

Date: August 5, 2020
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP *SW*
Director, Community Development Department
Agenda Date: August 11, 2020
Subject: **Request for approval to sell surplus real property (Parcel Number 03-007-0049)**
Exhibits: A - Maps (Aerial Photo) of Parcel & Recorder's Ownership Plat
B - Weber County Tax Deed
C - Release of Notice of Interest
D - Real Estate Purchase and Sale Agreement
E - Quit Claim Deed

Summary:

Parcel Number 03-007-0049 was struck off to Weber County in the 2001 tax sale. In 2011, a notice of interest was recorded on the property by Heinz Bruhl. The County was approached about selling this property in 2019 by Mark Steffen, but the sale was put on hold pending the release of the notice of interest. While waiting, the Community Development Department contacted both adjacent property owners (as preferential interest holders) and Ogden City about purchasing the property, but received no interested responses.

The release of the notice of interest was recorded on August 4th. On August 5th, the Community Development Department spoke with Heinz Bruhl about his recently expressed interest in purchasing the property. However, Mr. Bruhl stated that he was no longer interested in purchasing the property and understood that the County would move forward with selling it.

Weber County has no intended use for this property and selling it will remove the County's property maintenance costs and responsibility. The legal description has been reviewed and approved by the County Surveyor's Office and the County Commission declared this parcel surplus to the County's needs on October 28, 2014.

The purchase price for this parcel is \$45,000 based on an opinion of value letter provided by a licensed real estate broker. All requirements of Weber County Code Title 2 Chapter 21 (Disposal of Surplus Property) have been met.

Property Description:

03-007-0049

ALL OF LOT 17, REEVE'S ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

Recommendation:

Sell the above described property to Mark Steffen for \$45,000.

