

**DONATION AGREEMENT BETWEEN  
OGDEN VALLEY LAND TRUST  
AND  
WEBER COUNTY**

**RECITALS**

- A. The Ogden Valley Land Trust, Inc., ("the Trust") is a qualified 501(c)(3) nonprofit organization that acts in furtherance of its goal to conserve the open spaces, watersheds, and natural habitats of the Ogden Valley for the benefit of our communities and future generations.
- B. The Trust, in cooperation with the Summit Land Conservancy, has obtained a federal grant from the NRCS Conservation Easement Program in the amount of \$8.8 million, to assist the Trust in securing a conservation easement on approximately 1080 acres that were once home to the monastery known as Abbey of Our Lady of the Holy Trinity.
- C. The Trust must raise an additional \$300,000.00 by November 1, 2021, to comply with the requirements of the grant and complete the purchase of the conservation easement.
- D. Weber County currently possesses funds dedicated to "purchasing and maintaining open lands or other community projects, as determined by the County" (the "Open Lands Funds") pursuant to agreements between the County and Western America Holdings, LLC and Summit Mountain Holding Group, LLC. The initial payment of these Open Lands Funds to the County was made by Summit Mountain Holding Group, LLC in 2018.
- E. Utah Code section 17-50-303 authorizes the County to donate funds to a nonprofit entity "if, in the judgment of the county legislative body, the assistance contributes to the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of county residents."
- F. The Board of County Commissioners of Weber County finds that the Trust's proposed purchase of the conservation easement will fulfill the purpose for which the Open Lands Funds were given to the County.
- G. The Board of County Commissioners of Weber County finds that the Trust's proposed purchase of a conservation easement, contributes to the health, prosperity, peace, order, and comfort of county residents by preserving clean water, clean air, wildlife habitat, plant habitat, scenic beauty, and other benefits of natural open space.
- H. As a result of these findings, the County is willing to contribute \$50,000.00 of the Open Lands Funds to the Trust for the purpose of purchasing the conservation easement, based on the Trust having proven that it has raised the other \$250,000.00 that it needs to complete the purchase.

**AGREEMENT**

- A. The County shall pay \$50,000.00 to the Trust by November 1, 2021, for the purpose of purchasing the above-described conservation easement on the Property.

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- B. The Trust shall only use the \$50,000.00 received from the County for the purpose of purchasing the above-described conservation easement on the monastery property.
- C. The Trust will comply with all applicable laws in its use of the \$50,000.00.
- D. The Trust will account for the expenditure of the \$50,000.00 and will provide reasonable documentation of its expenditure to the County upon request.
- E. The Trust will indemnify and hold harmless the County, its officers, agents, and employees from and against any claims or suits that arise as a result of the payment of the \$50,000.00.
- F. If the Trust fails to use the complete \$50,000.00 for the stated purpose by December 31, 2021, the Trust shall immediately repay to the County the portion of the \$50,000.00 that has not been used for that purpose.
- G. GOVERNING LAW: The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this agreement.
- H. ENTIRE AGREEMENT: This agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this agreement unless specifically incorporated herein by reference.
- I. SIGNATURES: In witness whereof, the undersigned have affixed their respective signatures on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By \_\_\_\_\_  
James H. "Jim" Harvey, Chair

Commissioner Froerer voted \_\_\_\_\_  
Commissioner Jenkins voted \_\_\_\_\_  
Commissioner Harvey voted \_\_\_\_\_

ATTEST:

Date: \_\_\_\_\_

\_\_\_\_\_  
Ricky D. Hatch, CPA  
Weber County Clerk/Auditor

OGDEN VALLEY LAND TRUST, INC.

By Gail Meakins  
Gail Meakins, Board Chair

Date: September 13, 2021

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