

**Resolution 03-04-2024**

**A RESOLUTION APPROVING AN AGREEMENT WITH VANCON INC.  
FOR THE USE OF CERTAIN CITY-OWNED PROPERTY**

**WHEREAS**, Central Utah Water Conservancy District is constructing a water delivery infrastructure system (the "Project"), which is expected to delivery Central Utah Project water to Santaquin City for municipal purposes; and

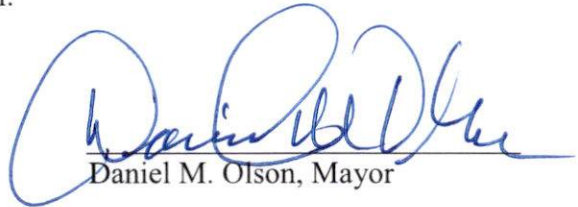
**WHEREAS**, VanCon Inc. is a General Engineer Contractor that has contracted to provide construction services for a portion of the Project, and desires to utilize certain real property owned by Santaquin City in order to increase efficiencies in performing its work on the Project; and

**WHEREAS**, VanCon Inc. and Santaquin City, now desire to enter into an agreement through which VanCon Inc. may use identified real property owned by the City in furtherance of its construction work on the Project, which will benefit Santaquin City and its residents;

**NOW THEREFORE**, be it resolved by the Santaquin City Council as follows:

1. The agreement between VanCon Inc. and Santaquin City, a copy of which is attached hereto, is hereby approved.
2. The Mayor is authorized to execute the aforementioned agreement and to take all actions necessary to effectuate said agreement and the terms and conditions set forth therein.
3. This Resolution shall be effective upon approval.

Adopted and approved this 19<sup>th</sup> day of March, 2024.

  
Daniel M. Olson, Mayor



Councilmember Art Adcock	Voted	YES
Councilmember Brian Del Rosario	Voted	YES
Councilmember Travis Keel	Voted	YES
Councilmember Lynn Mecham	Voted	YES
Councilmember Jeff Siddoway	Voted	YES

ATTEST:

  
Amalie R. Ottley, City Recorder

## Land Lease & Disposal Agreement

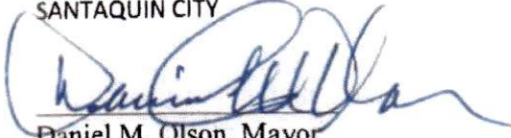
This agreement, a contract, sets forth the terms below as a binding agreement between VanCon Inc., a Utah corporation, and Santaquin City, a political subdivision of the state of Utah, executed on this 19 day of MAR, 2024.

The following terms are set forth:

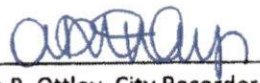
1. The purpose of this agreement is to permit VanCon Inc. to use certain real property owned by Santaquin City, as necessary for execution of VanCon Inc.'s contract for construction of the Central Utah Project Santaquin Reach Pipeline project, for the purpose of:
  - a. Use of the Santaquin City Landfill for a temporary concrete batch plant, including materials staging, a water line connection, and other necessary appurtenances.
2. As compensation for the use of Santaquin City properties during construction, VanCon Inc. will contribute \$20,000, to Santaquin City upon the City's request, to be used as Santaquin City sees fit in its sole discretion.
3. The attached description denotes the land to be utilized in this agreement.
4. The term of the agreement shall begin on January 1, 2024, and shall run through May31, 2026, at which time all construction materials and equipment shall be removed, and the property shall be cleaned and restored to its original condition with clean earth fill, or to such condition as mutually agreed by the parties.
5. All damages to the property, and damages that are in any way related to VanCon, Inc.'s use of the property during the term of this agreement will be the responsibility of VanCon Inc., which shall indemnify and hold harmless the City, its officials, agents, and employees, for all such damages including but not limited to those related to the storage or use of any Hazardous Materials (as defined by state or federal law) used or stored on the property. These repairs will be at the sole expense of VanCon, Inc., which shall notify Santaquin City in advance if there is or will be any Hazardous Materials onsite throughout the duration of this agreement.
6. VanCon Inc. shall remove any residual oils, greases, fluids, and ground contamination prior to the expiration of this agreement. The parties hereto will perform a walk through before and after VanCon, Inc.'s occupation of any portion of the described real property.
7. Santaquin City reserves the right to enter and use the subject properties so long as there is no disturbance to the materials and equipment stored on site.

The above terms have been reviewed and are in mutual agreement between both VanCon, Inc. and Santaquin City.


Date: March 19, 2024

SANTAQUIN CITY  
  
Daniel M. Olson, Mayor

ATTEST:

  
Amalie R. Ottley, City Recorder

Date: March 21, 2024

VANCON, INC.  
By:   
Its: VICE PRESIDENT



594' from home to nearest structure of batch plant

VanCon to restore area used during construction to state prior to construction.

5 Parking Stalls

No structures in 20' setback against Lark Rd

Water Tower

Trackout

No structures in 10' set back against Highway 6

Batch Plant Operation including - aggregates and concrete washout

Grand Army of the Republic Hwy

W 200 N

Lark Rd