RESOLUTION 2022-06

A RESOLUTION OF VINEYARD CITY, UTAH ACCEPTING A SECTION OF IMPROVED PROPERTY FROM FLAGSHIP HOMES 241, LLC

WHEREAS, Flagship Homes 241, LLC, a Utah limited liability company, ("Flagship") owns approximately 2.84 acres of improved property adjacent to approximately 400 North and 300 West (the "Property"), as shown on Exhibit A, attached hereto, and incorporated herein by reference; and

WHEREAS, Flagship desires to donate the Property to the City at no cost to the City; and

WHEREAS, the improved property, known as Sunset Beach Park, has been built to serve as a city park to provide recreational services to Vineyard City's residents; and

WHEREAS, the acceptance of the Property would allow the City to provide use of the public parking lot, playground equipment, paved trail, and stormwater outfall; and

WHEREAS, the City Council has determined that the proposed donation of the Property will promote the public interest and welfare and desires to accept the donation;

NOW, THEREFORE, be it resolved by the City Council of Vineyard, in the State of Utah, as follows:

Section 1. Approval. The City Council of Vineyard City hereby approves the donation of the Property, as shown on Exhibit A, attached hereto, and incorporated herein by reference.

Section 2. Authorization. The City Council hereby approves that certain Special Warranty Deed and Certification of Acceptance of Real Property Conveyance by Municipality, attached hereto as Exhibit B, and incorporated herein by reference. The Mayor of the City is authorized to execute the agreement for and in behalf of the City.

Section 3. Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance; and all sections, parts, and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Resolution shall be in full force and effect from February 23, 2022, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD CITY COUNCIL ON THIS 23rd DAY OF February 2022.

