

TOWN OF BLUFF, UTAH, RESOLUTION #107

A RESOLUTION OF THE BLUFF TOWN COUNCIL APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY FROM THE SOUTHWEST HERITAGE FOUNDATION FOR CEMETERY PURPOSES CONTINGENT UPON FINALIZATION OF THE SUBJECT REAL ESTATE CONTRACT

WHEREAS, the Town of Bluff (the “Town”) desires to purchase certain real property totaling approximately 1.84 acres from the Southwest Heritage Foundation (the “Property”), as generally described as “Parcel A” in **Exhibit 1**, attached; and

WHEREAS, portions of the Property currently contain existing sections of the Bluff Cemetery, and acquisition of the Property will secure public ownership of those cemetery areas and provide land for future cemetery expansion and related municipal purposes; and

WHEREAS, the Town and the Southwest Heritage Foundation will negotiate a Real Estate Purchase and Sales Agreement with a not to exceed price for the conveyance of the Property of ten thousand dollars (\$10,000.00); and

WHEREAS, the Town Council finds that the negotiated purchase price represents fair and reasonable value for the Property and is in the best interests of the Town and its residents; and

WHEREAS, funds for the purchase of the Property have been appropriated and identified within the Town of Bluff Capital Projects Fund and are available for expenditure in accordance with the Town’s adopted budget; and

WHEREAS, it is in the best interests of the Town to proceed with this transaction promptly.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Council of Bluff, Utah that:

SECTION 1. Approval of Property Acquisition. The Town Council hereby approves the acquisition of the subject Property comprising approximately 1.84 acres from the Southwest Heritage Foundation pursuant to the terms and conditions set forth in a Real Estate Purchase and Sales Agreement for a purchase price of Ten Thousand Dollars (\$10,000.00). Contingent upon review and approval of the subject contract by the Town Attorney, the Town Council authorizes the Mayor to sign a contract complying with this resolution.

SECTION 2. Authorization of Mayor. Mayor Joshua Ewing is hereby authorized and directed to execute the contract and any necessary closing documents reasonably necessary to complete

the acquisition of the Property, with such non-material modifications as may be approved by the Mayor and determined to be in the best interests of the Town.

SECTION 3. Funding Source. The purchase price and associated closing costs shall be paid from the Town of Bluff Capital Projects Fund, as previously appropriated and authorized in the Town's adopted budget.

SECTION 4. Ratification. Any actions previously taken by Town officials, employees, agents, or representatives in furtherance of the Property acquisition are hereby ratified and approved.

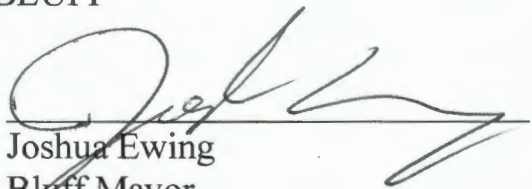
SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND APPROVED by the Bluff Town Council at a duly noticed public meeting on this 16th day of June 2026 by the following vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mayor Josh Ewing	X			
Mayor Pro-Tem Stephen Britt Hornsby	X			
Town Council Member Jennifer Davila	X			
Town Council Member Gary Haws	X			
Town Council Member Spencer Wade	X			

TOWN OF BLUFF

BY:



 Joshua Ewing
 Bluff Mayor

6/16/26
 Date



BLUFF SEAL

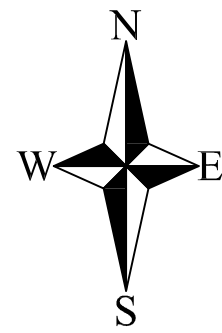
ATTEST:


 Erin Nelson
 Bluff Town Recorder

6/16/26
 Date

Attachment: **Exhibit 1**, Record of Survey - Description of the Real Property

-End of Document-



Record of Survey for Town of Bluff

Within the SE¹/₄ of Section 24, T40S, R21E, SLB&M

*Wildlands Conservancy
(1107-183, Tract 3)*

Descriptions

Tract "A"

A tract of land within the SE¹/₄ of Section 24, Township 40 South, Range 21 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:

Beginning at a point located N89°35'00"W 1858.03 feet along the section line and N00°25'00"E 200.00 feet from the southeast corner of said Section 24; running thence N89°35'00"W 400.00 feet, thence N00°01'11"E 200.00 feet, thence S89°35'00"E 401.39 feet, thence S00°25'00"W 200.00 feet to the point of beginning, containing 1.84 acres more or less.

