



Utah Department of Transportation Right of Way Contract Easement

TOOELE COUNTY CORPORATION
CONTRACT # 15-06-11

Project No: F-0036(137)52		Parcel No.(s): 206:E	
Job/Proj / Auth No: 53886		Pin No: 11204	
Project Location: SR-36; 3 O'clock Drive to 2000 N			
County of Property: TOOELE		Tax ID / Sidwell No: 02-027-0-0005,02-027-0-0006	
Property Address: 47 S Main TOOELE UT, 84074			
Owner's Address: 47 S Main,TOOELE,UT,84074			
Primary Phone: 435-843-3120		Owner's Home Phone: (435)843-3120	Owner's Work Phone:
Owner / Grantor (s): Tooele County			

IN CONSIDERATION of the foregoing and other considerations hereinafter set forth, it is mutually agreed by the parties as follows:

The Grantor hereby agrees to convey and sell by Temporary Easement a parcel(s) of land known as parcel number(s) 206:E for transportation purposes. This contract is to be returned to: Michael D. Richardson (Consultant), Right of Way Agent c/o Utah Department of Transportation, 4501 South 2700 West, P.O. Box 148420, Salt Lake City, UT 84114-8420.

1. Grantor agrees to transfer the property free of all debris and any hazardous materials (including paint or other household products.)
2. Grantor shall leave the property in the same condition as it was when this contract was signed. No work, improvements or alteration will be done to the property other than what is provided for in this agreement. Grantor agrees to maintain the property until the Department takes possession.
3. The Department shall pay in full to the Grantor for the real property in the easement referenced above.
4. Grantor shall indemnify and hold harmless Grantee from and against any and all claims, demands and actions, including costs, from lien holders or lessees of the property.
5. Upon execution of this contract by the parties, Grantor grants UDOT, its contractors, permittees, and assigns, including but not limited to, utilities and their contractors, the right to immediately occupy and commence construction or other necessary activity on the property acquired for the state transportation project.

Additional Terms:

Compensation includes a \$2,000.00 Incentive Payment for fully executing the Right of Way Contract within 30 days (or less) from the offer date.

CONFIRMATION OF AGENCY DISCLOSURE. Buyer and Seller acknowledge prior written receipt of agency disclosure provided by their respective agent that has disclosed the agency relationships confirmed below. At the signing of the Purchase Contract;

Seller's Agent _____, represents seller.
 Seller's Brokerage _____, represents seller.
 Buyer's Agent _____, represents purchaser.
 Buyer's Brokerage _____, represents purchaser.

Total Selling Price \$3,300.00



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Grantor's Initials

Grantor understands this agreement is an option until approved by the Director of Right of Way.
 Grantors acknowledge and accept the percent of ownership listed below and agree that the portion of the total selling price they each receive, will correspond with their respective percent of ownership.
 This Contract may be signed in counterparts by use of counterpart signature pages, and each counterpart signature page shall constitute a part of this Contract as if all Grantors signed on the same page:

Percent

Date

100%

Wade B. B. B. B.

6-17-2015

Tooele County

Right of Way Agents

Michael D. Richardson (Consultant) / Acquisition Agent

Ray Bennett / Team Leader

Approved by Director of Right of Way

ATTEST:

Marilynk Gillette
MARILYNK GILLETTE

TOOELE COUNTY CLERK/AUDITOR



WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Easement

(COUNTY)

Tooele County

Tax ID No. 02-027-0-0005

02-027-0-0006

PIN No. 11204

Project No. F-0036(137)52

Parcel No. 0036:206:E

Tooele County, a body corporate and politic of the State of Utah, Grantor, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of TEN (\$10.00) Dollars, and other good and valuable considerations, the following described in Tooele County, State of Utah, to-wit:

A temporary easement, upon part of an entire tract of property being part Lot 1 and Lot 2, Block 2, Plat "A", Tooele City Survey situate in the NW1/4 SE1/4 of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah, for the purpose of constructing blending slopes and appurtenant parts thereof, driveway, sidewalk, and curb and gutter to facilitate the construction of SR-36, known as Project No. F-0036(137)52. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said part of an entire tract are described as follows:

Beginning at the southwest corner of said Lot 1; and running thence N.01°16'16"E. (Record: NORTH) 105.50 feet; thence S.88°43'44"E. 5.13 feet to a point 69.00 feet perpendicularly distant easterly from the right of way control line of said SR-36, opposite approximate Engineers Station 416+63; thence S.01°16'16"W. 100.49 feet parallel with said right of way control line; thence S.88°56'31"E. 21.00 feet; thence S.01°16'16"W. 5.00 feet parallel with said right of way control line to the southerly boundary line of said Lot 1; thence N.88°56'31"W. (Record: WEST) 26.13 feet along said southerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 646 square feet in area or 0.015 acre.

