
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: March 13, 2008

SUBJECT: **Interlocal Agreement with Salt Lake County to construct a water diversion structure at Liberty Park.**

AFFECTED COUNCIL DISTRICTS: District 5

STAFF REPORT BY: Lehua Weaver

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Public Services Department
Rick Graham, Dell Cook

CC: David Everitt, Rick Graham, Dell Cook, Jennifer Bruno, Karen Halladay

NEW INFORMATION:

As discussed in the previous work session briefing, on March 8th, Council Member Remington-Love sent a letter via e-mail to residents of the East Liberty Park Community Council (attached). Three residents have responded (also attached). All responses were in favor of the project. With regard to the sign, residents commenting did not oppose it, but did wonder how cost-effective it would be, particularly since it may not be visible to passing motorists, but instead to those approaching the park on foot. One resident expressed the view that whatever is most economical to the City and County would be best.

POTENTIAL MOTIONS:

1. **["I move that the Council"]** Adopt a resolution authorizing the approval of an Interlocal Cooperation Agreement between Salt Lake City Corporation and Salt Lake County for Grant of a License and installation of a water diversion structure at Liberty Park.

And/or

- ...that this water diversion structure should not include a "Liberty Park" sign.
- ...that this water diversion structure should be as cost-effective as possible, whether or not that includes the addition of a sign.

2. **["I move that the Council"]** Not adopt a resolution authorizing the approval of an Interlocal Cooperation Agreement between Salt Lake City Corporation and Salt Lake County for Grant of a License and installation of a water diversion structure at Liberty Park.

And/or

3. **["I further move that the Council"]** request that this issue be addressed in greater detail as a part of the Council's 180 day Riparian Corridor zoning project.

The following information was provided previously for the Council Work Session on March 4, 2008. It is provided again for your reference.

KEY ELEMENTS:

Salt Lake County owns a water diversion structure to control the Emigration Creek flows. The structure is currently under the 1300 South roadway west of 700 East. The structure needs to be replaced because it is currently inoperable, and the Administration and the County are proposing moving the structure into Liberty Park. Placing the structure in Liberty Park would eliminate the need to close traffic on 1300 South for routine maintenance and repairs of the diversion structure.

The proposed location for the structure is in the southeast corner of Liberty Park, roughly 15-feet east of the water fountain and roughly 30-feet north of 1300 South.

OPTIONS:

If the Council agrees to forwarding this item, the Resolution authorizing the Mayor to sign the Interlocal Agreement with the County would be placed on the Council's Formal Agenda under "Unfinished Business" at the March 11, 2008 Council Meeting.

MATTERS AT ISSUE:

The existing diversion structure under the 1300 South roadway is no longer functioning and needs to be replaced. This site is not needed for the impending run off.

In order to place the structure on the Liberty Park property, a tree will need to be removed. The agreement with the County includes a \$10,000 payment to the City for the tree. ***If this proposal is accepted, the Council may wish to specify that the reimbursement money be used for planting replacement trees within the park.***

The structure will be partially visible above ground. The design is for a 3-foot high landscaped grassy knoll with a wall exposed on the south side, which will serve as a park monument and sign. This landscaping is included in the proposed agreement, and will be paid for by the County.

A question has been raised about whether this proposed project is in keeping with the newly adopted Riparian Corridor Overlay Zone. In staff's brief review of this, the overlay zone applies to streambed corridors. The park pond and this flow channel is different in that it is underground at both ingress and egress points to the pond, and is a diversion structure and not the natural flow path of the creek runoff.

As part of the placement of a structure within Liberty Park, the Administration has received a "Certificate of Appropriateness" from the Planning Division. The project was reviewed administratively and handled by Planning Staff as a minor utility upgrade. This is a required

review by the Historic Landmarks Commission for changes or modifications to the Park (as a Historic Site), which can be handled administratively depending on the significance of the proposed change.

Refer to Attachment A for information on the requirements of which items are to be reviewed by the Historic Landmarks Commission and which can be handled Administratively.

According to the “Certificate of Appropriateness” issued by the Planning Division (see Attachment B), the finding indicated that the placement of the structure and changes to accommodate its placement would not significantly alter the character of the park.