Exhibit A-1



Exhibit A-2

BLOCK 4 FIVE ACRE PLAT A

LOTS 3, 4 & PART OF 2

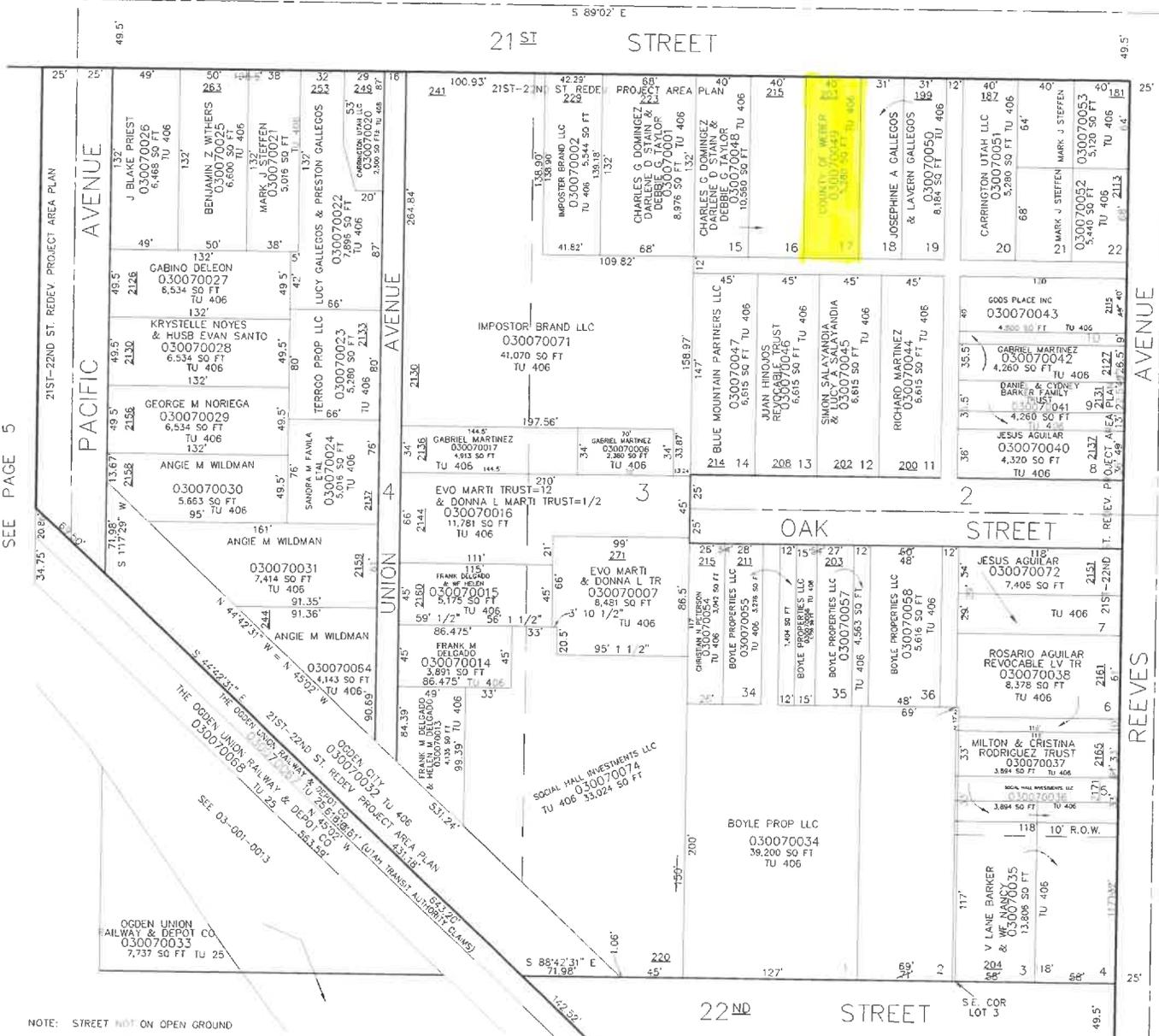
LOTS 1-22 & 34-36 REEVE'S ADDITION

IN OGDEN CITY

SCALE 1" = 60'

TAXING UNIT: 25, 406

SEE PAGE 9



SEE PAGE 5

SEE PAGE 6

NOTE: STREET NOT ON OPEN GROUND

SEE PAGE 5

NOTE: ALL MEASUREMENTS ARE FROM OGDEN CITY ENG. DEPT. PLATS

Exhibit B

TAX SALE RECORD

CARSON, ALTON J & WF
MABEL M CARSON
% H J BRUHL
P O BOX 9504
OGDEN UT 84409

SERIAL NUMBER 03-007-0049

ALL OF LOT 17, REEVE'S ADDITION, OGDEN CITY, WEBER COUNTY,
UTAH.

THE FOLLOWING SCHEDULE SHOWS AMOUNTS CALCULATED TO MAY 31, 2001

1995	GENERAL TAX CHARGE	325.54		
	PENALTY CHARGE	10.00	1995 Total	540.00
	INTEREST	204.46		
1996	CITY WEED&DEMOLITION	6,120.00		
	GENERAL TAX CHARGE	216.44	1996 Total	8,960.37
	LEFT OVER INTEREST CHAR	1,620.21		
	ORIGINAL INTEREST CHARG	.00		
	PENALTY CHARGE	126.73		
	INTEREST	876.99		
1999	TAX SALE FEES	30.00	1999 Total	33.25
	INTEREST	3.25		
			GRAND TOTAL	9,533.62

THE FEE SIMPLE TITLE TO THE PROPERTY DESCRIBED IN THIS ENTRY WAS SOLD AND
CONVEYED TO THE COUNTY OF WEBER ON May 31, 2001 IN PAYMENT OF GENERAL TAXES
CHARGED AGAINST THE PROPERTY.


LINDA G. LUNCEFORD
WEBER COUNTY CLERK/AUDITOR

(SEAL)



W1777986

E# 1777986 BK2147 PG2952
DOUG CROFTS, WEBER COUNTY RECORDER
21-JUN-01 958 AM FEE \$1.00 DEP JPM
REC FOR: WEBER.COUNTY.CLERK

Exhibit C



W3073991

WHEN RECORDED, RETURN TO:
Heinz J. Bruhl
PO Box 9504
Ogden, UT 84409

ER 3073991 PG 1 OF 2
LEANN H KILTS, WEBER COUNTY RECORDER
04-AUG-20 4:39 PM FEE \$1.00 DEP PV
REC FOR: WEBER COUNTY PLANNING

RELEASE OF NOTICE OF INTEREST

Tax ID. No. 03-007-0049

TO WHOM IT MAY CONCERN: Heinz J. Bruhl hereby releases the Notice of Interest that was recorded against the parcel listed above on July 7, 2011, as Entry No. 2533271 with the Weber County Recorder's Office.

WITNESS the hand of Heinz J. Bruhl this 4th day of August, 2020.

Signature: Jen Fillion-Hood Heinz Bruhl
STATE OF UTAH)

:ss
COUNTY OF WEBER)

On this 4th day of August, 2020, personally appeared before me Heinz J. Bruhl, signer of the above instrument, who duly acknowledged to me that he executed the same.



