

**RESOLUTION 2000-13**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN TOOELE COUNTY, REDEVELOPMENT AGENCY OF TOOELE CITY AND THE UTAH INDUSTRIAL DEPOT FOR ENVIRONMENTAL AND TRAFFIC STUDY MID-VALLEY HIGHWAY**

**WHEREAS**, the parties have determined that it is in the public interest and welfare of the residents of Tooele County and Tooele City that an Interlocal Agreement be established between Tooele County (County), Redevelopment Agency of Tooele City (RDA), and the Utah Industrial Depot (UID) for an environmental and traffic study for the Mid-Valley Highway; and

**WHEREAS**, under the Utah Interlocal Cooperation Act, Utah Code Annotated 11-13-1, et seq., 1953, as amended, any two or more public agencies, as defined therein, may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental services, activities or undertaking which each public agency entering into the contract is authorized by law to perform, and the agreement is to be authorized by resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE COUNTY COMMISSION**, as follows:

1. The Agreement as attached hereto, entitled "Interlocal Agreement for Environmental and Traffic Study, Mid-Valley Highway between Tooele County, Redevelopment Agency of Tooele City and the Utah Industrial Depot is hereby accepted and approved. The Chair of the Board is authorized to execute and the County Clerk to attest and seal that Agreement for and in behalf of Tooele County.

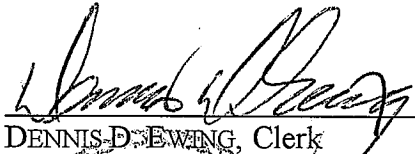
Res. 2000-13

2. This Resolution shall take effect immediately upon its approval and adoption by the Board and its filing in the office of the Tooele County Clerk.

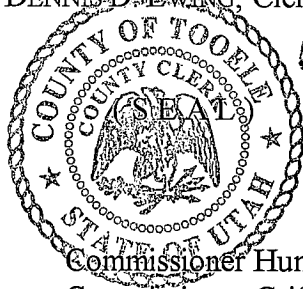
DATED this 17<sup>th</sup> day of October 2000.

ATTEST:

TOOELE COUNTY LEGISLATIVE BODY

  
DENNIS D. EWING, Clerk

  
TERYL HUNSAKER, Chairman



Commissioner Hunsaker voted aye  
Commissioner Griffith voted aye  
Commissioner Rockwell voted aye

APPROVED AS TO FORM:

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney

**AGREEMENT FOR ENVIRONMENTAL AND TRAFFIC STUDY  
MID-VALLEY HIGHWAY BETWEEN TOOELE COUNTY,  
REDEVELOPMENT AGENCY OF TOOELE CITY AND THE  
UTAH INDUSTRIAL DEPOT**

**SECTION 1 - CONTRACTING PARTIES:** This Agreement made and entered into this \_\_\_\_ day of October, 2000, is by and between TOOELE COUNTY, a body politic and corporate of the State of Utah, (hereinafter referred to as "County"), REDEVELOPMENT AGENCY OF TOOELE CITY, a municipal corporation, (hereinafter referred to as "RDA"), and the UTAH INDUSTRIAL DEPOT, (hereinafter referred to as "UID").

**·WITNESSETH:**

**SECTION 2 - PURPOSE:** This Agreement is for the purpose of mutually cooperating to conduct an environmental and traffic model study in Tooele County for the Mid-Valley Highway whereby the costs of the study will be born equally by the parties. This Agreement is made pursuant to Utah Code Annotated 11-13-1 et seq.

**SECTION 3 - COST:** Cost for the study shall be approximately \$150,000. Tooele County Department of Engineering shall act as the lead agency. All invoices will be processed and paid by the engineering department who will invoice RDA and UID for their proportionate share, which shall be paid to Tooele County within thirty (30) days of receipt of a copy of the documents evidencing the obligation. Additional costs or amendments for the study must be approved by all parties before continuing.

**SECTION 4 - LIABILITY.** With regard to any liability which may arise from the services or activities of the parties under this Agreement, each party expressly agrees that it shall be solely and exclusively liable for its own negligence in accordance with applicable law.

**SECTION 5 - TERM:** This Agreement shall take effect when executed by each party hereto and shall continue until the study is completed.

**SECTION 6 - MISCELLANEOUS**

a. Notices: Notices under this agreement shall be sent to the parties at the addresses set forth below, or to such other address as the parties designate in writing:

County: Tooele County Engineering Department  
47 South Main Street  
Tooele, Utah 84074

City: RDA  
90 North Main  
Tooele, Utah 84074

UID: Utah Industrial Depot  
\_\_\_\_\_  
\_\_\_\_\_

b. Exclusive Terms: Neither party shall be bound to any situation or provision exclusive of the terms of the written agreement, which together with any amendments adopted as herein stated shall encompass the entire agreement, and no other agreement shall exist exclusive of the agreement.

c. Law Jurisdiction: This agreement is drawn to be effective in, and shall be construed in accordance with the laws of the State of Utah.


d. Amendments: This agreement may be amended at any time by mutual agreement of the parties, provided that before any amendment shall be operative or valid, it shall be reduced to writing and signed by the parties.

e. Transferability: This agreement is non-transferable.

f. Separate Entity: No separate legal or administrative entity is created hereby.

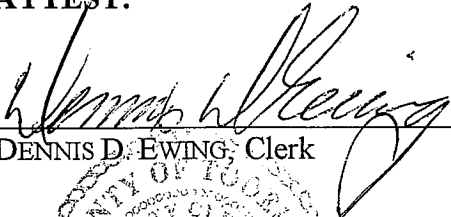
g. Severability: Should any court of competent jurisdiction determine that any clause or section of this agreement be illegal, the remaining clauses or sections shall remain in full force and effect.

**TOOELE COUNTY**

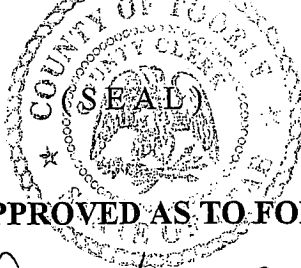


TERYL HUNSAKER, Chairman

**ATTEST:**



DENNIS D. EWING, Clerk



**APPROVED AS TO FORM:**



DOUGLAS J. AILSTROM  
Tooele County Attorney

**REDEVELOPMENT AGENCY OF  
TOOELE CITY**

CHARLIE ROBERTS, Chairman

**ATTEST:**

PATRICK DUNLAVY, Secretary

**APPROVED AS TO FORM:**

ROGER BAKER  
Tooele City Attorney

**UTAH INDUSTRIAL DEPOT**