

**RESOLUTION APPROVING SETTLEMENT BY  
UTAH DEPARTMENT OF TRANSPORTATION**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Peter C. Knudson**

**This concurrent resolution of the Legislature and the Governor approves the legal settlement reached between the Utah Department of Transportation and Envirotech Corporation, now known as EVT Holdings, Incorporated. This concurrent resolution has an immediate effective date.**

*Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

WHEREAS, the Utah Department of Transportation has the statutory responsibility to condemn land for state highway purposes and, under that authority, has condemned land owned by Envirotech, now known as EVT Holdings, Incorporated;

WHEREAS, the parties have been litigating the condemnation, which eventually resulted in a Stipulation and Agreement resolving all claims;

WHEREAS, in the Stipulation and Agreement, the Utah Department of Transportation agreed to pay Envirotech Corporation the sum of \$2,208,000, on the condition that the Utah Legislature approve the settlement pursuant to Section 63-38b-104, which requires the Legislature's approval before a state agency can execute a settlement agreement that might cost government entities more than \$1 million to implement;

WHEREAS, the Stipulation and Agreement will be paid out of right-of-way acquisition funds that have already been budgeted for the Interstate 15 Reconstruction Project, thus eliminating the need for further appropriation; and

WHEREAS, a timely execution of the Stipulation and Agreement is in the best interests of the state of Utah and Envirotech Corporation:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, approves the settlement agreement that the Attorney General's Office



28 and the Utah Department of Transportation negotiated with Envirotech Corporation, now known  
29 as EVT Holdings, Incorporated for the payment of \$2,208,000 **§ , WHICH INCLUDES THE \$208,000**  
29a **PREVIOUSLY PAID BY THE UTAH DEPARTMENT OF TRANSPORTATION TO ENVIROTECH**  
29b **CORPORATION § .**

30 NOW, THEREFORE, if approved by two-thirds of all the members elected to each house,  
31 this resolution takes effect upon approval by the governor, or the day following the constitutional  
32 time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the  
33 case of a veto, the date of veto override.

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**Legislative Review Note**  
**as of 1-31-01 3:16 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**