Jen Fillion-Hood
Notary Public

WHEN RECORDED MAIL TO:

Heinz J. Bruhl
P.O. Box 9504,
Ogden, Utah 84409



EB 2533271 PG 1 OF 1
ERNEST D ROWLEY, WEBER COUNTY RECORDER
07-JUL-11 1247 PM FEE \$10.00 DEPT. REC
REC. FOR: HEINZ BRUHL

SPACE ABOVE FOR RECORDER'S USE

Notice of Interest

NOTICE IS HEREBY GIVEN: **HEINZ J. BRUHL**, grantor,

The undersigned claims an interest in the following described property situated in _____

Ogden City, Weber County, Utah, arising from

Purchased Real Property located 199 W. 21st Street, Ogden, Utah
on contract, September 13th, 1976 and it is fully paid for.

to-wit: (legal description) . TAX ID #030070050

ALL OF LOT 18, Reeve's Addition, Ogden City, Weber County, State of Utah.

03-007-0049

Dated this 7th day of July, 2011

[Signature]

STATE OF UTAH,

ss.

County of Weber

On the 7th day of July, A. D. 2011, personally appeared before me

the signer of the within instrument, who duly acknowledged to me that he executed the same.



[Signature]

Notary Public

My Commission Expires: 10-12-2014 Residing at: 2200 Wash Blvd Ogden



Exhibit D

**REAL ESTATE PURCHASE AND SALE AGREEMENT
BY AND BETWEEN WEBER COUNTY AND MARK STEFFEN**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ____ day of _____, 2020, by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereinafter "County") and Mark Steffen, with his principal address located at PO Box 1279 Madison, CT 06443 (hereinafter "Buyer").

RECITALS

WHEREAS, according to the official records of the Recorder of Weber County, State of Utah, County owns certain real property more fully described in this Agreement; and

WHEREAS, County declared such property as surplus to its needs on October 28, 2014; and

WHEREAS, Buyer approached County about purchasing the property; and

WHEREAS, Buyer desires to purchase such property on the terms and conditions more particularly set forth herein;

NOW, THEREFORE, it is hereby acknowledged and agreed by and between the parties hereto as follows:

**SECTION ONE
DESCRIPTION OF PROPERTY**

The real property which is the subject of this agreement is described as follows:

Land Serial Number: 03-007-0049

ALL OF LOT 17, REEVE'S ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

**SECTION TWO
PURCHASE PRICE AND TERMS**

The purchase price for the above described property is forty-five thousand dollars (\$45,000). The County shall convey the real property to Buyer by Quit Claim Deed upon receipt of the full purchase price.

**SECTION THREE
INDEMNIFICATION**

Buyer agrees to defend, indemnify and hold harmless County, its officers, agents and employees for and against any claims or suits that arise as a result of this purchase and sale transaction.

**SECTION FOUR
NO WARRANTIES**

The County does not warrant or guarantee that the property is free from easements, covenants, mortgages, liens, or other encumbrances, nor does the County make any other covenants or warranties concerning the property.

**SECTION FIVE
GOVERNING LAW**

The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this Agreement.

**SECTION SIX
ENTIRE AGREEMENT**

This Agreement constitutes the entire Agreement by and between the parties hereto with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this Agreement unless specifically incorporated herein by reference. This Agreement supersedes any and all other agreements, negotiations, or understandings between the parties.

IN WITNESS WHEREOF the undersigned have affixed their respective signatures hereto on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Gage Froerer, Chair

Commissioner Froerer voted _____

Commissioner Harvey voted _____

Commissioner Jenkins voted _____

ATTEST:

Date: _____

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

BUYER

Mark Steffen

Subscribed and sworn to before me, _____,
this ____ day of _____, 2019.

Notary Public

Exhibit E

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

Mark Steffen
PO Box 1279
Madison, CT 06443

MAIL TAX NOTICE TO:

Mark Steffen
PO Box 1279
Madison, CT 06443

QUIT CLAIM DEED

Weber County Corporation, Grantor, of 2380 Washington Blvd., Ogden, UT, 84401, hereby quit claims to Mark Steffen, at PO Box 1279 Madison, CT 06443, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Weber County, Utah, to wit:

The real property which is described as follows:

Land Serial Number: 03-007-0049

ALL OF LOT 17, REEVE'S ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

Gage Froerer, Chair

I hereby certify that the sale and transfer of the property described herein was duly approved at a regularly scheduled meeting of the Board of County Commissioners on the 11th day of August 2020.

Ricky D. Hatch, CPA
Weber County Clerk/Auditor