

RESOLUTION 2022-R-46

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
DEVELOPMENT AGREEMENT BETWEEN MIDVALE CITY
CORPORATION AND ROSE MORRIS FOR THE MAAD
CONDOMINIUM PROJECT LOCATED AT 7488 S CASA BLANCA DR**

WHEREAS, pursuant to Utah Code Annotated Sections 10-9a-102 (2) of the Utah State Code, Midvale City (the "City") is authorized as follows: "To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law"; and

WHEREAS, the City Council has requested a development agreement between the property owner and the City to accompany an approved development plan to ensure the property owner complies with the development standards of the Multifamily Residential-Medium to High Density Zone (RM-25), administrative conditional use permits and site plan approvals, and allows the property owner the right to develop in accordance with the approved plan for a specified period of time, not to exceed seven (7) years; and

WHEREAS, the parties have negotiated such agreement, and, as of the date of this Resolution, agree to enter into said agreement; and

WHEREAS, the City Council has reviewed said Development Agreement and agrees that entering into such agreement will help further the goals of the Midvale City General Plan 2016 and compliance with the RM-25 Zone land use regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
MIDVALE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. The Midvale City Council has reviewed the attached Development Agreement between Midvale City Corporation and Rose Morris ("Developer").

Section 2. The Midvale City Council, through its understanding of the goals of the Midvale City General Plan, the RM-25 Zone land use regulations and the proposed Maad

Condominium Project, believes it is in the best interest of the Developer and the City to enter into such Development Agreement.


Section 3. The Midvale City Council on this date does hereby authorize the Mayor to enter into the attached agreement on behalf of the City.

PASSED AND APPROVED this 18th day of October, 2022.



Marcus Stevenson, Mayor

ATTEST:



Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Quinn Sperry	<input checked="" type="checkbox"/>	_____
Paul Glover	<input checked="" type="checkbox"/>	_____
Heidi Robinson	<input checked="" type="checkbox"/>	_____
Bryant Brown	<input checked="" type="checkbox"/>	_____
Dustin Gettel	<input checked="" type="checkbox"/>	_____





CONTRACT APPROVAL COVER SHEET

CONTRACT NO: 2022-75
(RECORDER ONLY)

Contract Title: MAAD Development Agreement

Approval Signature Required: DocuSigned by:

Contract Analyst: Susan Stengel DOC23A41D234492 **Date:** 11/8/2022

City Attorney's Office: Lisa Garner 9375643E68E54C3 **Date:** 11/14/2022

Department Head: JN Rockwood 45A293098C2C43C **Date:** 11/8/2022

City Manager: Matt Dahl 56A782A8963C424 **Date:** 11/9/2022

Requesting Department: Community Development

City Contact Name: Adam Olsen

Project/Contract Name: MAAD Development Agreement

Budget Amount: _____

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: Rose Morris, Developer

Contact: _____

Telephone: _____

Email: _____

Contract Purpose: _____

Begin Date: _____

Termination Date: _____

Renewal Option: _____

Other Documents

Required: _____ **Due Date:** _____

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

This is a Development Agreement between Midvale City and Rose Morris for the MAAD Condominium Project located at 7488 South Casa Blanca Drive.

RECORDER ONLY

DATE RECEIVED: 11-22-2022

DATE SCANNED TO ONBASE: 11-22-22 **INDEX:** Recorder-agreements

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APPROVAL:

I certify that I have read and understand the terms of this draft agreement and have met all procurement requirements. I certify that I have appropriate authority to submit this draft agreement on behalf of my department. I further certify that the draft agreement is complete and includes all exhibits, attachments, and pages.

Signed: _____ Date: _____

Name: _____

Title: _____