

MIDVALE CITY, UTAH

RESOLUTION NO. 2015-R-11

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SANDY CITY FOR THE EXCHANGE OF WATER SHARES

WHEREAS, Midvale City and Sandy City are municipal corporations and political subdivision of the State of Utah; and

WHEREAS, Midvale City owns 153.5 shares of Union and East Jordan Irrigation Company Stock and Sandy City owns 6.1 shares of East Jordan Irrigation Company Stock; and

WHEREAS, the Union East Jordan Irrigation Company water is no longer available to Midvale City and the East Jordan Irrigation Company water is; and

WHEREAS, Sandy City has access to the Union East Jordan Irrigation Company water; and

WHEREAS, the exchange of water shares between the two cities would be advantages to both parties; and

WHEREAS, the value of the shares of the respective irrigation companies has been deemed of equal value as evidenced in an Affidavit by Mardell Topham, a Utah Certified General Appraiser specializing in the marketing of water right; and

WHEREAS, the Utah Constitution prohibits the voluntary alienation of water rights by a municipal corporation, it does not prohibit the exchange of water rights and water sources of equal value.

NOW THEREFORE BE IT RESOLVED, that based on the foregoing, the Midvale City Council adopts this resolution authorizing the Mayor to sign the 'Agreement to Exchange with Sandy City.

APPROVED AND ADOPTED this 17th day of February 2015.

JoAnn B. Seghini, Mayor

ATTEST: Rori L. Andreason, City Recorder



VOTE BY CITY COUNCIL: Stephen Brown, Paul Glover, Paul Hunt, Wayne Sharp, Quinn Sperry. Aye/Nay votes recorded.