The Administration reviewed this proposal with the Central City Community Council. ***The Council may wish to ask whether this was also reviewed by the Liberty Wells Community Council.***

According to the agreement provided by the Administration, heavy machinery may need to be used to access the structure. ***The Council may wish to ask for more information about how much of a disruption this might be, and whether the grass surrounding the structure may be damaged.***

As previously mentioned, the motivation for moving the structure into the Park is because of the impact to traffic for routine maintenance and necessary repairs. The structure includes a debris trap, which needs to be cleaned out regularly. If the structure is moved as proposed, the design includes access to the unit from the top of the grassy berm.

The County will also pay the City for relocation of a street light pole on 1300 South, which will place the pole farther away from the intersection and removes an existing guy wire that is somewhat of a hazard to maintain. The power to operate this diversion gate system is included as a new power meter on this pole as well.

There are several reasons outlined in State Code for why an Interlocal Cooperation Agreement must be reviewed and approved by the Governing Body. This item qualifies, because of the budget component for the reimbursement items.

March 5, 2008

Dear East Liberty Park Residents,

During the City Council Meeting last night, the Council received a briefing about a proposed project to relocate a water diversion structure from under the 1300 South roadway into Liberty Park. It is my understanding this has been presented to the Central City and Liberty Wells Community Councils, and I wanted to receive your feedback as well, since you are frequent users who enjoy the park.

This is a Salt Lake County project proposed to replace a broken diversion structure, which controls Emigration Creek flow. The structure will be buried in the southeast corner of the park between the water fountain and the road. Currently the structure is located under the westbound 1300 South lanes, just west of 700 East, and requires traffic closure in order to maintain and access the unit. In the proposed location in the park, a 3- to 4-foot high berm would result. Three of the four sides of the berm are proposed to be landscaped with grass, and the fourth side (facing south) will be an exposed rock wall with a sign for Liberty Park.

In addition, the walkway from the 700 E / 1300 S intersection will be slightly realigned and a tree will be removed. Funding in the amount of \$10,000 will be given to the City for replacement trees within the park.

The Council's staff report on this issue and related paperwork can be found at [www.slcgov.com/council/agendas/2008agendas/Mar 4/030408A7.pdf](http://www.slcgov.com/council/agendas/2008agendas/Mar%204/030408A7.pdf)

The next Council briefing and tentative vote on this item is scheduled for Thursday, March 13 in the City & County Building, 451 S. State Street. An agenda will be available 24 hours in advance for the March 13 meeting at www.slcgov.com/council/agendas.

I expressed at the Council meeting that I wanted to ensure East Liberty Park residents were contacted. The Council expressed preliminary support for the structure relocation; however questioned the park sign component versus having all four sides of the berm landscaped with grass.

I welcome your feedback and any concerns you may have about this project. Prior to March 13, please direct any comments or concerns to Nick Tarbet in the City Council Office: email nick.tarbet@slcgov.com; or call: 535-7600.

Thank you for your continued interest in our community.

Sincerely,

Jill Remington Love
Salt Lake City Council Member
District Five

3/7/2008

Responses from East Liberty Park residents

Mr. Tarbet,

I received an email message on the Emigration Creek diversion at the southeast corner of Liberty Park. I live in the ELPCO Council neighborhood at 1085 South 800 East. As described, I have no objection or concerns about this project. It does indeed appear to be needed. I travel the west-bound lanes of 12300 South every work day on my way to my office, so I would not want the broken structure to erode those lanes near that corner.

As to whether or not a fourth berm is incorporated in the design or a 'Liberty Park' sign, I don't have a strong preference. Unless the lettering it is quite large, it would likely only be visible to those approaching the park on foot or bicycle at that corner.

Thank you for the opportunity to comment.

Bob Terragno

<address information redacted>

Hi Rick,

Jill Remington Love asked for local input on the above project. I live nearby and I would support it. It looks to be a much needed project and a good idea.

I was concerned about the berm's location near the Park's drinking fountain. I looked at Exhibit I in March's agenda and it looks like there is ample distance to be pleasing to the eye. Groups congregate at the fountain during their runs, walks, or whatever. I'd hate to feel crowded there while catching up with neighbors.

Regarding the concrete Liberty Park sign, I'm ambivalent. I like the proud sign, but I wonder if the South edge of the new berm would be too far from 13th South to be easily visible to passing cars. It's far from the sidewalks. On this topic, whatever is the most economical to the City over the long run is what would be best.

Thanks for giving me the opportunity to comment on the 13th South Water Diversion project. Good luck and thanks for maintaining our city.

Bill Komlos

<address information redacted>

Mr. Tarbet,

I am a resident of the East Liberty Park neighborhood(943 Lake). I recently received an email asking for comment on the diversion work planned for 7th east and 13th south.