Presiding Officer

Julie Fullmer, Mayor, Vineyard

Attest

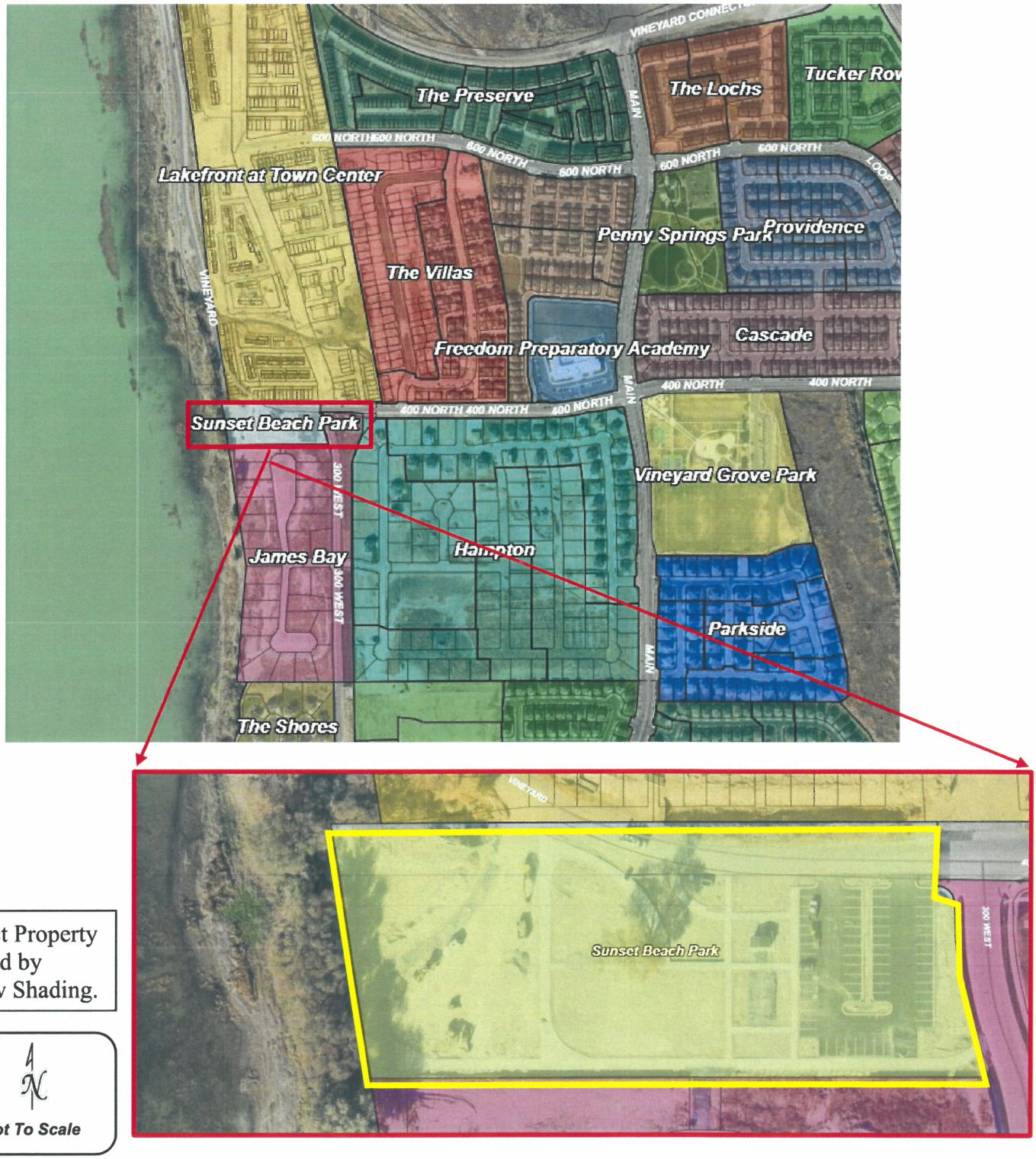
Pamela Spencer, City Recorder

VINEYARD Seal UTAH

VINEYARD
STAY CONNECTED

Exhibit A

Aerial of Subject Property



Subject Property denoted by Yellow Shading.

N

Not To Scale

Exhibit B

MAIL TAX NOTICES TO GRANTEE(S) AT:
125 S. Main St.
Vineyard, UT 84059

Tax Parcel No(s).: **18-019-0024**
Property Address(es) (if any):
385 N. 300 W., VINEYARD, UT 84059

WARRANTY DEED

Vineyard Flagship 241 LLC, **a Utah limited liability company**, Grantor,

in exchange for good and valuable consideration, hereby conveys and warrants to

Vineyard City, Grantee

the following described real property located in **UTAH** County,Utah, together with all the appurtenances, rights, and privileges belonging thereto, to wit:

COM S 349.55 FT & W 1848.32 FT FR NW COR. SEC. 17, T6S, R2E, SLB&M.; W 589.19 FT; N 8 DEG 34' 34" W 200.69 FT; N 9 DEG 59' 45" W 37.14 FT; S 89 DEG 59' 38" E 234.77 FT; ALONG A CURVE TO L (CHORD BEARS: S 77 DEG 0' 42" E 186.56 FT, RADIUS = 465.8 FT); S 88 DEG 35' 3" E 61.52 FT; S 88 DEG 25' 44" E 99.06 FT; S 1 DEG 34' 16" W 6.72 FT; ALONG A CURVE TO R (CHORD BEARS: S 44 DEG 30' 13" E 23.84 FT, RADIUS = 17 FT); S 0 DEG 0' 30" W 5.8 FT; ALONG A CURVE TO L (CHORD BEARS: S 10 DEG 15' 0" E 141.76 FT, RADIUS = 398 FT); ALONG A CURVE TO R (CHORD BEARS: S 18 DEG 45' 18" E 20.93 FT, RADIUS = 342 FT) TO BEG. AREA 2.842 AC.

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to general property taxes for the current year and thereafter.

Vineyard City, the Grantee named herein, has indicated its acceptance of the subject land parcel 18-019-0024, also known as Sunset Beach Park, in that certain Notice of Acceptance recorded on July 28, 2020, as Entry No. 108665:2020.

[Remainder of page intentionally left blank. Signatures appear on the following page.]

Tax Parcel No(s).: **18-019-0024**
Property Address(es) (if any):
385 N. 300 W., VINEYARD, UT 84059

-Signature Page to Warranty Deed-

The undersigned person who signs this deed hereby represents and certifies that the conveyance of the Property hereby has been duly approved by Grantor and that he/she has executed and delivered this deed in his/her authorized capacity on behalf of Grantor.

Witness the hand of Grantor this ____ day of MAY, 2021.

