RESOLUTION NO. R-2014-1838

A RESOLUTION APPROVING A QUIT CLAIM DEED TRANSFERRING OWNERSHIP WASHINGTON COUNTY MAY HAVE IN THE PORTION OF OLD HIGHWAY 91 FROM THE SHIVWITS INDIAN RESERVATION TO THE SANTA CLARA CITY LIMITS TO IVINS CITY AND TRANSFERRING JURISDICTION OF THE SAME PORTION OF ROADWAY

WHEREAS, there is a portion of Old Highway 91 that is approximately three (3) miles in length running from where the Highway meets Rachel Drive on the border of Ivins City and Santa Clara City to where the Highway enters the Shivwits Indian Reservation ("the Highway");

WHEREAS, historically, this Highway was maintained by the State of Utah; more recently it has been maintained by Washington County and portions of it are currently maintained by Ivins City;

WHEREAS, all of the Highway is located either inside Ivins City or immediately adjacent to the Ivins City boundary;

WHEREAS, Ivins City desires to exercise jurisdiction over the entire portion of Highway inside or adjacent to its city limits;

WHEREAS, having Ivins City maintain and police the Highway will allow for taxpayer resources to be more efficiently used than if the County carries out these responsibilities;

WHEREAS, there is some confusion as to whether the State of Utah, Washington County, or Ivins City currently has ownership and jurisdiction over the Highway;

WHEREAS, the County desires to assist Ivins City in clarifying jurisdiction and ownership by declaring that it transfers any municipal-type jurisdiction or ownership it may have in the Highway to Ivins City; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF WASHINGTON COUNTY, UTAH AS FOLLOWS.

1. The attached quit claim deed transferring any ownership interest Washington County may have in the portion of Old Highway 91 that is approximately three (3) miles in length running from where the Highway meets Rachel Drive on the border of Ivins City and Santa Clara City to where the Highway enters the Shivwits Indian Reservation ("the Highway") is approved and shall be executed.

2. Insofar as it is able to do so, Washington County transfers municipal jurisdiction over the Highway to Ivins City, and requests that any Class B

and C road funds appropriated by the State of Utah for the Highway be assigned to Ivins City.

VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 2ND DAY OF SEPTEMBER, 2014.

WASHINGTON COUNTY

JAMES EARDLEY, Chair
Washington County Commission

ATTEST:

Kim M. Hafen
Washington County Clerk-Auditor

AATF: EWC

Commissioner Eardley voted Aye
Commissioner Gardner voted Aye
Commissioner Iverson voted Aye

DOC # 20140026950
Quit Claim Deed Page 1 of 2
Russell Shirts Washington County Recorder
09/03/2014 01:16:28 PM Fee $ 0.00
By WASHINGTON COUNTY

WHEN RECORDED, MAIL TO:

KARI JIMENEZ
IVINS CITY RECORDER
55 NORTH MAIN
IVINS, UT 84738

C-PL

QUIT CLAIM DEED

WASHINGTON COUNTY, a political subdivision of the State of Utah, with its principal office in St. George, Washington County, Utah, Grantor, hereby QUIT CLAIMS to IVINS CITY, a Municipality of the State of Utah, Grantee, for adequate consideration, the following described tract of land in Washington County, Utah:

> That portion of Highway 91 right-of-way from the Shivwits Indian Reservation to the Santa Clara City limits as reflected in the records of the Office of the Washington County Recorder.

Washington County reserves all existing easements for utilities and other purposes, which Washington County may have within the above described property.

The execution of this Quit Claim Deed was approved by the County Commission by Resolution No. R-2014-1838.

DATED this 2 day of Sept., 2014.

WASHINGTON COUNTY

James Eardley

JAMES EARDLEY, Chair
Washington County Commission

ATTEST:

Kim M Hafen

Kim M. Hafen
Washington County Clerk-Auditor

STATE OF UTAH)
ss.
County of Washington)

On this 2 day of September, 2014, before me personally appeared James Eardley and KIM M. HAFEN whose identities are personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that they are respectively the County Commissioner and Clerk-Auditor of Washington County, and that the foregoing document was signed by them by authority, and they acknowledged before me that Washington County executed the document and the document was the act of Washington County for its stated purpose.

Notary Public

CHEYENNE W. BENTLEY
Notary Public
State Of Utah
My Commission Expires 07-03-2016
COMMISSION NO. 656906