I'm all for it! One less reason to tear up roads in the future is welcome, I appreciate that money is being given to the park for more trees and the landscaping around the structure sounds appropriate.

I would prefer a sign on the south side of the structure, as neighborhood signage seems to be a direction the city has pursued in sugar house and at 9th and 9th.

Thanks for asking,
Mike Bernard

Attachment A

According to the Salt Lake City Code, these are the categories which need to be reviewed by the Historic Landmark Commission:

1. Substantial alteration or addition to a landmark site or contributing site;
2. New construction of principal building in H historic preservation overlay district;
3. Relocation of landmark site or contributing site;
4. Demolition of landmark site or contributing site;
5. Applications for administrative approval referred by the planning director; and
6. Appeal of administrative decisions by the applicant.

Also according to the City Code, these are the types of “construction or demolition” which are reviewed administratively:

1. Minor alteration of or addition to a landmark site or contributing site;
2. Substantial alteration of or addition to a noncontributing site;
3. Partial demolition of either a landmark site or a contributing structure;
4. Demolition of an accessory structure; and
5. Demolition of a noncontributing structure.

**Certificate of Appropriateness
Administrative Approval
Liberty Park – Emigration Creek Diversion Structure**

Description of the Project: The Salt Lake County Department of Public Works is proposing to realign a portion of the Emigration Creek Diversion Structure which diverts Emigration Creek from a subterranean culvert into the pond at Liberty Park. This structure is an important flood control structure. Construction of the diversion structure will require a minor realignment of the concrete walkway that leads from the corner of 700 East and 1300 South to the water fountain and the internal Park road. The new diversion structure will be covered by a landscaped berm that will be approximately 3.5 to 4.0 feet tall. The construction will require the removal of one street tree. The removal of the tree has been reviewed by the City Forester who recommended that Salt Lake County pay a replacement fee to be used for new trees for the Park.

The existing diversion structure is located under 1300 South Street west of 700 East under the westbound traffic lanes. The diversion structure is in poor repair and creates a hazard to workers that operate and maintain the structure. To perform repair work or to divert water to the pond, the westbound lanes of 1300 South have to be closed to traffic. The new diversion structure will be moved north into the park.

Zoning Ordinance: 21A.34.020.F allows for administrative approval of minor alternations of landmark sites. 21A.34.020.G includes the standards of review for alteration of a landmark site or contributing structure.

Staff Analysis

21A.34.020.G

1. A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;
3. All sites, structures and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;
4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved;

5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved;

(Attachment B page 2)

6. Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;
8. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;
9. Additions or alterations to structures and objects shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;
10. Certain building materials are prohibited including the following:
 - a. Vinyl or aluminum cladding when applied directly to an original or historic material, and
 - b. Any other imitation siding material designed to look like wood siding but fabricated from an imitation material or materials;
11. Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H historic preservation overlay district, which is visible from any public way or open space shall be consistent with the historic character of the landmark site or H historic preservation overlay district and shall comply with the standards outlined in part IV, [chapter 21A.46](#) of this title;
12. Additional design standards adopted by the historic landmark commission and city council.

Finding: The realignment of the Emigration Creek Diversion structure is consistent with the standards stated above.

Salt Lake City Design Standards:

1.0 Historic Site Features

Policy: Historic landscape features that survive should be preserved when feasible. In addition, new landscape features should be compatible with the historic context.

Design Standard 1.1 Preserve historically significant site features

Design Standard 1.9 Preserve historically significant planting designs.

Finding: The reconstruction of the Emigration Creek Diversion Structure is a minor alteration to the Liberty Park landscape. Although a minor modification to the alignment of the sidewalk leading from the 700 East 1300 South intersection into the park is required, this realignment will not significantly alter character defining site features in Liberty Park or detract from the historic setting or have a negative visual impact on the continuity of design on other walkways on the block.

Street trees are a character defining element of Liberty Park. The removal of one street tree is required for this project and will require that Salt Lake County pay a replacement fee, determined by the City Forester, which will be used to plant new trees in the park. The removal of the tree is necessitated by safety concerns raised by the present location of the diversion structure in 1300 South. The removal of the street tree will not significantly impair the planning design of Liberty Park.

