



CONTRACT APPROVAL COVER SHEET

CONTRACT NO: 2022-56
(RECORDER ONLY)

Contract Title: Right of Way Lease Agreement Midvale Main Street

Approval Signature Required:

Contract Analyst: Susan Stengel **Date:** 8/24/2022
DocuSigned by: 9375645E6BE84C5

City Attorney's Office: Lisa Garner **Date:** 8/29/2022
DocuSigned by: 9375645E6BE84C5

Department Head: JN Rockwood **Date:** 8/24/2022
DocuSigned by: 45A293098C2C43C

City Manager: [Signature] **Date:** 8/30/2022
DocuSigned by: 3685E1BC4C0A497

Requesting Department: Community Development

City Contact Name: Kate Andrus

Project/Contract Name: Right of Way Lease Agreement Midvale Main Street

Budget Amount: N/A

Bid Information:

Bid Type: N/A

Bid Exception: _____
(i.e: Sole Source, Professional Services, etc.)

Bid/Exception Date: _____

Council Approval Date: _____ Resolution No. _____

Party/Vendor Information:

Name: Rick Service

Contact: _____

Telephone: _____

Email: _____

Contract Purpose: Right of Way Lease Agreement

Begin Date: 08/09/2022

Termination Date: 08/01/2032

Renewal Option: _____

Other Documents _____

Required: _____ Due Date: _____

OTHER SIGNIFICANT TERMS AND ANNUAL OBLIGATIONS (Insurance Certificate, Payments, etc.): _____

RECORDER ONLY

DATE RECEIVED: _____

DATE SCANNED TO ONBASE: _____ INDEX: _____

RESOLUTION NO. 2022-R-41

A RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT OF WAY LEASE AGREEMENT WITH 4TH AVE. & MAIN LLC AND WAIVER OF THE ASSOCIATED ANNUAL RENT FOR THE USE OF AN EXISTING BULB-OUT LOCATED ON THE WEST SIDE OF THE BUILDING AT 7567 S MAIN ST, MIDVALE, UT 84047

WHEREAS, the City is pursuing efforts to improve streetscape design elements along Midvale's Main Street which promote a sense of place, encourage increased walkability, provide additional amenities and attract both businesses and patrons to the area.

WHEREAS, the City owns the property generally described as the bulb-out located on the west side of the building at 7567 S Main St, Midvale, UT 84047 (the Property); and

WHEREAS, 4th Ave & Main LLC owns the property located at 7567 S Main St, Midvale, UT 84047; and

WHEREAS, 4th Ave & Main LLC would like to lease the property to provide additional seating and dining options for patron of Tres Gatos; and

WHEREAS, City desires to lease the property to 4th Ave & Main LLC as the City believes its intended use will provide desired streetscape elements along Midvale's Main Street.

WHEREAS, 4th Ave & Main LLC has requested the waiver of the annual rent for the duration of the executed lease agreement.

WHEREAS, Section 2 of the right of way lease agreement states that the city may at its discretion waive the required fee if a determination of an economic offset is established based on use; and

WHEREAS, the City has determined that the intended use provides an economic offset by fulfilling the City's goal of maintaining and furthering economic opportunities as well as enhancing the economic viability of Midvale City's Main Street area and therefore supports this request; and

NOW THEREFORE BE IT RESOLVED, by the City Council of Midvale City, Utah to hereby authorize the execution of a right of way lease agreement with 4th Ave & Main Street and waives the associated annual rent for the use of an existing bulb out located on the west side of the building at 7567 S Main St, Midvale, UT 84047.

This Resolution shall become effective immediately upon passage thereof.

APPROVED AND ADOPTED this 23rd day of August 2022



Marcus Stevenson

Marcus Stevenson
Mayor

Matt Dahl

Matt Dahl
City Manager

ATTEST:

Roji L. Andreason

Roji L. Andreason, MMC
City Recorder

Voting by the Council:

Bryant Brown
Paul Glover
Quinn Sperry
Heidi Robinson
Dustin Gettel

“Aye”

“Nay”