After said improvements are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said SR-36 facility and appurtenant parts thereof.

This instrument is made in pursuance of a sale of said easement, authorized by an order of the Board of County Commissioners of said County, made on the 16th day of June, A.D. 20 15.

IN WITNESS WHEREOF, said County has caused this instrument to be executed by its proper officer thereunto duly authorized, this 16th day of June, A.D. 20 15.

STATE OF UTAH)
) ss.
COUNTY OF)

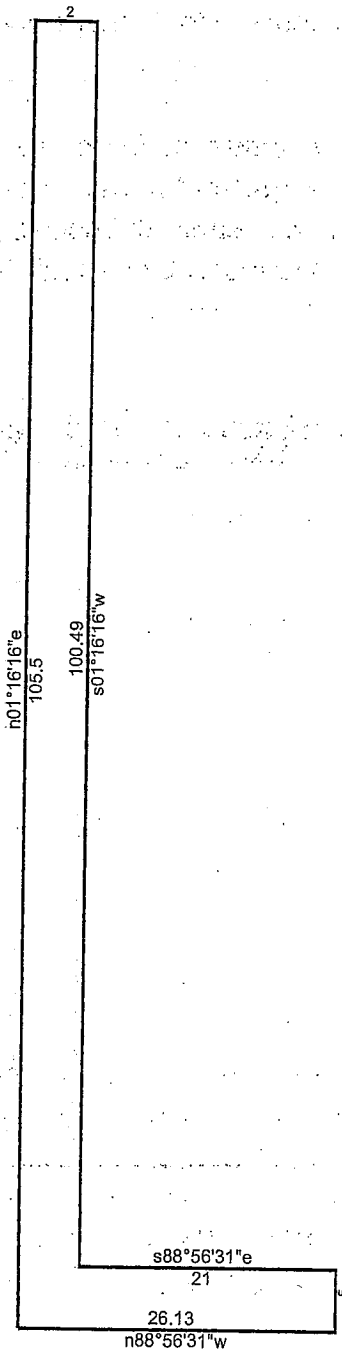
Tooele County
a County of the State of Utah

By _____
County Clerk

On the date first above written personally appeared before me, _____, who, being by me duly sworn, did say that he is the County Clerk of Tooele County, a body corporate and politic of the State of Utah, and that the within and foregoing instrument was signed in behalf of said county by authority of a Resolution of the Board of County Commissioners and said _____ acknowledged to me that said Tooele County executed the same.

WITNESS my hand and official stamp the date in this certificate first above written.

