**RESOLUTION NO. \_\_\_\_\_\_\_\_\_\_**

**RESOLUTION REQUESTING THAT THE UNITED STATES OF AMERICA PRESERVE RESTRICTIONS ON THE USE OF CERTAIN PARCELS OF PROPERTY NEAR THE WEBER COUNTY FAIRGROUNDS**

**WHEREAS,** Ogden City owns the property that a portion of the Weber County Fairgrounds sits on, including the Golden Spike Event Center; and

**WHEREAS,** Weber County occupies and uses Ogden City’s portion of the Fairgrounds property through an agreement with Ogden City; and

**WHEREAS,** the Weber County Fairgrounds are a major contributor to the social and economic welfare of Weber County residents, because the many events that are held at the Fairgrounds bring people together, preserve Weber County’s heritage, and provide significant revenue, both directly and indirectly; and

**WHEREAS,** Ogden City owns certain parcels of property (the “Restricted Parcels”) just south and west of the southern portion of the Fairgrounds; and

**WHEREAS,** the United States of America conveyed the Restricted Parcels to Ogden City via a quitclaim deed that was executed in 2003 and was recorded in the Weber County Recorder’s Office on December 12, 2003 as entry number 1998122 (the “2003 Quitclaim Deed”); and

**WHEREAS,** the 2003 Quitclaim Deed is attached to this resolution; and

**WHEREAS,** the Restricted Parcels were described in the 2003 Quitclaim Deed as parcels 6B, 6C, and 14B of the former Defense Distribution Depot Ogden, with legal descriptions and visual depictions given (see pages 12, 13, and 15 of the attachment); and

**WHEREAS,** in the 2003 Quitclaim Deed, the United States of America conveyed the Restricted Parcels “for and in consideration of the perpetual use of the hereinafter described premises as and for public park and public recreation area purposes,” and also “subject to the . . . restrictions, conditions and covenants herein expressed” (see page 1 of the attachment, paragraphs 1 and 3); and

**WHEREAS,** in the 2003 Quitclaim Deed, Ogden City, by accepting the Restricted Parcels, covenanted and agreed to the perpetual use of the Restricted Parcels for public park or public recreational purposes (see page 2 of the attachment); and

**WHEREAS,** parts of the Restricted Parcels are used as the primary parking and access for many of the public recreational events held at the Fairgounds; and

**WHEREAS,** there are no suitable alternative locations for parking and access for the public and the participants in many of the events held at the Fairgrounds; and

**WHEREAS,** Weber County has learned that Ogden City has expressed a desire to remove the restrictions that the 2003 Quitclaim Deed imposed on the Restricted Parcels; and

**WHEREAS,** the removal of those restrictions would jeopardize the future success of many of the public recreational events held at the Fairgrounds by providing an incentive for Ogden City to eliminate the parking and access currently enjoyed by the public and the participants in those events; and

**WHEREAS,** the restrictions imposed on the Restricted Parcels can only be removed if the United States of America agrees to their removal;

**NOW THEREFORE,** the Board of County Commissioners of Weber County hereby resolves and takes action as follows:

1. Weber County formally requests that the United States of America preserve the restrictions on the use of the parcels that were conveyed to Ogden City through the attached quitclaim deed, which was recorded in the Weber County Recorder’s Office on December 12, 2003 as entry number 1998122.

DATED this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2021.

BOARD OF COUNTY COMMISSIONERS

OF WEBER COUNTY

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James H. “Jim” Harvey, Chair

Commissioner Froerer voted \_\_\_\_\_\_

Commissioner Harvey voted \_\_\_\_\_\_

Commissioner Jenkins voted \_\_\_\_\_\_

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ricky Hatch, CPA

Weber County Clerk/Auditor