Resolution # 20-2004

A RESOLUTION ADOPTING AMENDMENT #1 PROVIDING FOR PARKING AND OTHER IMPROVEMENTS ON WEST CENTER STREET BY AND BETWEEN THE CITY OF MOAB AND UTAH DESERT INVESTMENTS/William D. Petty

WHEREAS, an Agreement providing for parking and other improvements on West Center Street by and between the City of Moab and Utah Desert Investments/William D. Petty has been presented to this meeting of the Moab City Council, and

WHEREAS, the Agreement contemplates the donation of property by Utah Desert Investments/William D. Petty for purposes of constructing a public parking lot, and

WHEREAS, said property must be duly subdivided prior to the donation of the property,

NOW, THEREFORE, we, the Governing Body of the City of Moab do hereby approve the attached agreement in substantially the form presented to this meeting of the Moab City Council, and authorize the appropriate officials to sign and execute said agreement, pending approval of the subdivision of the property, and to execute all documents and procedures necessary to fully execute said agreement

This resolution shall take effect immediately upon passage

Passed and adopted by action of the Governing Body of the City of Moab in open session this 27th day of October, 2004

CITY OF MOAB

By

David L. Sakrison
Mayor

Attest

Rachel Ellison
City Recorder
AGREEMENT PROVIDING FOR PARKING AND OTHER IMPROVEMENTS ON WEST CENTER STREET
BY AND BETWEEN THE CITY OF MOAB AND UTAH DESERT INVESTMENTS INC/WILLIAM D. PETTY

AMENDMENT NUMBER ONE

For good and valuable consideration, the City of Moab and Utah Desert Investments Inc / William D. Petty mutually agree to a modification of the Agreement providing for Parking and other Improvements on West Center Street by and between the City of Moab and Utah Desert Investments Inc / William D. Petty, dated September 7, 2004, as follows:

1. Exhibit C to the Agreement shall be amended to include Change Order Number One to the West Center Street Improvement Project, attached hereto as "Exhibit C Amendment".

2. Utah Desert Investments Inc / William D. Petty agrees to construct a sidewalk in the location indicated in Exhibit C Amendment at Utah Desert Investments Inc / William D. Petty's expense and within two years of the date of this amendment. Said sidewalk shall be at least six feet in width and shall be dedicated to the City for purposes of a public sidewalk. Construction of said sidewalk shall conform to City specifications and other applicable regulations and shall be subject to inspection and acceptance by the City prior to dedication.

3. Utah Desert Investments Inc / William D. Petty agrees to pay to the City an additional sum of $4,960.20 upon execution of this amendment.

In event of a conflict between the terms of this amendment and the remainder of the agreement, this amendment shall control.

CITY OF MOAB

By: ____________________________
    Mayor, David L. Saknson

_______________________________
    Date

Attest

_______________________________
    Rachel Ellison, City Recorder

_______________________________
    Date
UTAH DESERT INVESTMENTS INC

By ____________________________, Secretary
Utah Desert Investments Inc

State of ____________  )
County of ____________  )

On the ___ day of OCTOBER, 2004, personally appeared before me WILLIAM D. PETTY, SECRETARY who duly acknowledged to me that they executed the same

SOMMAR JOHNSON
Notary Public
State of Utah
My Commission Expires Dec 3, 2007

My Commission Expires Dec 3, 2007

WILLIAM D. PETTY

By ____________________________, Date
William D. Petty

State of ____________  )
County of ____________  )

On the ___ day of OCTOBER, 2004, personally appeared before me WILLIAM D. PETTY, who duly acknowledged to me that they executed the same

SOMMAR JOHNSON
Notary Public
State of Utah
My Commission Expires Dec 3, 2007

My Commission Expires Dec 3, 2007

Residing in Grand County

Residing in Grand County
EXHIBIT C AMENDMENT

CITY OF MOAB
CHANGE ORDER

PROJECT: West Center Street
TO (CONTRACTOR): LeGrand Johnson
DATE: 10/27/04
OWNER: Moab City

Contractor: you are directed to make the following changes in the work. All other terms and conditions of the Contract not expressly modified hereby shall remain in full force and effect.

<table>
<thead>
<tr>
<th>Item (Bid)</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1</td>
<td>Existing sidewalk to remain from station 10+25 to station 13+35.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td># 2</td>
<td>South driveway, move center line west 4' from station 12+83 to station 12+79.</td>
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</tr>
<tr>
<td># 3</td>
<td>Install 9' wide x 130' long sidewalk on the east side of the south driveway from station 10+50 going north to station 11+80.</td>
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<tr>
<td># 4</td>
<td>Construct 1600 sq ft of parking area to include placement of new base, sub base, and asphalt and striping.</td>
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<tr>
<td># 5</td>
<td>Install 576 sq ft of colored stamped concrete, in two locations of the south driveway.</td>
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</tr>
</tbody>
</table>

SEE ATTACHMENTS

The Original Contract Sum was ................................................................. $ 202,690.06
Net Change by previous Change Orders ...................................................... $ 0
The Contract Sum prior to this Change Order was ......................................... $ 0
The Contract Sum will be increased by this Change Order ................................ $ 4,960.20
The new Contract Sum including this Change Order will be ............................ $ 207,650.26
The Contract Time will be changed ................................................................  

City of Moab

David L. Sakrison, Mayor

Contractor

Gerry C. Orlebus

Attest:

Rachel Ellison, City Recorder

Attest:

Don Harvey
STA 0+37.28 - BEGIN O-WAY
X-SLOPE TRANSITION

ABANDON & REMOVE EXIST
30° CMP IRRIGATION/STORM DRAIN
LINE BETWEEN VAULTS

ABANDON & REMOVE EXIST
30° CMP IRRIGATION/STORM DRAIN
LINE FROM VAULT TO CUT OFF
AT STA 0+57.3, 10' L

ABANDON & REMOVE EXIST
IRRIGATION/STORM DRAIN VAULT

FOR SPOT ELEVATIONS ON W. CENTER STREET SEE SHEET C4

CONSTRUCT NEW CURB
INLET CATCH BASIN
TBC EL = 4023.46
IE OUT S = 4022.98

STA 0+41.50, 7.00 L (S. D-WAY)

FORM SWALE IN PLANTING STRIP THAT
PARALLELS SIDEWALK AND COLECT RUNOFF FROM SIDEWALK &
AREA BEHIND CURB

EXISTING SIDEWALK TO REMAIN
SOUTH DRIVEWAY NEW LOCATION —
NEW 4' SIDEWALK —
NEW COLOR CONCRETE —