

67-5-29 Duty to file legal actions.

- (1) The attorney general may file an action to enforce the Utah Enabling Act, Section 9.
- (2) In accordance with Title 78B, Chapter 6, Particular Proceedings, the attorney general shall file an eminent domain action or quiet title action on property possessed by the federal government:
 - (a)
 - (i) that facilitates the state's ability to manage the school and institutional trust lands consistent with the state's fiduciary responsibilities towards the beneficiaries of the trust lands; and
 - (ii)
 - (A) that provides access to school and institutional trust lands; or
 - (B) that increases the profitability of the school and institutional trust lands; or
 - (b) for a public use that increases the ability of the state to generate revenue.
- (3) The attorney general shall file, by no later than July 1, 2011, an eminent domain action or quiet title action described in Subsection (2) on property possessed by the federal government for:
 - (a) a highway on Spring Creek Road located in the western half of section 3, township 38 south, range 12 west to provide access to section 2, township 38 south, range 12 west;
 - (b) a highway off of Old Canyon Road located in the northeast quarter of the southeast quarter of section 5, township 10 north, range 5 east to provide access to the southeast quarter of the southeast quarter of section 32, township 11 north, range 5 east; or
 - (c) the purposes described in Subsection (2).

Enacted by Chapter 262, 2010 General Session