Approved by the City Council on Sept. 1, 2016 by a unanimous vote - all Council Members present.

Memorandum of Understanding

Between Ivins City and Kayenta Development
For 2016 Kwavasa Drive Asphalt Installation

Recitals:

1. Ivins City has budgeted for the cost to chipseal 600 West/Kwavasa Drive from 200 North to Paiute Drive, location shown in attached exhibit.
2. Kayenta must dedicate the roadway and install roadbase prior to any participation from Ivins City.
3. Kayenta has already installed the roadbase and the City is coordinating ROW acquisition.
4. Based on current progress of ROW acquisition, it is likely not to be acquired in a timely manner and assurances have been made to the public that the road will be installed in 2016.

Therefore:

1. Kayenta agrees to install asphalt as soon as feasible.
2. Ivins City agrees to reimburse Kayenta the installation contractor's costs for the asphalt upon dedication of the roadway up to a maximum of $50,000, no thinner than 2.25 inches thick.
3. Kayenta will pay for all contractor costs above $50,000.

Conditions:

1. Ivins City will provide specifications and approve pricing prior to installation of asphalt.
2. Ivins City will complete all material evaluations, enforce specifications and complete all inspections.
3. Ivins City will coordinate the work and verify fulfillment of warranties.

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Kayenta Development, Lance Anderson, President Date

_____ _____

Ivins City Mayor Chris Hart Date

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ATTEST: