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1	RESOLUTION APPROVING SETTLEMENT BY
2	UTAH DEPARTMENT OF TRANSPORTATION
3	2001 GENERAL SESSION
4	STATE OF UTAH
5	Sponsor: Peter C. Knudson
6	This concurrent resolution of the Legislature and the Governor approves the legal settlement
7	reached between the Utah Department of Transportation and Envirotech Corporation, now
8	known as EVT Holdings, Incorporated. This concurrent resolution has an immediate
9	effective date.
10	Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:
11	WHEREAS, the Utah Department of Transportation has the statutory responsibility to
12	condemn land for state highway purposes and, under that authority, has condemned land owned
13	by Envirotech, now known as EVT Holdings, Incorporated;
14	WHEREAS, the parties have been litigating the condemnation, which eventually resulted
15	in a Stipulation and Agreement resolving all claims;
16	WHEREAS, in the Stipulation and Agreement, the Utah Department of Transportation
17	agreed to pay Envirotech Corporation the sum of \$2,208,000, on the condition that the Utah
18	Legislature approve the settlement pursuant to Section 63-38b-104, which requires the
19	Legislature's approval before a state agency can execute a settlement agreement that might cost
20	government entities more than \$1 million to implement;
21	WHEREAS, the Stipulation and Agreement will be paid out of right-of-way acquisition
22	funds that have already been budgeted for the Interstate 15 Reconstruction Project, thus eliminating
23	the need for further appropriation; and
24	WHEREAS, a timely execution of the Stipulation and Agreement is in the best interests
25	of the state of Utah and Envirotech Corporation:
26	NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
27	Governor concurring therein, approves the settlement agreement that the Attorney General's Office



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and the Utah Department of Transportation negotiated with Envirotech Corporation, now known as EVT Holdings, Incorporated for the payment of \$2,208,000.

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

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

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

Office of Legislative Research and General Counsel

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