

November 5, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Utah State University – Long-term Ground Lease on USU Eastern Campus

Issue

Utah State University (USU) has requested authorization to enter into a long-term ground lease with Carbon County on vacant land on the USU Eastern Campus for the development of two soccer fields with parking, public restrooms, bleachers, and landscaping.

Pertinent Information

The proposed ground lease will enable Carbon County to develop a soccer field complex that will benefit USU Eastern and the community by providing additional green space for the Athletic program, with shared use by the local schools, public recreation programs, and the general public.

Approval of this proposed arrangement is governed by Regent Policy R712, Nontraditional Arrangements for Development of Facilities on Campuses. USU and Carbon County are in the process of finalizing the contract documents, the salient details of which are included in the "Tentative Ground Lease Parameters" addendum to the attached letter from the University. The location of the vacant land is shown on Exhibit A.

USU officials will be present at the meeting to provide additional information and to respond to questions from the Board.

Commissioner's Recommendation

The Commissioner recommends approval of this proposed ground lease subject to verification by the Attorney General's Office that the contract documents comply with statutory provisions as to form and legal authority.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/WRH
Attachment

October 30, 2014

Commissioner David L. Buhler
Utah State Board of Regents
Board of Regents Building The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Commissioner Buhler:

Utah State University and Carbon County desire to enter into a long-term ground lease agreement for 8.1 acres of vacant land on the Utah State University Eastern campus to develop two soccer fields including a parking area, public restrooms, bleachers, and landscaping. The ground lease will document the arrangements between Utah State University and the County relating to planning, construction, and shared use of the proposed soccer fields. At the conclusion of the ground lease the property improvements will revert back to Utah State University. Parameters that are being considered for the ground lease are listed on the attached document.

USU Eastern and the community value the collaborative relationship they have developed in Price and in the broader community of Carbon County over a number of years. Entering into the proposed ground lease benefits USU Eastern and the community by providing additional green space for college athletes with shared use by the local schools, public recreation programs, and the general public.

We appreciate your support and ask that you present this item to the Board of Regents for approval subject to final approval of the lease as to form by the Attorney General's Office. This request received Board of Trustees approval on October 24, 2014.

Sincerely,



David T. Cowley
Vice President
for Business & Finance

cc: Greg Stauffer, Associate Commissioner for Planning, Finance & Facilities
Stan Albrecht, President

Tentative Ground Lease Parameters

8.1 acres of vacant land located in Price to be leased up to 20-years to Carbon County for the purpose of building a soccer field complex for the county and USU Eastern Athletics

USU Eastern and the County will cooperatively create the site development plan.

County will be solely responsible for all scheduling and assessing of fees for the use of the complex.

County will provide first right of use for USU Eastern games upon receiving a three-month notice from the University.

County will charge no fees to USU Eastern for use of the property/complex during the term of the lease.

County will build at least one collegiate size field at the complex. The remaining soccer complex facilities will be at the discretion of the county subject to their funding.

County will be responsible to maintain and repair all improvements made to the property (including restrooms, storage facilities, sprinkler systems, lighting, parking, and other infrastructure) during the term of the lease.

In exchange for the first right of use, USU Eastern will pay utility costs of water, lights, and sewer for the duration of the lease.

USU Eastern will mow and fertilize the grass and provide winter snow removal for street sidewalks (and parking lot) if needed.

At the termination of the lease the County relinquishes all claims to the improvements made to the property.

EXHIBIT A

