CITY OF MOAB RESOLUTION NO. 26-2020

A RESOLUTION APPROVING THE GOLF COURSE LEASE AGREEMENT

WHEREAS, the Moab Country Club was established through its documents of incorporation in 1958; and

WHEREAS, the City of Moab and the Moab Country Club entered into an agreement on the 5th day of May 1959 which allowed for the express purpose of operating and maintaining a golf course. The Moab Country Club was also authorized to have the right, in the connection with the operation of a golf course, to maintain club house facilities, swimming pools, tennis courts and related activities customarily enjoyed by a nonprofit corporation for the entertainment and general welfare of its members and guests; and

WHEREAS, since that time the City and the Country Club have entered into many new agreements renewing the lease agreement essentially under the original terms of the agreement from 1959; and

WHEREAS, the City and the Country Club last entered into an agreement on the 12th day of April 2005; and

WHEREAS, the City and the Country Club agreed to amend that agreement on the 14th day of December 2005 which removed paragraphs 10 and 11 of the lease agreement; and

WHEREAS, that lease agreement was for a term of ten years and expired on the 12th day of April 2015. Since that time, the Country Club has been operating on City property without an agreement; and

WHEREAS, the City of Moab desires to enter into a lease agreement with the Moab Country Club for the purpose of operating and maintaining a golf course. The proposed lease agreement is identical to that have been used in the past with the inclusion off the amendment of the 20th day of December 2005; and

WHEREAS, the lease agreement is attached to this Resolution has been presented to this meeting of the Moab City Council; and

THEREFORE, be it resolved that the City of Moab City Council hereby adopts this Resolution and approves this lease agreement as presented herein and shall be executed by the appropriate officials.

This Resolution shall take effect on April 28, 2020.

Passed and adopted by action of the Governing Body of the City of Moab in open session on this 28th day of April 2020.

SIGNED: ATTEST:

_________________________    ________________________
Emily S. Niehaus, Mayor     City Recorder