

**MEMORANDUM OF UNDERSTANDING
BETWEEN TOOELE COUNTY AND SETTLEMENT CANYON IRRIGATION COMPANY
REGARDING THE PROPOSED SETTLEMENT CANYON TRAIL**

Memorandum of Understanding dated this 19th day of September, 2023, between Tooele County, a political subdivision of the State of Utah ("County") and Settlement Canyon Irrigation Company, a domestic non-profit corporation ("Company").

WHEREAS, County desires, at its sole expense, to have constructed and then maintain a 4.33 mile, single-track class 3 trail to be known as the Settlement Canyon Trail ("the Trail"); and

WHEREAS, the north trailhead of the Trail will be located at the Wigwam Park Preserve and the south trailhead will be located at the Legion Park Campground; and

WHEREAS, a portion of the Trail will be located on real property belonging to Company, approximately as depicted in attached Exhibit A; and

WHEREAS, County will oversee the construction of a bridge to cross a ravine located on property belonging to Company; and

WHEREAS, County will seek an easement for the Trail and bridge from Company after the Trail and bridge have been constructed and surveyed; and

WHEREAS, Company is willing to allow County to have the Trail and bridge constructed and then surveyed; and

WHEREAS, Company intends to then grant an easement to County for the placement, use and maintenance of the Trail and bridge;

THE PARTIES THEREFORE MUTUALLY AGREE AS FOLLOWS:

1. County may have the Trail and bridge constructed along the route approximately depicted in attached Exhibit A.
2. Upon completion of construction (which is scheduled to occur before December 31, 2023), County will have the Trail and bridge surveyed.
3. Using the survey, County will prepare a written easement by which Company will grant an easement for the placement, use and maintenance of the Trail and bridge. Company may include in the easement provisions it deems necessary to protect Company's property, limit Company's liability, and so forth.

4. County will record the easement after approval by Company.

TOOELE COUNTY:



Jared Hamner
Chair, Tooele County Council

SETTLEMENT CANYON IRRIGATION
COMPANY:



Michael McCoy
President

APPROVED AS TO FORM:



Nathan Harris
Deputy County Attorney

ATTEST:



Tracy Shaw
County Clerk



EXHIBIT A



2591 Legacy Way
Grand Junction, CO 81503
Tel: 970.364.3842

SETTLEMENT CANYON TRAIL DESIGN

ISSUE: 4-30-2023

DRAWN BY: JT

REV	NOTES

OVERALL MAP

SHEET NUMBER

D-1