Vineyard Flagship 241 LLC

By:_____
Nathan T. Hutchinson
Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF _____)

On this ____ day of May, 2021, personally appeared before me **Nathan T. Hutchinson,** who stated that he/she is the **Manager of Vineyard Flagship 241 LLC**, the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

_____
NOTARY PUBLIC

VINEYARD
STAY CONNECTED

ENT 108665:2020 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Jul 28 1:14 pm FEE 0.00 BY MA
RECORDED FOR VINEYARD CITY

VINEYARD CITY

NOTICE OF ACCEPTANCE

The undersigned owner **Vineyard Flagship 241, LLC** (herein referred to as "Grantor") of parcel 18-019-0024 as described in Exhibit "A" attached hereto, requested approval from Vineyard City (herein referred to as "Grantee") of a Warranty Deed of referenced parcel. The City hereby grants approval and acceptance of the deeded property.

Dated this 22nd day of July, 2020.

Property Owner (Grantor), Exhibit A

STATE OF UTAH }
}SS.
COUNTY OF UTAH }

On this 22nd day of July, 2020, personally appeared before me, PETER EVANS, who stated that he/she is the MANAGER of VINEYARD FLAGSHIP, 241, LLC, the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

NOTARY PUBLIC

J BRADLEY GRIFFITHS
Notary Public | State of Utah
Commission # 701651
Commission Expiration Date:
August 22, 2022

Dated this 23 day of July, 2020.

Property Owner (Grantee), Exhibit A

STATE OF UTAH }
}SS.
COUNTY OF UTAH }

MARIAH HILL
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 695477
COMM. EXP. 06-13-2021

On this 23rd day of July, 2020, personally appeared before me, JACOB MCHARGUE, who stated that he/she is the MANAGER OF VINEYARD CITY, the named Grantee of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

Mariah Hill
NOTARY PUBLIC

EXHIBIT "A"

COMMENCING SOUTH 349.55 FEET AND WEST 1848.32 FEET FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 589.19 FEET; THENCE NORTH 8"34'34" WEST 200.69 FEET; THENCE NORTH 9o59'45" WEST 37.14 FEET; THENCE SOUTH 89'59'38" EAST 234,77 FEET; THENCE ALONG A CURVE TO THE LEFT (CHORD BEARS SOUTH 77"OO'42" EAST 186.56 FEET, RADIUS = 465,8 FEET); THENCE SOUTH 88o35'03" EAST 61.52 FEET; THENCE SOUTH 88o25'44" EAST 99,06 FEET; THENCE SOUTH 0t"34'16'WEST 6.72 FEET; THENCE ALONG A CURVE TO THE RIGHT (CHORD BEARS SOUTH 44"30'13" EAST 23.84 FEET, RADIUS = L7 FEET); THENCE SOUTH 00"00'30" WEST 5.8 FEET; THENCE ALONG A CURVE TO THE LEFT (CHORD BEARS SOUTH L0'15'OO" EAST L4L.76 FEET, RADIUS = 398 FEET); THENCE ALONG A CURVE TO THE RIGHT (CHORD BEARS SOUTH 18"45't8" EAST 20.93 FEET, RADIUS = 342 FEET) TO THE POINT OF BEGINNING.

18-019-0024

PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

RESOLUTION NO 2022-06

A RESOLUTION OF VINEYARD CITY, UTAH ACCEPTING A SECTION OF IMPROVED PROPERTY FROM FLAGSHIP HOMES 241, LLC

ROLL CALL VOTE:

	MOTION	SECOND	AYES	NAYS	ABSENT
MAYOR JULIE FULLMER			X		
COUNCILMEMBER TYCE FLAKE		X	X		
COUNCILMEMBER AMBER RASMUSSEN	X		X		
COUNCILMEMBER MARDI SIFUENTES			X		
COUNCILMEMBER CRISTY WELSH			X		
TOTALS			5		

This Resolution was passed by the City Council of Vineyard Utah on the 23rd day of February 2022, by a roll call vote as described above.

CITY RECORDER'S CERTIFICATE AND ATTEST

This Resolution was recorded in the office of the Vineyard City Recorder on the 24th day of February 2022.

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Resolution No. 2022-06

ATTEST:

_____

Vineyard City Recorder

VINEYARD Seal UTAH