Attachment A

According to the Salt Lake City Code, these are the categories which need to be reviewed by the Historic Landmark Commission:

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RICHARD GRAHAM
PUBLIC SERVICES DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC SERVICES
DIRECTORS OFFICE

RALPH BECKER
MAYOR

COUNCIL TRANSMITTAL

FEB 11 2008

TO: David Everitt
Chief of Staff



DATE February 8, 2008

FROM: Rick Graham, Director
Public Services Department



SUBJECT: Interlocal Agreement between Salt Lake City and Salt Lake County that grants the County a license to construct a water diversion structure at Liberty Park.

DOCUMENT TYPE: Resolution

STAFF CONTACT: Dell Cook, Engineering Division 535-6378
Rick Graham 535-7774

RECOMMENDATION: That the City Council adopt a Resolution that authorizes the Mayor of Salt Lake City to sign an Interlocal Agreement between Salt Lake City and Salt Lake County.

BUDGET IMPACT: No impact to the City. All costs associated with the design and construction of the project is the responsibility of Salt Lake County.

BACKGROUND and DISCUSSION: Emigration Creek runs through the Liberty Park area by way of underground conduits located in 700 East and 1300 South. Currently, a diversion structure that allows creek flows to be diverted into Liberty Park Lake is located near the southeast corner of the park under the 1300 South road surface. The diversion structure has become inoperable and is in need of replacement. Salt Lake County, which owns the diversion structure, and has responsibility to manage and maintain the annual flows of Emigration Creek, desires to re-build the diversion structure and re-locate it in a grass area located at the southeast corner of Liberty Park. The City's Parks and Engineering Divisions have worked closely with the County, have approved the plans, and believe that the re-location of the diversion structure will create no adverse operation or public use impacts in the park. The structure will present a visual impact, but it will be minimized by a grass berm. The County will pay all design, construction and on-going maintenance/operation costs. Salt Lake City will retain its right to regulate the water flows that are diverted into Liberty Park Lake. The term of the Agreement will be 50 years.

Construction on the project will begin shortly after the execution of the Agreement and will be completed by early summer, 2008.

PUBLIC PROCESS: This project has been reviewed and approved by the Central City Community Council and the Landmark Commission planning staff. A certificate of appropriateness was issued by Planning.

RESOLUTION NO. _____ OF 2008
AUTHORIZING THE APPROVAL OF AN
INTERLOCAL COOPERATION AGREEMENT
BETWEEN SALT LAKE CITY CORPORATION AND
SALT LAKE COUNTY, UTAH

WHEREAS, Title 11, Chapter 13, Utah Code Ann., 1953, allows public entities to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the attached agreement has been prepared to accomplish said purposes;

THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

1. It does hereby approve the execution and delivery of the following:

AN INTERLOCAL AGREEMENT BETWEEN SALT LAKE COUNTY AND
SALT LAKE CITY FOR GRANT OF A LICENSE AND INSTALLATION OF A
DIVERSION STRUCTURE AT LIBERTY PARK.

2. The effective date of the agreement shall be the date it is signed by all parties to the agreement.

3. Ralph Becker, Mayor of Salt Lake City, Utah, or his designee, is hereby authorized to approve said agreement on behalf of Salt Lake City Corporation, subject to such minor changes which do not materially affect the rights and obligations of the City thereunder and as shall be approved by the Mayor, his execution thereof to constitute conclusive evidence of such approval.

Passed by the City Council of Salt Lake City, Utah, this _____ day of
_____, 2008.

SALT LAKE CITY COUNCIL

By: _____
CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM:

SENIOR SALT LAKE CITY ATTORNEY

HB_ATT-#3061-v1-Resolution_for_interlocal_agreement_re_Liberty_Park.DOC

INTERLOCAL AGREEMENT BETWEEN
SALT LAKE COUNTY AND SALT LAKE CITY
FOR GRANT OF A LICENSE AND INSTALLATION OF A
DIVERSION STRUCTURE AT LIBERTY PARK

• This Agreement, made this _____ day of _____, 2008, by and between SALT LAKE CITY, a Utah municipal corporation ("City"), and SALT LAKE COUNTY, a political subdivision of the state of Utah and body politic ("County"), hereafter sometimes referred to jointly as "Parties;"

WITNESSETH

WHEREAS, Salt Lake City and Salt Lake County are public agencies as defined in the Utah Interlocal Cooperation Act, Title 11, Chapter 13, U.C.A. 1953, as amended (the "Act"); and

WHEREAS, the Act allows public agencies to enter into agreements whereby they provide services or exchange services that they are each authorized by provide; and

WHEREAS, County has statutory authority to maintain and control the natural stream channels of Salt Lake County for storm runoff and flood control; and

