

# Cedar City

10 North Main Street • Cedar City, UT 84720  
435-586-2950 • FAX 435-586-4362  
www.cedarcity.org

**Mayor**  
Garth O. Green

**Council Members**  
Terri W. Hartley  
Craig E. Isom  
W. Tyler Melling  
R. Scott Phillips  
Ronald Riddle

**City Manager**  
Paul Bittmenn

**REDEVELOPMENT AGENCY MEETING**  
**SEPTEMBER 13, 2023**

**5:30 p.m. or as soon thereafter as the meeting is called**

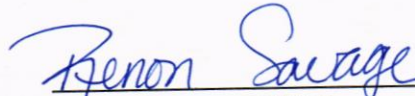
The Cedar City Redevelopment will be held Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah, at 5:30 p.m. or as soon thereafter as the meeting is called.

I. Call to Order

II. Business Agenda

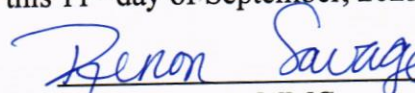
1. Approve an easement for Rocky Mountain Power across Mayor Square. Steve Nelson/Jonathan Stathis

Dated this 11<sup>th</sup> day of September 2023.

  
\_\_\_\_\_  
Renon Savage, MMC  
City Recorder

**CERTIFICATE OF DELIVERY:**

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 11<sup>th</sup> day of September, 2023.

  
\_\_\_\_\_  
Renon Savage, MMC  
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the City not later than the day before the meeting and we will try to provide whatever assistance may be required.

Redevelopment Agency

AGENDA ITEM – 1

TO: The RDA

FROM: City Attorney

DATE: September 8, 2023

SUBJECT: Granting Easement for Rocky Mountain Power's access across Mayor Square.

DISCUSSION:

Staff received the necessary legal description for the requested easement. Please note that the requested easement no longer follows the rounded sidewalk on the south end of the property. It now runs along the west side of Mayor Square.

Please consider whether to grant the requested easement.

REV04272023

Return to:

Rocky Mountain Power  
Craig Reid  
2217 W Kittyhawk Dr Cedar  
City, UT 84721

Project Name:

WO#: 8215592

RW#:

### **UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, CEDAR CITY REDEVELOPMENT AGENCY ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and approximately 73 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in Iron County, State of Utah more particularly described as follows and as more particularly described and/or shown on Exhibit(s) "A" (Legal Description) and "B" (Map) attached hereto and by this reference made a part hereof:

Assessor Parcel No. B-0537-0000-0000

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings, and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors, and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in



**MAYOR SQUARE POWER EASEMENT**

A power easement, being a portion of Iron County parcel B-0537-0000-0000, owned by Cedar City Redevelopment Agency, to be granted to Rocky Mountain Power for all activities relating to constructing and maintaining their power infrastructure within the easement, situated in the Northwest Quarter of Section 14, Township 36 South, Range 11 West, Salt Lake Base and Meridian, and in Block 25 of the Cedar City Town Plat, more particularly described as follows:

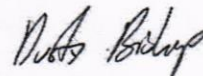
Beginning at a point on the face of the existing building which is located South 0°51'06" East 59.72 feet along the measured centerline of 100 West Street (basis of bearing for this easement is the measured line between the found brass monument located inside a ring and lid at the centerline intersection of Center Street and 100 West Street, and the found chiseled "X" in the sidewalk at the northeast corner fo the intersection of 200 South and 100 West Streets, which bears South 2°59'31" East 1243.24 feet) and East 381.37 feet from the found monument at the intersection of the centerlines of Center Street and 100 West Street, and running:

thence North 89°30'04" East 15.36 feet,  
thence South 1°40'51" East 45.40 feet,  
thence South 4°09'46" East 18.59 feet,  
thence South 0°44'43" East 3.73 feet, to the parcel boundary line;  
thence South 89°40'32" West 10.00 feet, along said boundary line, to the face of the existing building;  
thence North 0°44'43" West 3.36 feet, along the face of said building, to the corner thereof;  
thence North 4°09'46" West 18.51 feet,  
thence North 1°40'51" West 35.82 feet,  
thence South 89°30'04" West 5.49 feet, to the face of an existing building;  
thence North 0°55'24" West 10.00 feet, along the face of said building, to the Point of Beginning.

Parcel contains: 731 square feet, or 0.017 acres.

9/8/2023

Date



Dusty L. Bishop  
L.S. no. 4938720

