004 of an acre, more or

less.

Together with all appurtenances thereto belonging or otherwise appertaining, including minerals,

sand and gravel, improvements, if any, but excluding all water and water rights, if any.

Subject to coal, oil, gas, and other minerals reserved to or outstanding in third parties as of the date

of this Warranty Deed; also subject to rights-of-way for roads, railroads, telephone lines,

transmission lines, ditches, conduits, or pipelines on, over, or across said lands in existence on

such date.

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