Tract "B"

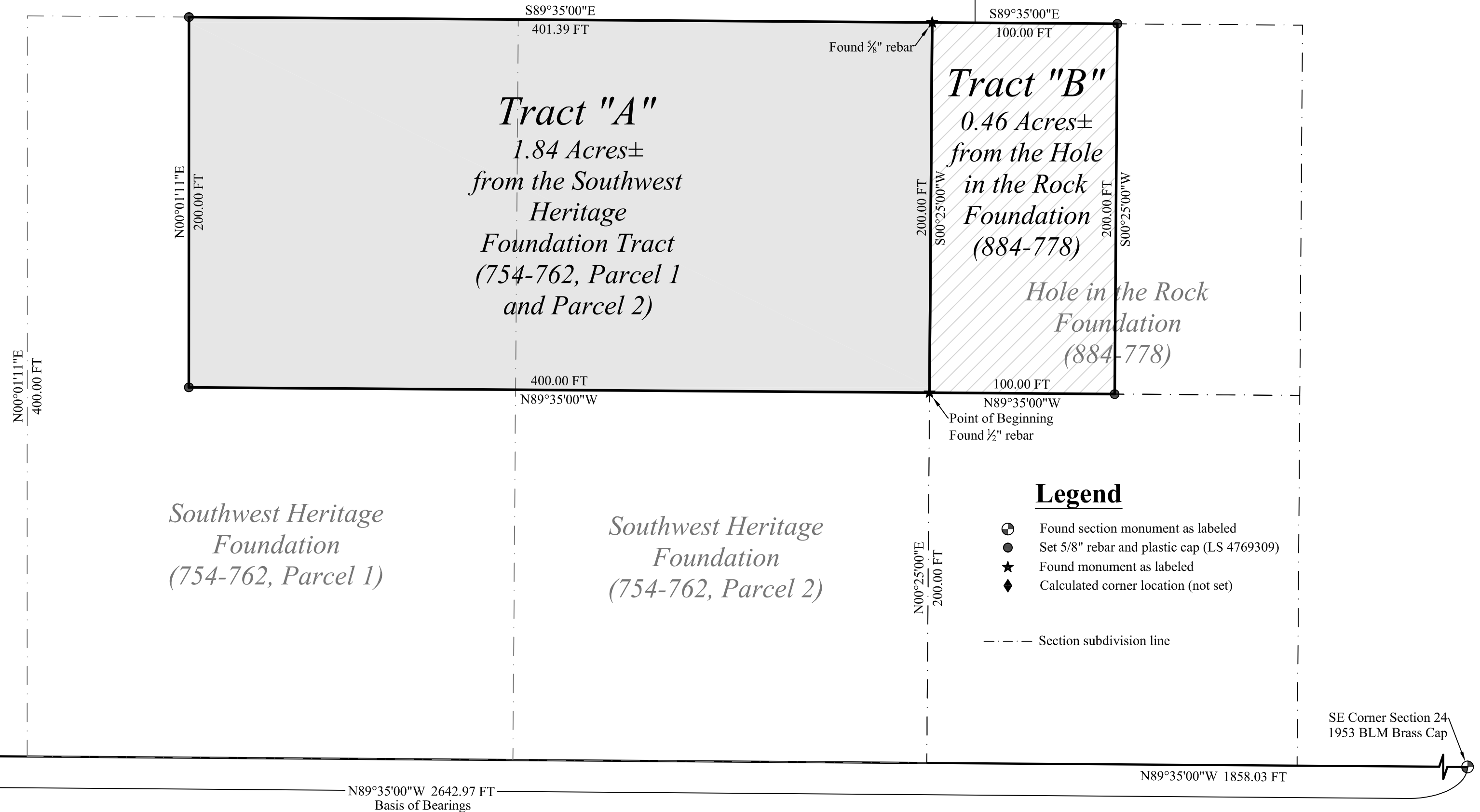
A tract of land within the SE¹/₄ of Section 24, Township 40 South, Range 21 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:

Beginning at a point located N89°35'00"W 1858.03 feet along the section line and N00°25'00"E 200.00 feet from the southeast corner of said Section 24; running thence N00°25'00"E 200.00 feet, thence S89°35'00"E 100.00 feet, thence S00°25'00"W 200.00 feet, thence N89°35'00"W 100.00 feet to the point of beginning, containing 0.46 acres more or less.

Combined Tract "A" and Tract "B"

A tract of land within the SE¹/₄ of Section 24, Township 40 South, Range 21 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:

Beginning at a point located N89°35'00"W 1858.03 feet along the section line and N00°25'00"E 200.00 feet from the southeast corner of said Section 24; running thence N89°35'00"W 400.00 feet, thence N00°01'11"E 200.00 feet, thence S89°35'00"E 501.39 feet, thence S00°25'00"W 200.00 feet, thence N89°35'00"W 100.00 feet to the point of beginning, containing 2.30 acres more or less.



