



TOQUERVILLE CITY
RESOLUTION 2021.15

A RESOLUTION IN SUPPORT AND AUTHORIZATION FOR THE CITY TO SUBMIT AN APPLICATION TO THE BUREAU OF LAND MANAGEMENT FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES.

RECITALS

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized and operating under the laws of the State of Utah with its municipal boundaries located in the Northeast Washington County, Utah.

WHEREAS, the City has previously submitted an application and request, pursuant to the Recreation and Public Purposes Act of 1926 (43 USC 869) (“R&PP Act”), to the Bureau of Land Management (BLM) for construction of an athletic and recreation complex (ARC).

WHEREAS, the City, desires to submit an additional and related application for roadway across other federal lands so that the ARC has access to Interstate 15 at exit 27 through, which is Application Form SF299.

WHEREAS, after careful consideration of the health, safety and general welfare of the City, present and future, and based upon the recommendation from the City’s staff and planning consultants, Toquerville City, by and through the Toquerville City Council (“City Council”) adopt the following Resolution:

RESOLUTION

NOW THEREFORE, the City, by and through its City Council, resolves as follows:

1. Findings in Support of City’s Pursuit of Application SF299. Upon review of the presentation of City Staff and in recognition of the anticipated future growth of the City, the City Council finds:

a. Access to the ARC from Exhibit 27 would serve the public purpose of providing parks and recreation areas and amenities to the residents of the City and the Eastern region of Washington County as well as visitors to the area,

b. Without the requested roads, there would be no reasonable access to the ARC,

c. That the land on which the roads are to be located is not needed for any known Federal Purpose.



2. Official Support and Authorization for the City to Proceed. The City, acting by and through its governing body, the City Council, hereby supports and authorizes City Staff and consultants to proceed with Application SF299 to seek approval from the BLM to construct the access roads for the ARC.

3. Supersession/Repealer. This Resolution supersedes or repeals the provisions of any resolution that are inconsistent with its provisions.

4. Savings Clause. If any provision or clause in this Resolution or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

5. Effective Date. This Resolution shall become effective immediately upon adoption by the City Council.

PASSED AND APPROVED this 17th day of November, 2021.

John 'Chuck' Williams	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Keen Ellsworth	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Justin Sip	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Gary Chaves	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Ty Bringhurst	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

TOQUERVILLE CITY
a Utah municipal corporation



Lynn Chamberlain, Mayor

11/18/2021
Date

Attest:



Ruth Evans, City Recorder

