



Date: August 12, 2020  
To: Weber County Board of County Commissioners  
From: Sean Wilkinson, AICP *SW*  
Director, Community Development Department  
Agenda Date: August 18, 2020  
Subject: **Request for approval to sell surplus real property (Parcel Number 05-080-0006)**  
Exhibits: A - Maps (Aerial Photo) of Parcel & Recorder's Ownership Plat  
B - Weber County Tax Deed  
C - Real Estate Purchase and Sale Agreement  
D - Quit Claim Deed

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**Summary:**

Parcel Number 05-080-0006 was struck off to Weber County in the 2008 tax sale. The County was recently approached about selling this property by Travis Lindsey, who also owns the property at 881 37<sup>th</sup> Street. Mr. Lindsey believed until recently that he owned this property and he has made improvements to it, including a small shed and concrete pad. For this reason, the Community Development Director has determined that Mr. Lindsey has a preferential interest in the property and he should receive the first opportunity to purchase 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 August 4, 2020. All requirements of Weber County Code Title 2 Chapter 21 (Disposal of Surplus Property) have been met.

The purchase price for this parcel is \$1,579 based on its assessed value. When the property was struck off to Weber County, the combination of taxes, penalties, and interest owed was \$772.99.

**Property Description:**

05-080-0006

THE NORTH 44.03 FEET OF LOT 3, BEL MAR ACRES EXTENSION NO. 1, SOUTH OGDEN CITY, WEBER COUNTY, UTAH.

**Recommendation:**

Sell the above described property to Travis Lindsey for \$1,579.