Legend

- ⊙ Found section monument as labeled
- Set 5/8" rebar and plastic cap (LS 4769309)
- ★ Found monument as labeled
- ◆ Calculated corner location (not set)

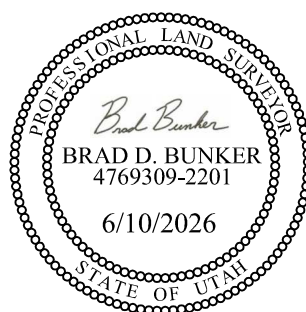
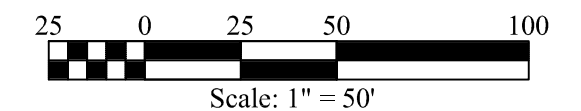
--- Section subdivision line

S¹/₄ Corner Section 24
1979 BLM Alum. Cap

SE Corner Section 24
1953 BLM Brass Cap

N89°35'00"W 2642.97 FT
Basis of Bearings

N89°35'00"W 1858.03 FT



Surveyor's Certificate

I Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This survey has been completed under my direction for the property described hereon in accordance with section 17-23-17. I hereby certify all prepared descriptions and measurements are correct. Monuments will be set as noted hereon. I also certify that this record of survey has been prepared under my direction at the request of Erin Nelson.

Brad Bunker
Brad D. Bunker Utah P.L.S. #4769309 6/10/2026
Date

Narrative

The purpose of this survey was to create a tract of land from the Southwest Heritage Foundation Tract (754-762) as shown hereon. It was also requested to create a description from a portion of the Hole in the Rock Foundation Tract (884-778).

San Juan County Record of Survey No. 527 details the fact that two separate section corner monuments may have been used for legal description preparation, surveys, and other boundary work in previous surveys in this area. It is clear that many of the surveys performed in the early 1990's (R.O.S. No.'s 32, 58, 76) utilized the more northern monument location (Johnston) for the section corner. After researching the previous surveys it appears that the majority of the tracts in Section 25 (when they were created) utilized the aluminum cap set by Johnston RLS 4946 for the northeast corner of Section 25. This was apparent from the locations of the found monuments found for the cemetery tract, the Letty Jones Foundation Tract and surrounding tracts in Section 25.

Tracts in Section 24 (HIRF, Duffield, Southwest Heritage Foundation, and others) appear to have been surveyed using the 1953 BLM brass cap monument. Utilizing different monuments for the section line between Sections 24 and 25 has caused overlaps between property owners along the section line(s).

The basis of bearings for this survey is N89°35'00"W between the southeast corner (1953 BLM brass cap) and the S¹/₄ corner (1979 alum. cap) of Section 24, Township 40 South, Range 21 East, SLB&M. The majority of previous surveys for the tracts (R.O.S. No.'s 32, 58, 76, etc.) just south of the section line in Section 25 have been surveyed using a basis of bearings of West between the aforementioned corners and the majority of the tracts (ROS No.'s 162, 154, 103, 80, 527, etc.) just north of the section line in Section 24 have been surveyed using a basis of bearings of N89°35'00"W between the northeast corner of Section 25 (1953 BLM brass cap) and the aforementioned N¹/₄ corner of said Section 25. See also SJC ROS No. 1132.

Record of Survey for
Town of Bluff
Within the SE¹/₄ of Section 24, T40S, R21E, SLB&M

Bunker Engineering, LLC

965 South Creek Road, Monticello, UT 84535
P.O. Box 432, Monticello, UT 84535 (435) 459-9152

Date: June 2026 Drawn By: B. Bunker Scale: 1" = 50' Sheet: 1 of 1

Drawing Name: Survey Reference Number: BE1572

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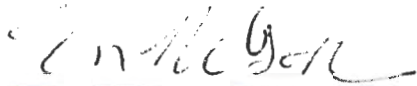
RECORDED this 16th day of June 2026.

PUBLISHED or POSTED this 16th day of June, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Recorder of Bluff, Utah, hereby certify that the foregoing Resolution was duly passed and published or posted via Class A Notice at:

- 1) Utah Public Notice Website
- 2) Town of Bluff Website www.townofbluffutah.gov
- 3) Bluff Town Offices located at 190 N 3rd E Street, Bluff, UT 84512



Erin Nelson

Bluff Town Recorder