



# Weber County Right of Way Contract

*Fee Simple Acquisition - Strip*

Project No: LG\_WC\_2550South\_WFRC-51 Parcel No.(s): 185:C  
Pin No: 880021 Job/Proj No: Project Location: WACOG\_2550 South\_2700 W to 4700 W  
County of Property: WEBER Tax ID / Sidwell No: 15-076-0176  
Property Address: 3476 W 2550 S OGDEN UT, 84401  
Owner's Address: 3476 West 2550 South, OGDEN, UT, 84401  
Primary Phone: 801-731-0545 Owner's Home Phone: (801)731-0545 Owner's Work Phone:  
Owner / Grantor (s): Craig Kelly, Carol Kelly, and Andrew Kelly, all as Joint Tenants  
Grantee: Weber County/The County

IN CONSIDERATION of the foregoing and other considerations hereinafter set forth, it is mutually agreed by the parties as follows:

The Grantor hereby agrees to convey and sell by Warranty Deed a parcel(s) of land known as parcel number(s) 185:C for transportation purposes. This contract is to be returned to: Jason M. Allen (Consultant/Realtor), Right of Way Agent c/o Weber County, 2380 Washington Blvd Suite 240, Ogden, UT 84401.

1. Grantor will transfer property free of all liens and encumbrances except recorded easements.
2. Grantor agrees to transfer property free of all debris and any hazardous materials (including paint or other household products.)
3. Grantor shall leave the property in the same condition, as it was when this contract was signed. No work, improvement, or alteration will be done to the property other than what is provided for in this agreement. Grantor agrees to maintain the property until the County takes possession.
4. Grantor agrees to pay any and all taxes assessed against this property to the date of closing.
5. The County shall pay the Grantor and or other parties of interest for the real property in the deed(s) and/or easement(s) referenced above.
6. "Transportation Purposes" is defined as follows: The public use for which the property or property right is being acquired herein, may include but is not limited to the following possible uses: the construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, project caused statutory relocations, and other related transportation uses.
7. The Grantor(s) is aware that Utah Code Ann. Sect. 78B-6-520.3 provides that in certain circumstances, the seller of property which is being acquired for a particular public use, is entitled to receive an offer to repurchase the property at the same price that the seller received, before the property can be put to a different use. Grantor(s) waives any right grantor may have to repurchase the property being acquired herein, and waives any rights Grantor(s) may have under Utah Code Ann. Sect. 78B-6-520.3.
8. Grantor shall indemnify and hold harmless Grantee from and against any and all claims, demands and actions, including costs, from lien holders or lessees of the property.
9. Upon execution of this contract by the parties, Grantor grants the County, its contractors, permittees, and assigns, including but not limited to, utilities and their contractors, the right to immediately occupy and commence construction or other necessary activity on the property acquired for the state transportation project.

**Additional Terms:**

10. County agrees to allow and extend the same rights currently held by the Grantor for obtaining a building permit for this property. Grantor will be responsible for building permit application fees and will follow the requirements for obtaining a building permit.
11. County agrees to tie in and restore the existing gravel approach and access onto the vacant lot.

**Total Selling Price**                      \$8,300.00



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**Grantor's Initials**

ANK  
CK CNK  
ANK  
CK CNK

**Grantor understands this agreement is an option until approved by the County Commission.**  
Grantors acknowledge and accept the percent of ownership listed below and agree that the portion of the total selling price they each receive, will correspond with their respective percent of ownership.  
This Contract may be signed in counterparts by use of counterpart signature pages, and each counterpart signature page shall constitute a part of this Contract as if all Grantors signed on the same page.

Percent		Date
100%	<u>Craig Kelly, Andrew M. Kelly</u> Craig, Carol, and Andrew Kelly <u>Carol Kelly</u>	<u>3/1/2020</u>

**Right of Way Agents**

[Signature] 3/1/2020  
Jason M. Allen (Consultant/Realtor) / Acquisition Agent

[Signature]  
Gary Myers / Weber County Engineer

Approved by County Commission \_\_\_\_\_