

CORRIDOR PRESERVATION ALONG US-189 FROM SR-113 TO US-40

HEBER CITY

Federal ID No. 87-6000232

TOWN OF DANIEL

Federal ID No. 20-4832675

CHARLESTON TOWN

Federal ID No. 87-0357635

WASATCH COUNTY

Federal ID No. 87-6000299

24987

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this 16 day of March, 20 16, by and between the UTAH DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "UDOT"; WASATCH COUNTY, a political subdivision of the State of Utah; TOWN OF DANIEL, a municipal corporation in the State of Utah, CHARLESTON TOWN, a municipal corporation in the State of Utah; and HEBER CITY, a municipal corporation in the State of Utah. When referring to all of the municipal corporations together, they are hereinafter referred to as the "LOCAL JURISDICTIONS".

RECITALS:

WHEREAS, the parties hereto desire to preserve a corridor and establish a traffic signal plan and access control plan along the US-189 corridor from SR-113 in CHARLESTON TOWN to US-40 in HEBER CITY. The purposes are to facilitate traffic flow, to be in accordance with the LOCAL JURISDICTIONS current transportation master plans or general plans, and to be in accordance with UDOT's current Access Management Standards and practices.

NOW THEREFORE, it is agreed by and between the parties as follows:

PART A: CORRIDOR PRESERVATION

1. The current UDOT Highway Access Management Standards Category is "2" from SR-113 to MP 28.31 +/- and "6" from MP 28.31 +/- to US-40. Category 2 means minimum traffic signal spacing of 5,280 feet, minimum street spacing of 1,000 feet, and minimum access spacing of 1,000 feet. Category 6 means minimum traffic signal spacing of 1,320 feet, minimum street spacing of 350 feet, and minimum access spacing of 200 feet. See Exhibit A.

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2. As development occurs and any of the **LOCAL JURISDICTIONS** believe a change from a Category 2 to a Category 6 is necessary, a request shall be submitted to **UDOT** through the **LOCAL JURISDICTIONS**, and Rural Planning Organization where appropriate. The request shall include an explanation of the need for the change. A request for reassignment in access category shall not be made solely to accommodate planned growth of an entity, a specific access request, or to allow the permitting of access connections that would otherwise not be permitted. US-189 as referenced herein is an L/A (limited access) facility and that change of access locations are not guaranteed and are required to follow the **UDOT** policy and process for access change which include approval from the **Central UDOT** right of way director and payment for the appraised value of the change in access.

PART B: TRAFFIC SIGNAL PLAN and ACCESS CONTROL PLAN

1. All parties will maintain traffic signal, street, and access spacing according to this agreement.
2. **UDOT**, as part of this corridor and access control agreement, requires the following conditions/requirements be met and maintained:
 - A. Offsetting of existing and future streets is not encouraged. The streets should access US-189 at 90 degree angles and line up across the intersection as exemplified by the future proposed realignment of 3000 S shown on Exhibit B. Should there be a need for any variation from this standard, an allowable skew of no greater than 15 degrees will be accepted.
 - B. Every effort possible should be made for existing non street accesses onto US-189 to be combined and access made to internal roadway systems in the development and not directly onto US-189 in accordance with **LOCAL JURISDICTIONS** master street plans. This is to help facilitate the traffic flow onto US-189 by limiting access onto US-189 from roadway systems and not individual accesses. It is recommended that these accesses be set back from the US-189 intersections at least 300 feet to allow for intersection function and vehicle queing.
 - C. If existing **UDOT** roadway right of ways, including easements, are proposed to be used by new developments for the construction of acceleration/deceleration lanes;

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additional property will be required to be dedicated to **UDOT** so as to preserve right of way for future **UDOT** projects such as roadway widening, shoulders, drainage features, etc. The proposed US-189 typical roadway cross section is shown as exhibit C for illustrative purposes.

D. The LOCAL JURISDICTIONS shall have all permanent improvements above ground set back 30 feet from the existing ROW line or perpetual easement line to facilitate future widening of US-189 and to protect historic drainage features such as ditches/drainage canals, etc. See Exhibit C

E. The portion of US-189 from mile post 28.195 to the US-40 intersection will have curb and gutter type drainage features and that the section of US-189 from SR-113 to MP 28.195 will have a shoulder ditch for drainage into existing drainage canals or ditches.

3. The following locations are identified as existing, warranted, or proposed traffic signal locations along US-189:

- | | |
|---------------------|------------|
| A. SR-113 | (Proposed) |
| B. 3000 South | (Proposed) |
| C. South Field Road | (Proposed) |
| D. 1300 South | (Existing) |
| E. US-40 | (Existing) |

4. Proposed traffic signals listed in #3 above will not be installed until warranted and approved by **UDOT**. It may be necessary to restrict certain types of traffic movements at any intersection or access in order to maintain traffic flow and improve safety through the corridor.

5. Charleston Town has proposed two future local street intersections between 3600 South and 3000 South at a minimum of 1000' spacing, and one future local street intersections between 3000 South and 2400 South at a minimum of 1000' spacing.

6. Segments of the highway which are currently designated as No Access, Limited Access, or Regular Right-of-Way are unchanged by this Agreement.

7. Exhibit A shows the US-189 corridor referencing the category type and existing and proposed signal locations.

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8. The parties shall consider the concepts contained herein during the development of any master plans in this area and work towards the common goal of this Agreement.

9. In the event there are proposed changes in the provisions covered by this Agreement, a modification to this Agreement approved in writing by all parties is required to place them into effect.

10. The failure of either party to insist upon strict compliance of any of the terms and conditions, or failure to delay by either party to exercise any rights or remedies provided in this Agreement, or by law, will not release either party from any obligations arising under this Agreement.

