

RESOLUTION NO. 84-115

A RESOLUTION ACCEPTING DEDICATION OF THE WHITE SAGE NEIGHBORHOOD PARK, AUTHORIZING RECORDATION OF THE DEED OF DEDICATION AND APPROVING AND ESTABLISHING RESPONSIBILITY FOR IMPLEMENTATION OF THE MEMORANDUM AGREEMENT FOR COMPLETION OF IMPROVEMENTS AT THE WHITE SAGE NEIGHBORHOOD PARK.

RECITALS

The City Council of the City of Delta, Utah, referred to herein as the "City Council," hereby recites the following as the basis for adopting this resolution:

A. Intermountain Power Agency (referred to herein as "IPA"), has constructed a park commonly known as "White Sage Neighborhood Park" within the White Sage Annexation to Delta City and has offered to dedicate said park to Delta City.

B. The City Council, by Resolution No. 84-113 adopted August 27, 1984, agreed to accept dedication of the White Sage Neighborhood Park after agreement was reached providing for completion of certain minor repairs and improvements.

C. On September 17, 1984, the City Council approved a Memorandum of Understanding between Delta City and IPA wherein the obligations of IPA and Delta City with respect to completion of the Neighborhood Park were identified and agreed upon.

D. The City Council has determined that the acceptance of the offered dedication of the Neighborhood Park is in the best interest of the residents of Delta City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Utah:

1. Acceptance of Dedication. The Delta City Council hereby accepts dedication of the park commonly referred to as the "White Sage Neighborhood Park" from IPA as said park is described in the attached Deed of Dedication from IPA to Delta City. Authorization is given for the original of said Deed of Dedication to be recorded in the office of the Millard County Recorder.

2. Designation of Park. The park dedicated and accepted hereby shall be designated and known as the Delta City White Sage Neighborhood Park.

3. Conditions to Acceptance. The acceptance of dedication of the White Sage Neighborhood Park is hereby expressly con-

ditioned upon the performance by IPA of its obligations as set out in the Memorandum of Understanding approved in the September 17, 1984 City Council meeting. The City Manager is hereby instructed to monitor completion of the obligations in said Memorandum of Understanding and to assure completion of the obligations of IPA and Delta City set out therein.

4. Effective Date. This resolution shall become effective upon adoption.

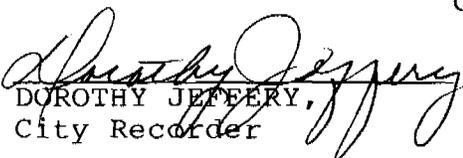
5. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

6. Conflicting Resolutions. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND APPROVED THIS 1st day of October, 1984.


GRANT S NIELSON, Mayor

Attest:


DOROTHY JEFFERY,
City Recorder