Notary Public



11204_F-0036(137)52_07P_206_E_DeedPlotter

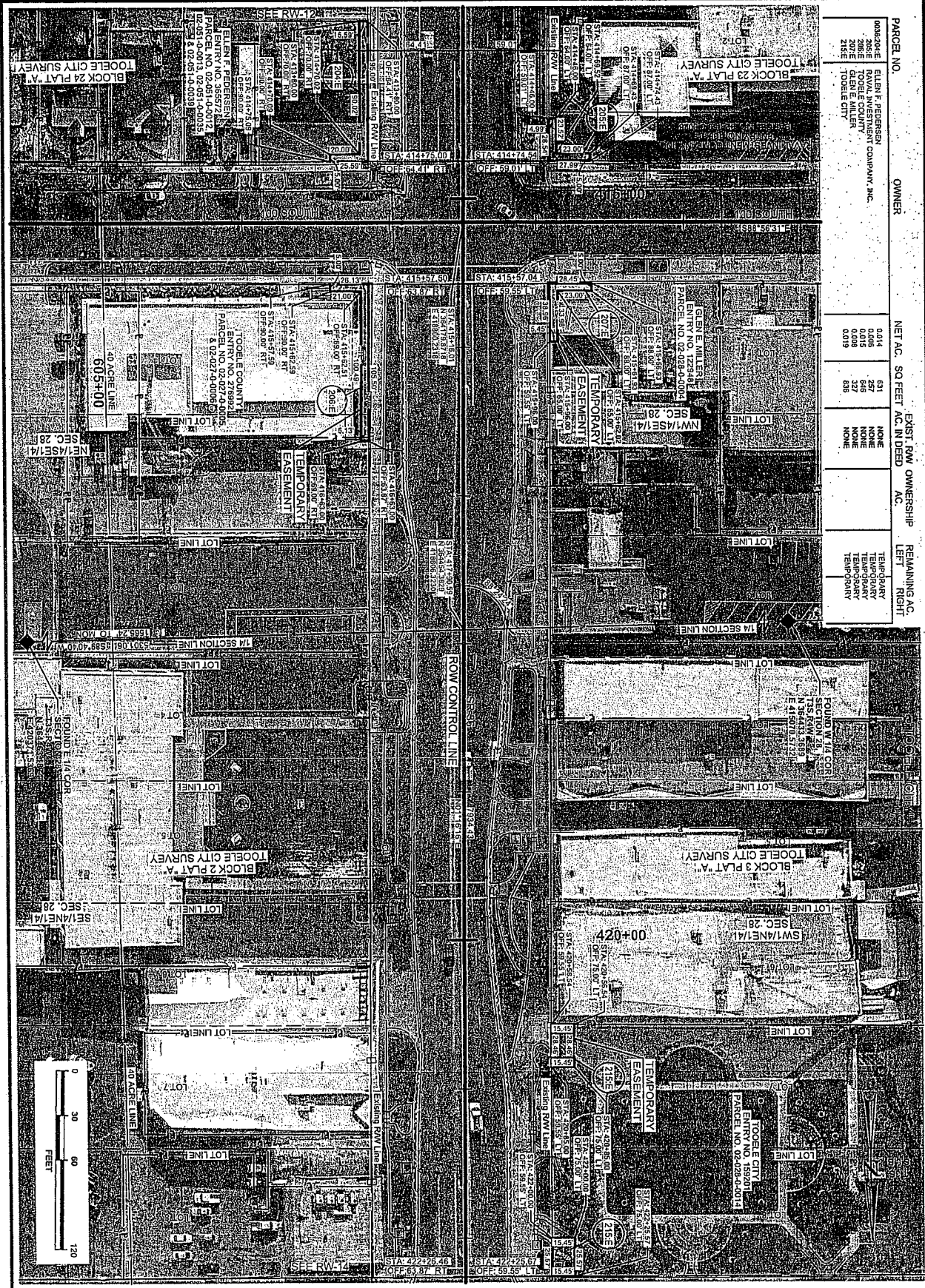
1/30/2015

Scale: 1 inch= 15 feet

File: 11204_F-0036(137)52_07P_206_E_DPL.ndp

Tract 1: 0.0148 Acres (646 Sq. Feet), Closure: n01.0250e 0.01 ft. (1/29002), Perimeter=263 ft.

- 01 n01.1616e 105.5
- 02 s88.4344e 5.13
- 03 s01.1616w 100.49
- 04 s88.5631e 21
- 05 s01.1616w 5
- 06 n88.5631w 26.13



PARCEL NO.	OWNER	NET AC.	SQ FEET AC. IN DEED	EXIST. ROW OWNERSHIP	REMAINING AC.
00062001	ELLEN F PEDERSEN	0.014	631	NONE	TEMPORARY
2082	RAVAL INVESTMENT COMPANY, INC.	0.016	272	NONE	TEMPORARY
2083	TOOLE E COUNTY	0.008	327	NONE	TEMPORARY
2155	TOOLE CITY	0.019	838	NONE	TEMPORARY

SHEET NO. RW-13	PROJECT	SR-36; 3 OCLOCK DRIVE TO 2000 N	UTAH DEPARTMENT OF TRANSPORTATION REGION 2 - HORROCKS ENGINEERS		REVISIONS	
	PROJECT NUMBER	F-0036(137)52	PN#	11204	APPROVED	DATE
	RIGHT-OF-WAY		APPROVED		DATE	REMARKS
DRAWN BY		MRL		DATE	APPROVED BY	REMARKS
CHECKED BY		CSB		DATE	APPROVED BY	REMARKS
DATE		03/26/15		DATE	APPROVED BY	REMARKS
PROFESSIONAL LAND SURVEYOR				DATE	APPROVED BY	REMARKS

OFFER TO PURCHASE RIGHT OF WAY

Pin: 11204 Project No: F-0036(137)52
Owner Name: Tooele County
Property Address: 47 S Main, TOOELE, UT 84074
Parcel No: 206:E
Authority No: 53886 Tax Id: 02-027-0-0005,02-027-0-0006
Project Location: SR-36; MP 52.46 - 56.78

The Utah Department of Transportation hereby makes you an offer of \$3,300.00 as Just Compensation for the easement(s).

This is the approved value for the easement(s) described in the Project shown above.

Utah Department of Transportation declares that this offer has been established by the Department as Just Compensation and is in accordance with applicable State laws and requirements. Just Compensation is defined as the fair market value of the property acquired. This amount is based on the land, improvements and any fixtures considered to be real property.

The public use for which the property or property right is being acquired herein, may include but is not limited to the following possible uses: the construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, and other related transportation uses.

