

Santaquin City Resolution 08-04-2021

Genola Town Resolution 2021-08

A JOINT RESOLUTION OF THE SANTAQUIN CITY COUNCIL AND GENOLA TOWN COUNCIL REGARDING THE TRANSFER OF OWNERSHIP OF AND RESPONSIBILITY FOR A CULINARY WATER LINE ALONG LARK LANE

WHEREAS Genola Town owns and operates a culinary waterline installed along Lark Lane in and adjacent to Santaquin (more particularly shown in the attached exhibit) wherein Santaquin City provides 100 gallons of water per minute based upon previous agreements existing since the early 20th century ("Water Delivery Obligation"); and

WHEREAS a water meter which measured said water distribution, originally located near to the railroad crossing along Lark Lane, was relocated in 2012 to the end of Lark Lane (nearer to Genola Town) in an effort to free the area around the railroad crossing so that other infrastructure could be installed in the general area; and

WHEREAS, the culinary water line continues to be owned by Genola Town, however the water within the line and prior to the Genola meter is owned and operated by Santaquin City; and

WHEREAS, both communities have been approached by property owners in the area having a desire to connect to, and utilize the services of, the culinary water line, however, said connections pose complications because of the ownership issue; and

WHEREAS, both communities would like to resolve the ownership issue by transferring ownership of and responsibility for the waterline from Genola Town to Santaquin City under certain terms and conditions outlined below:

NOW THEREFORE, be it resolved by the Santaquin City Council and the Genola Town Council to transfer the culinary water line from Genola Town to Santaquin City upon the following terms and conditions:

1. Within sixty (60) days of the adoption of this Resolution, Genola will transfer all right, title, and interest to the culinary water line (more particularly shown in the attached exhibit), together with all associated rights-of-way and easements, to Santaquin City. Notwithstanding the foregoing, Genola will continue to own all rights-of-way and easements associated with the separate waterline that will continue to be owned by Genola within the same service area.
2. Santaquin City agrees to accept said transfer of ownership of the culinary water line from Genola Town.

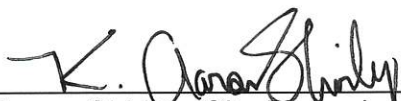
3. Santaquin City will continue to provide to Genola Town the Water Delivery Obligation, pursuant to the terms of existing agreements, through said line, or through any replacement or substitute line provided by Santaquin City as mutually agreed to by the parties.
4. Upon transfer of the culinary water line to Santaquin City, Santaquin City agrees to assume all liability for the culinary water line; and to maintain and repair or replace said line as necessary to comply with its Water Delivery Obligation to Genola.
5. Santaquin City assumes and Genola Town relinquishes, all rights to provide service connections to property owners in the service area of said line.

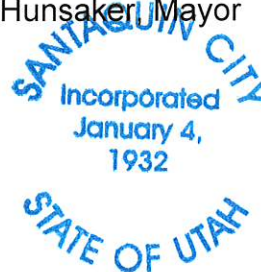
ADOPTED AND PASSED by the Santaquin City Council, this 3rd day of August 2021.

SANTAQUIN CITY


Kirk F. Hunsaker, Mayor

Attest


K. Aaron Shirley, City Recorder



ADOPTED AND PASSED by the Genola Town Council, this 3 day of August 2021.

GENOLA TOWN


Marty Larson, Mayor

Attest


Lucinda Thomas, Town Clerk

