

**RICH COUNTY, UTAH
COUNTY COMMISSIONERS
May 16, 2018**

RESOLUTION NO. 18-8

A RESOLUTION APPROVING THE TRANSFER OF AN INTEREST IN ALL RIGHTS CURRENTLY POSSESSED BY RICH COUNTY IN THE CISCO ROAD TO THE RICH SPECIAL SERVICE DISTRICT, CREATING A JOINT INTEREST IN THAT ROADWAY WITH THE RICH SPECIAL SERVICE DISTRICT AND RICH COUNTY; AND RELATED MATTERS.

WHEREAS, it is critically important to the health, welfare and well being of the citizens of Rich County (the "County") that an efficient and reliable transportation system exist for the County; and

WHEREAS, the road depicted Exhibit A is adopted as being officially considered part of the County's transportation system to which the County asserts all rights, claims, privileges, easement interest and obligations pertaining to each and every road and trail depicted as provided by law; and

WHEREAS, Exhibit A is not intended to depict the entire infrastructure of the County in that it may not include all roads, pipelines, power lines, water diversions, or all trails and tracts which are anticipated to become part of the County's recreational travel and access plan in the future; and

WHEREAS, the roadway depicted in Exhibit A related to Cisco Road, or a portion thereof, which is more specifically described in Exhibit A attached hereto, and adopted herein (the "Road"), provides an important transportation corridor through the County; and

WHEREAS, the construction and improvement of the Road would be beneficial to the transportation needs of those utilizing that corridor in allowing for a safer and more efficient route of travel in that portion of the County; and

WHEREAS, the Rich Special Service District has the ability to perform the necessary construction and improvement of the Road and was formed for such purposes and has obtained authorization for a loan with a maturity of 15 years and a grant to finance the same; and

WHEREAS, to allow for the efficient funding of the project it is appropriate that the County grant to the Rich Special Service District a joint interest in all property rights and interests possessed by the County to the aforementioned Road for the period of fifteen (15) years of the maturity of the previously mentioned loan or from the date of this resolution, whichever is longer:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF RICH COUNTY, UTAH AS FOLLOWS:

Section 1. The County hereby transfers an interest in all property rights and interests possessed by the County to the aforementioned Road, more particularly described in Exhibit A hereto, to the Rich Special Service District for the period of fifteen (15) years of the maturity of the previously mentioned loan or from the date of this resolution, whichever is longer. The result of this action creates a joint interest in the aforementioned Road in Rich County and the Rich Special Service District for the period of approximately fifteen (15) years of the maturity of the previously mentioned loan or from the date of this resolution, whichever is longer. The County, by so doing, continues to assert all rights, and waives no part of its legal rights vested under Revised Statutes 2477 and any other similar laws or regulations. The County hereby authorizes staff to record an assignment and conveyance, in substantially the form attached hereto as Exhibit B, to effect the joint interest described herein for the designated term set forth herein.

Section 2. If any provisions of this Resolution (including the exhibits attached hereto) are held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

Section 3. All regulations, orders and resolutions of the County or parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any regulation, order, resolution or ordinance or part thereof.


Section 4. The County Clerk/Auditor is directed to complete the attached Record of Proceedings.

Section 5. This Resolution shall become effective immediately upon adoption by the County Commissioners.

ADOPTED BY THE COUNTY COMMISSIONERS OF RICH COUNTY, UTAH
THIS May 16, 2018.

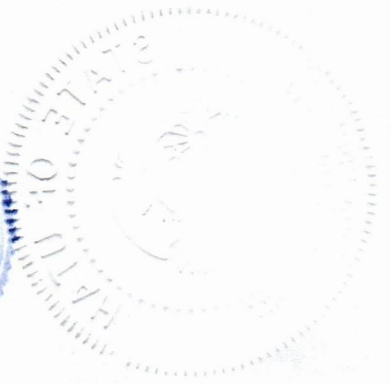

Chair

ATTEST AND COUNTERSIGN:


County Clerk/Auditor

(SEAL)





RECORD OF PROCEEDINGS

The County Commission of Rich County, Utah (the "County Commission") met in public session at their regular meeting place at 20 S. Main, Randolph, Utah, on May 16, 2018 (the "Meeting"), at the hour of 6:30 p.m., or as soon thereafter as feasible, with the following persons being present:

William E. Cox	Chair/Commissioner
Norman Weston	Commissioner
Thomas Weston	Commissioner

Also present:

Rebecca Peart	County Clerk/Auditor
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Absent:

which constituted all the members thereof.

After the Meeting had been duly called to order and after other matters were discussed, the foregoing resolution (the "Resolution") was introduced in written form and fully discussed.

A motion to adopt the Resolution was then duly made by Thomas Willram and seconded by William Cox, and the Resolution was put to a vote and carried, the vote being as follows:

Those voting YEA:

William Cox
Thomas Weston

Those voting NAY:

Those Abstaining:

Other business not pertinent to the Resolution appears in the minutes of the Meeting. Upon the conclusion of all business on the Agenda and motion duly made and carried, the Meeting was adjourned.

CERTIFICATE OF COUNTY CLERK/AUDITOR

I, Rebecca Peart, the duly appointed and qualified County Clerk/Auditor of the County, do hereby certify that the attached Resolution is a true, accurate and complete copy thereof as adopted by the County Commissioners at a public meeting duly held on May 16, 2018 (the "Meeting"). The Meeting was called and noticed as required by law as is evidenced by the attached Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above. The Resolution, with all exhibits attached, was deposited in my office on May 16, 2018 and is officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County, this May 16, 2018.



Rebecca Peart

County Clerk/Auditor



NOTICE OF SPECIAL MEETING

TO THE COUNTY COMMISSIONERS OF RICH COUNTY, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting (the "Special Meeting") of the County Commissioners of Rich County, Utah, will be held at the Commission's regular meeting place at 20 S. Main, Randolph, UT at the hour of 6:30 p.m., or as soon thereafter as feasible, on May 16, 2018, for the purpose of adopting a Resolution Granting Easement in Roadway for road improvements, and for the transaction of such other business incidental to the foregoing as may come before the Special Meeting.



Rebecca Peort

County Clerk/Auditor

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the Chair and Commissioners of Rich County, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting (the "Notice"), and we hereby waive any and all irregularities, if any, in the Notice and in the manner of service thereof upon us, and consent and agree to the holding of the Special Meeting at the time and place specified in the Notice, and to the transaction of any and all business which may come before the Special Meeting.

William E. [Signature]

Chair

Thomas J. [Signature]

Member

Member

EXHIBIT A

Description (or map) of Rich County's Cisco Road:

EXHIBIT B

ASSIGNMENT AND CONVEYANCE

(See Transcript Document No. __)