11. Each party represents that it has the authority to enter into this Agreement.

12. If any provision or part of a provision of this Agreement is held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision. Each provision shall be deemed to be enforceable to the fullest extent under applicable law.

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

HEBER CITY

Municipal Corporation in the State of Utah

By: Michelle X. Limón
Title: CITY RECORDER
Date: 2-23-2016

By: Al Mc Donald
Title: MAYOR
Date: FEB 22 2016

(IMPRESS SEAL)



ATTEST:

TOWN OF DANIEL

Municipal Corporation of the State of Utah

By: _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____

(IMPRESS SEAL)

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ATTEST:

By: Ramie K. Wintata
Title: Town Recorder
Date: 2/16/16

CHARLESTON TOWN

Municipal Corporation of the State of Utah

By: Bob Kowallis
Title: Mayor
Date: 16 Feb 2016

(IMPRESS SEAL)



ATTEST:

By: Butch Titton
Title: clerk/Auditor
Date: 2/15/2016

WASATCH COUNTY

Municipal Corporation of the State of Utah

By: Kendall C. Attwood
Title: Co. Council Chair
Date: Feb 16, 2016

(IMPRESS SEAL)

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RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By: Brian Kelly
Region Three Traffic Operations Engineer

Date: 3/15/2016

By: Tim S. Nease
Region Three Director

Date: 3/16/2016

APPROVED AS TO FORM:

This Form Agreement has been previously approved as to form by the office of Legal Counsel for the Utah Department of Transportation.

COMPTROLLER OFFICE

By: Cherise Young
Contract Administrator

Date: 5-4-16

U.S.-189 Highway Access Management

Exhibit A:

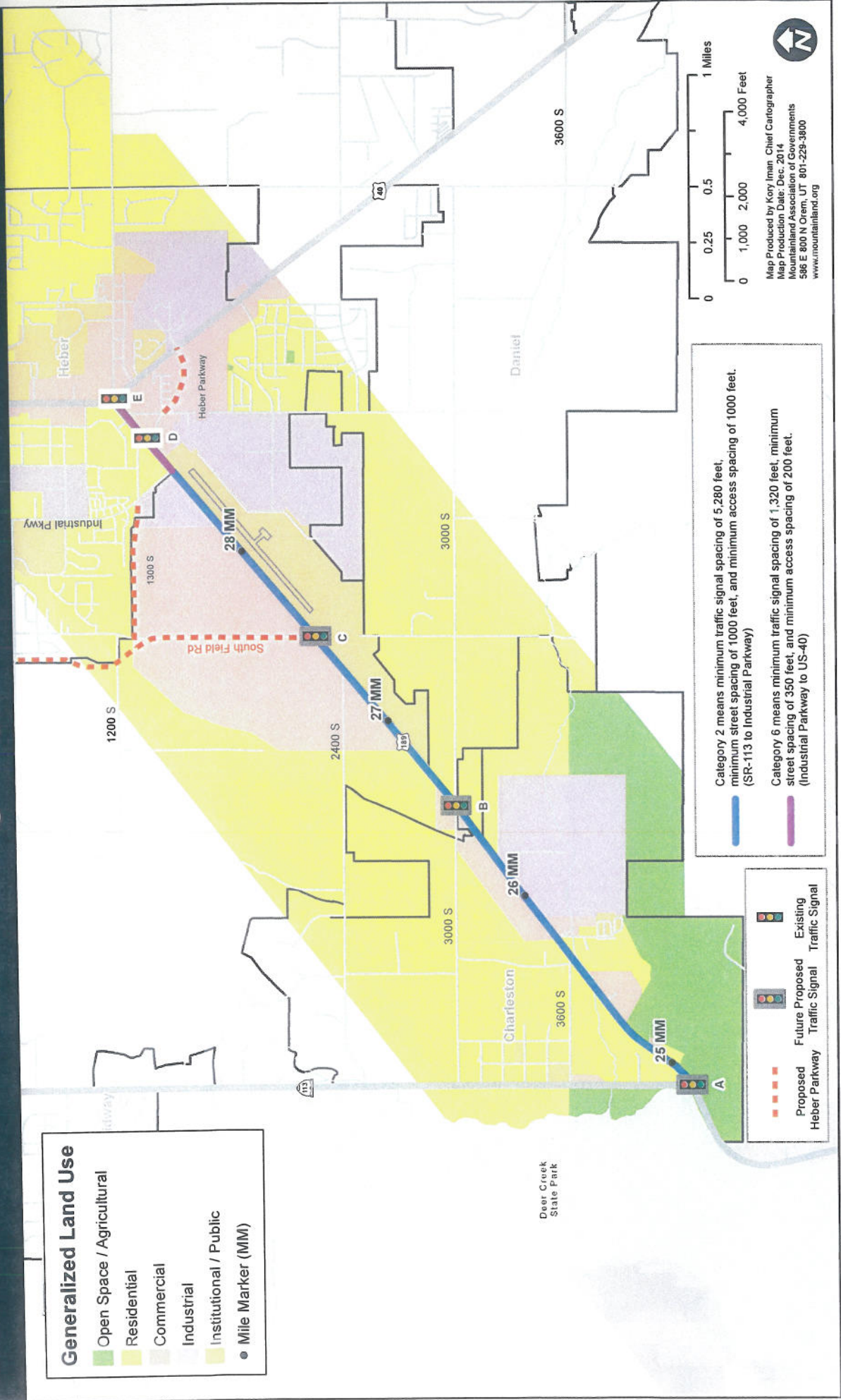


Exhibit B: 3000 South Preferred Design