WHEREAS, City owns and maintains Liberty Park for the benefit of its citizens; and

WHEREAS, at the time of this Agreement, Emigration Creek, a natural stream running through Salt Lake County, has been channeled through the area of Liberty Park by way of underground conduits; and

WHEREAS, at the southeast corner of Liberty Park (7th East and 13th South), a diversion structure exists whereby a part of the Emigration Creek flows are to be diverted to serve a lake excavated by City and now existing within Liberty Park; and

WHEREAS, said diversion structure has become inoperable and in need of replacement; and

WHEREAS, the Parties desire to make an agreement with each other whereby County shall install a new diversion structure for Emigration Creek at the location described above, and the Parties shall thereafter maintain the same;

NOW THEREFORE, in consideration of the mutual covenants set forth herein, the Parties agree as follows:

1. Grant of License.

City does hereby grant County a license to enter into Liberty Park and install and maintain therein a diversion structure (the "Diversion Structure" or the "Structure") at the southeast corner of said Park, at 700 East and 1300 South, together with the underground conduits necessary to bring water from Emigration Creek into the Diversion Structure and to carry water from the Structure into the artificial lake previously excavated adjacent to the site of the Diversion Structure.

2. Term of License.

Said license shall remain until the useful life of the Diversion Structure has been exhausted, and the Parties mutually agree to take other action at the site, or until this Agreement is terminated as set forth hereafter.

3. Drawings.

The Diversion Structure shall be constructed in accordance with the drawings which are attached to this Agreement as Exhibit "1," and with the provisions of paragraph 8, below.

4. Location.

The Diversion Structure shall be located in accordance with the map attached to this Agreement as Exhibit "1."

5. Times for Performance.

Installation of the conduits and Diversion Structure shall begin, and be completed, according to the dates indicated in Exhibit "2" to this agreement; provided, however, that said dates may be modified to account for any delays in the start date occasioned by the procedures necessary for the parties to complete their execution of this agreement.

6. Capacity of Conduits.

The Diversion Structure and conduits shall have the capability to divert water from the underground conduits carrying the flow of Emigration Creek into the artificial lake that lies adjacent to the location of the Diversion Structure.

7. Water Storage.

City shall have the sole authority to determine the amount of water to be diverted into said lake; however, City shall allow County to utilize said lake as a detention area for waters of Emigration Creek during high water flows or flooding events involving Emigration Creek.

8. Manner of Construction

The parties stipulate and agree that the Diversion Structure shall be constructed by County as follows, and as more specifically described in Exhibit "1":

- a. The Diversion Structure shall be made of concrete poured in place, shall rise approximately three to four feet above the natural ground level and shall have soil mounded around it on three sides;
- b. On the fourth side of the Structure, adjacent to 1300 South, the Structure's concrete face shall be exposed and decorative concrete lettering shall be added to carry the words "Liberty Park" or something similar as desired by City.
- c. Soil that is mounded around the Diversion Structure shall have sod placed upon it to match the look of the surrounding area.
- d. A large tree shall be removed to allow construction of the Diversion Structure and associated conduit.
- e. The sidewalk in the area shall be replaced and re-routed around the Diversion Structure.
- f. The machinery, gates, and other devices to be placed within the Diversion Structure shall be selected and installed in accordance with sound engineering principles and current standards of professionalism.

9. Access to Site.

City shall allow County all access as is reasonably required to complete the construction and installation of the Diversion Structure and conduit as described above. Public access to the park shall not be denied during construction.

10. Payment for Construction.

Construction and installation of the Diversion Structure shall be paid for entirely by County.

11. Payments to City.

County shall pay City the sum of fourteen thousand seven hundred ninety-eight dollars (\$14,798.00) for the following purposes:

(a) Ten thousand dollars (\$10,000) as compensation for a tree that must be removed during construction of the Diversion Structure; and

(b) Four thousand seven hundred ninety-eight (\$4,798) for relocation of a streetlight pole located at 1300 South 650 East.

12. Tree Value.

The parties stipulate that the compensation to be paid by County for removal of the tree, as stated above includes the historical value inherent in said tree.

13. Access for Maintenance.

Upon completion of the installation of the Diversion Structure and conduit, the parties shall jointly exercise the right of access to the interior of said structure for the purpose of setting flows of water through it, for cleaning and maintenance of the machinery therein, for lubricating moving parts, and for removing of debris, silts, gravels, etc. Additionally, maintenance may include replacing mechanical components of the diversion gates. The cost for normal maintenance and repairs shall be paid by County. Should either party desire improvements to the Diversion Structure and conduits which are not necessary for maintenance or repair, the party desiring the improvements shall pay for construction and installation of the same.