This letter is not a contract to purchase your property. It is merely an offer to purchase the easement rights we need for \$3,300.00. Along with this Offer attached are the Statement of Just Compensation, Executive Summary of Property Owner's Rights, and the Agency's Brochure. Your signature is for the purpose of verifying that you have actually received these items. Signing this document does not prejudice your right to have the final amount determined through Condemnation proceedings in the event you do not accept this Offer. Information regarding your rights is explained in the agency's brochure.

Information about the acquiring process and procedures is included in the Agency's Brochure, which has been given to you. Other information regarding your rights as a property owner was also given to you with this offer. If you have questions regarding this offer or information given to you, please contact me, Michael D. Richardson (Consultant). I can be reached at 801-214-4689.

Receipt: Please sign below to indicate you have received the following documents:

- Ombudsman's Acquisition Brochure - Your Guide to Just Compensation
- Offer to Purchase & Offer Letter
- Statement of Just Compensation
- Right of Way Contract
- Deed(s) and/or Easement(s)
- Map and legal description

ATTEST:

Date: 23 JUNE 2015

By: Wade B. Britton
Signature of Grantor/Owner

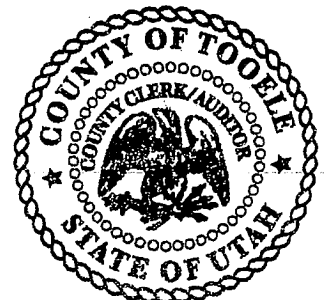
Marilyn K. Gillette
MARILYN K. GILLETTE
TOOELE COUNTY CLERK/AUDITOR

Date: _____

By: _____
Signature of Grantor/Owner

Date: _____

By: _____
Michael D. Richardson (Consultant) / Acquisition Agent





State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

Re: Incentive Payment

Project Location: SR-36; MP 52.46 - 56.78

Project No.: F-0036(137)52

PIN No.: 11204 Parcel No.: 206:E

Offer Date: _____

Dear Tooele County,

The Utah Department of Transportation (UDOT) has begun acquisition of properties required for the above captioned project. UDOT would like to begin construction on this project and in order to expedite and avoid construction delays, UDOT is offering an incentive for quick acquisition of properties required for the project.

Your property (or a portion of it) is required for this project. UDOT is offering property owners that sign and fully execute a Right of Way contract within 30 days (or less) from the offer date a \$2,000.00 incentive payment. If it proves impossible to sign a contract in this time frame, but the owner will grant UDOT a Right of Occupancy (referred to as a ROO) then 1/2 of the incentive amount will be paid, or \$1,000.00, if the ROO is signed within 30 days from the offer date.

The incentive payment is in addition to the original offer. If a signed transaction cannot be completed and executed within these time frames, no incentive payment will be made. Your acquisition agent will explain the details and respond to any questions you may have.

Sincerely,

Ray Bennett
Right of Way Lead
Michael D. Richardson (Consultant) - Acq. Agent
801-214-4689

I, Tooele County, property owner of parcel 206:E acknowledge that I am aware of this incentive offer and its limitations. I agree to consider this proposal. I understand that if I fail to act within the time frames specified that no incentive payment will be paid.

Signature

Wade B. Bennett

Signature

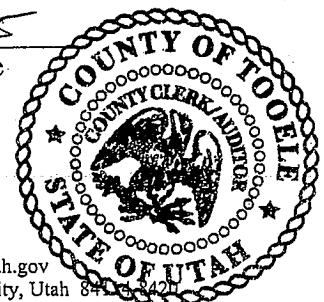
6-17-15

Date

ATTEST:

Marilyn K. Gillette

MARILYN K. GILLETTE





**Utah Department of Transportation
Right of Way Division
Statement of Just Compensation**

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 Owner's Home Phone: Owner's Work Phone:
 Owner / Grantor (s): Tooele County

The following information is the basis for the amount estimated by Utah Department of Transportation to be just compensation.

Parcel No.	Type of Interest Acquired	Size Units	Price Per Unit	Property % Use	County
206:E	Land	646 SQFT	\$8.5	8 Government	TOOELE
VALUE OF THE TAKING					
206:E	----->	646 SQFT	\$8.5	8 x 2.886 =	Value \$1,268.00
OTHER COSTS					
206:E	Rounding				\$32.00
NET AMOUNT:					\$1,300.00

Utah Department of Transportation declares that this offer is the amount that has been established by UDOT as just compensation and is in accordance with applicable State laws and requirements. Just compensation is defined as the fair market value of the property taken, plus damages, if any, to the remaining property, less any benefit which may accrue to said property by reason of the construction of the highway.

DATE: _____

Michael D. Richardson (Consultant) / Acquisition Agent