14. Access for Machinery.

The parties stipulate and agree that access to the interior of the Diversion Structure can only be gained through the use of heavy equipment at the site to lift its concrete lid, and that use of said machinery and access to the interior of the Structure shall be allowed at times deemed necessary by County or City.

15. Notification.

The parties shall notify each other of the times they desire to enter the Diversion Structure for the setting of gates, cleaning, maintenance, etc.

16. Maintenance of Landscaping.

City shall maintain the landscaping placed around the Diversion Structure. Each party shall bear the cost of replacement of landscaping that may be required after each party's use of heavy equipment at the site, or after that party's completion of any maintenance work in or around the Diversion Structure.

17. Public Benefit.

The parties further stipulate and agree that installation of the new Diversion Structure is beneficial to both parties, and serves to better meet the public need for the safe and efficient carrying away of storm and flood waters, and for enhanced park areas. Therefore, the parties shall cooperate, in a spirit of good will, with each other in allowing each party the access and assistance it may need to carry out the duties and responsibilities set forth in this Agreement.

18. Interlocal Cooperation Act Requirements.

- (a) This Agreement shall be approved by each party pursuant to § 11-13-202.5 of the Act.

- (b) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party, pursuant to § 11-13-202.5 of the Act.
- (c) A duly executed original counterpart of this Agreement shall be filed with the keeper of records of each party, pursuant to § 11-13-209 of the Act.
- (d) Except as otherwise specifically provided herein, each party shall be responsible for its own costs of any action done pursuant to this Agreement, and for any financing of such costs.
- (e) No separate legal entity is created by this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the mayors of the City and of the County. No real or personal property shall be acquired jointly by the parties as a result of this Agreement. To the extent that a party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other property of such party.

19. Duration.

The term of this Agreement shall begin on the effective date hereof and shall terminate not more than fifty (50) years after the beginning of the term.

20. Indemnity.

The County and the City are both governmental entities under the "Governmental Immunity Act of Utah" (§§ 63-30d-101, *et seq.*, U.C.A., 1953, as amended). Consistent with the terms of the Utah Governmental Act of Utah, and as provided herein, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which are committed by it or by its agents, officer or employees, during each party's performance of this Agreement. Neither party waives any defenses otherwise available under the Governmental Immunity Act of Utah, nor does either party waive any limits of liability currently provided by that Act. The parties agree to indemnify each other and hold each other harmless from any damages or claims for damages occurring to persons or property as a result of the negligence or fault of their own officers, employees or agents involved in any matter pertaining to this Agreement.

IN WITNESS WHEREOF, the parties execute this Agreement to be effective as of the date first set forth above.

[Signature pages to follow]

SALT LAKE COUNTY

APPROVED AS TO FORM
AND LEGALITY

By _____
Mayor Peter Corroon, or designee
Printed name (if designee) _____
Title (if designee) _____

Attorney for Salt Lake County

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

The foregoing interlocal agreement was acknowledged before me this _____ day of _____, 2008 by (name) _____, (title:) the _____ of Salt Lake County.

NOTARY PUBLIC

Residing at:
My commission expires:

SALT LAKE CITY

APPROVED AS TO FORM
AND LEGALITY

By _____
Mayor Ralph Becker, or designee
Printed name (if designee) _____
Title (if designee) _____

Attorney for Salt Lake City

ATTEST:

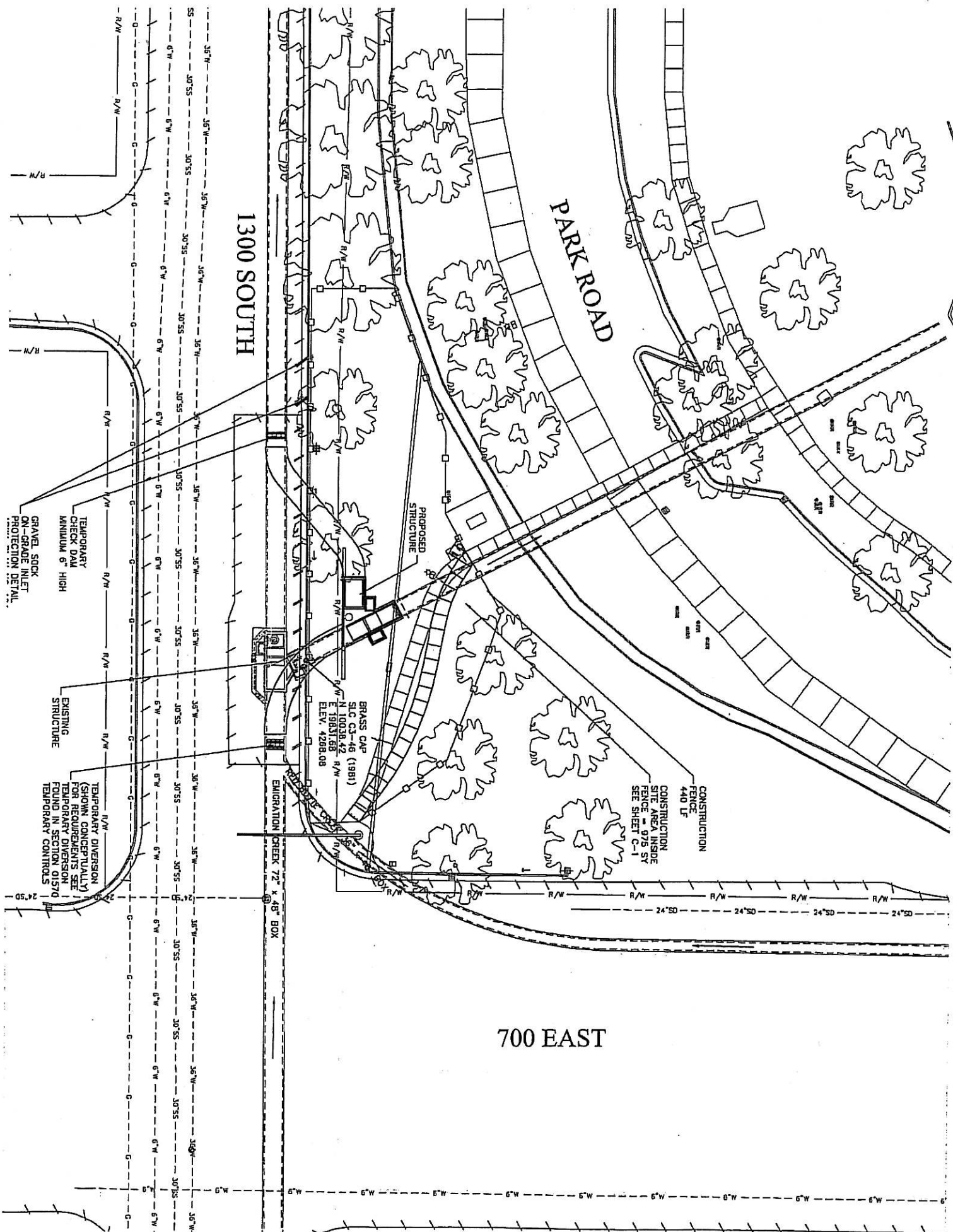
Salt Lake City Recorder

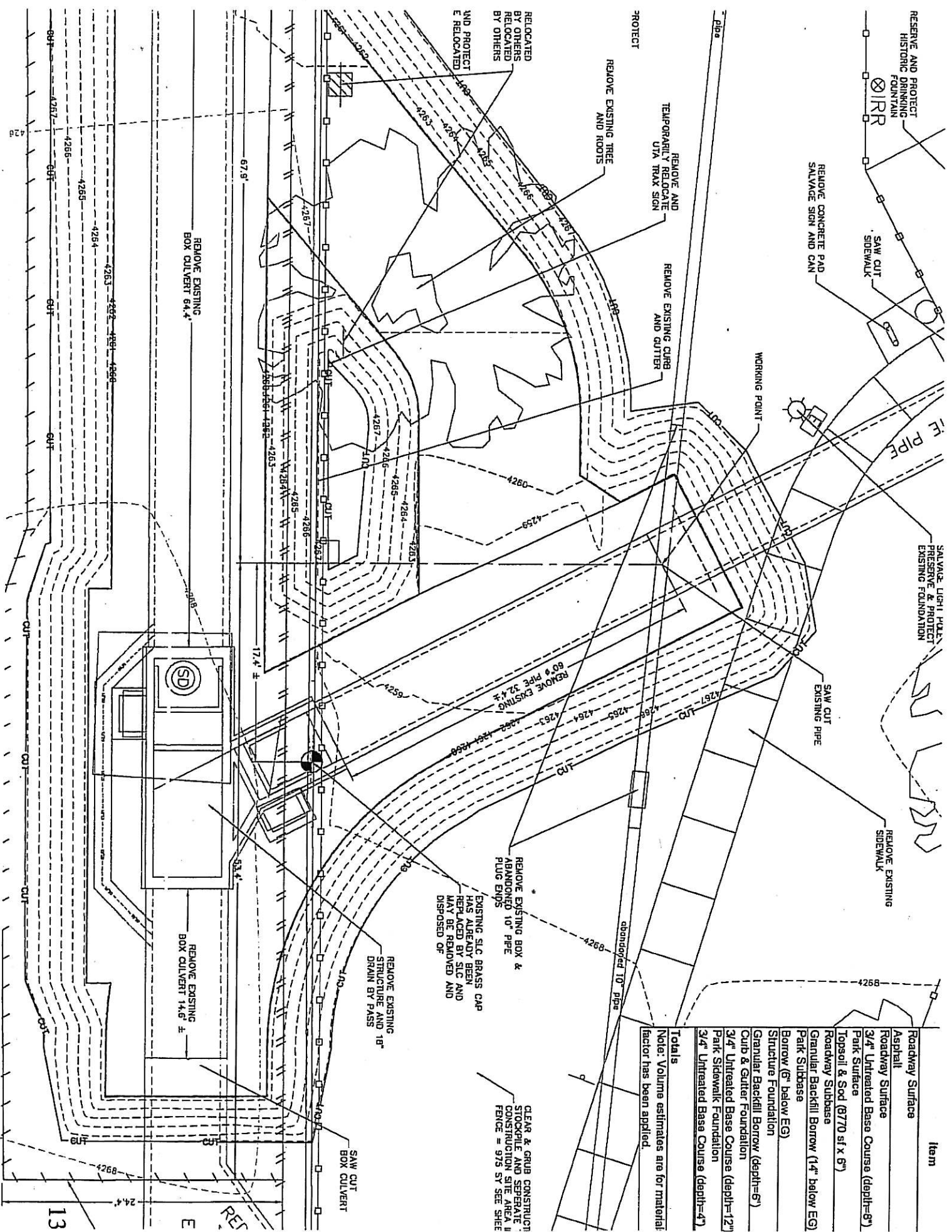
STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

The foregoing interlocal agreement was acknowledged before me this _____ day of _____, 2008 by _____, (title:) the _____ of Salt Lake City.

NOTARY PUBLIC

Residing at:
My commission expires:





Item	Totals
Roadway Surface	
Asphalt	
Roadway Surface	
3/4" Untreated Base Course (depth=8")	
Park Surface	
Topsoil & Sod (8770 sf x 6")	
Roadway Subbase	
Granular Backfill Borrow (14' below EG)	
Park Subbase	
Borrow (6' below EG)	
Structure Foundation	
Granular Backfill Borrow (depth=6")	
Curb & Gutter Foundation	
3/4" Untreated Base Course (depth=12")	
Park Sidewalk Foundation	
3/4" Untreated Base Course (depth=4")	
Note: Volume estimates are for material factor has been applied.	

2" ROADWAY SEE SECTION 12 S-7 ALL SEE TYPICAL S-6

GARBAGE CAN IN KIND

(11) LIGHT POLE GRADE ADJUSTMENT

IRR

WORKING POINT

Q. & 60" PIPE

SH. IV MAX (TP)

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CURVE
C1
C2

LANDING SYG

ELEV. 4269.55

POINT OF CURVE

S/A 10574.08

ELEV. 4269.55

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

MIN

5.0'

MAX

8.35'

2" PVC SCHEDULE 40 ELECTRICAL CONDUIT W/ 3 #10 CONDUCTORS (30"±) TRENCH FOR STREET LIGHT CONDUIT

DIVERSION STRUCTURE PLAN (S-1)

(S-1)

abandoned 10" pipe

E 40

T W/

30"±

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SEE SHEETS C-4 S-1 & S-3 FOR CAST IN PLACE BOX

ELECTRICAL JUNCTION BOX

SEE SHEETS C-4 S-1 & S-3 FOR CAST IN PLACE BOX

REPLACE CURB AND CUTTER MATCH EXISTING DEED A PWA PLAN NO. 205

BRASS CAP SLO CS-46 (1981) N 10038.42 E 19031.68 ELEV. 4269.08

EMERGENCY CI

RED BUTTE

ASPHAL PLAN Q
APWA P
EXCAV
2ND ASP