# Exhibit A

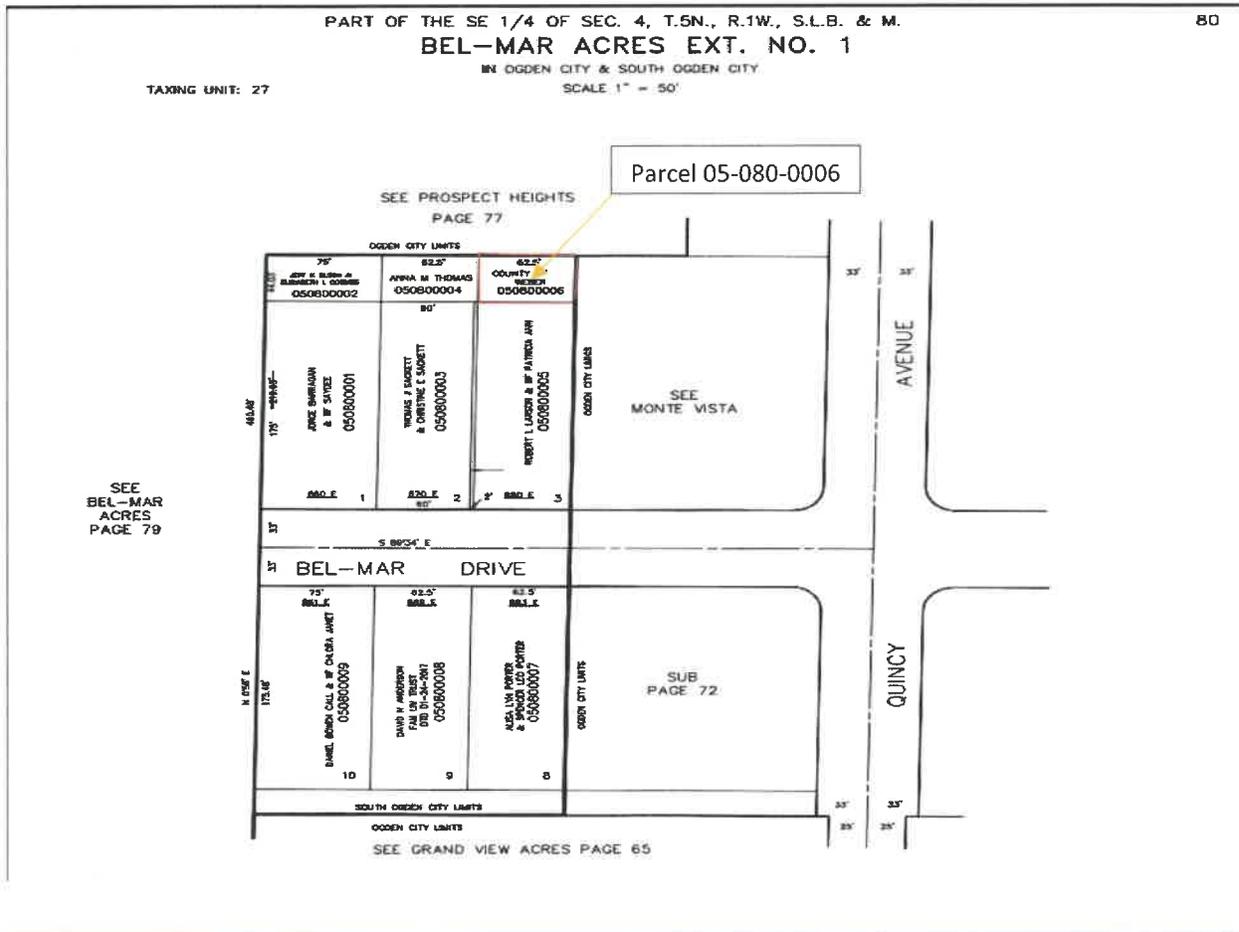


Exhibit B



\*W2350000\*

EN# 2350000 PG 1 OF 1  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
24-JUN-08 355 PM FEE \$10.00 DEP LF  
REC FOR: WEBER COUNTY CLERK

# TAX DEED

The fee simple title to the property described in this entry and previously owned by WILMETH, MARILYN WALTON FKA MARLYRN R MATHER was sold and conveyed to the County of Weber on May 22, 2008 in payment of general taxes charged against the property as shown below. (It was offered at the tax sale and struck off to the county as no bids were placed.)

05-080-0006 *fa*

THE NORTH 44.03 FEET OF LOT 3, BEL MAR ACRES EXTENSION NO. 1,  
SOUTH OGDEN CITY, WEBER COUNTY, UTAH.

2003	PINEVIEW WATER	46.06			
	PENALTY CHARGE	10.00	2003 Total	90.74	
	GENERAL TAX CHARGE	13.34			
	INTEREST	21.34			
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2004	PINEVIEW WATER	48.36			
	PENALTY CHARGE	10.00	2004 Total	101.15	
	GENERAL TAX CHARGE	20.69			
	INTEREST	22.10			
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2005	GENERAL TAX CHARGE	21.88			
	PINEVIEW WATER	52.64	2005 Total	105.22	
	PENALTY CHARGE	10.00			
	INTEREST	20.70			
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2006	PINEVIEW WATER	54.94			
	GENERAL TAX CHARGE	21.47	2006 Total	99.91	
	PENALTY CHARGE	10.00			
	INTEREST	13.50			
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2007	TAX SALE FEES	275.00			
	GENERAL TAX CHARGE	19.30	2007 Total	375.97	
	PINEVIEW WATER	57.25			
	PENALTY CHARGE	10.00			
	INTEREST	14.42			
				GRAND TOTAL	772.99

Alan D. McEwan, the duly elected, qualified and acting County Clerk/Auditor in and for Weber County, State of Utah, declares that this instrument was signed in behalf of said county by authority of Section 59-2-1351.1, Utah Code.

seal

*Alan D. McEwan*  
Alan D. McEwan, CPA  
Weber County Clerk/Auditor

Date: 6/23/2008

ATTEST: *Fatima Fernelius*  
Fatima Fernelius  
Administrative Assistant



## Exhibit C

### **REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND TRAVIS LINDSEY**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the \_\_\_ day of August, 2020, by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereinafter "County") and Travis Lindsey, with his principal address being 881 37<sup>th</sup> Street Ogden, UT 84403 (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 August 4, 2020; 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: 05-080-0006

THE NORTH 44.03 FEET OF LOT 3, BEL MAR ACRES EXTENSION NO. 1, SOUTH OGDEN CITY, WEBER COUNTY, UTAH.

#### **SECTION TWO PURCHASE PRICE AND TERMS**

The purchase price for the above described property is one thousand five hundred seventy-nine dollars (\$1,579). The County shall convey the real property, using the exact legal description that described the property when the County took ownership, 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**

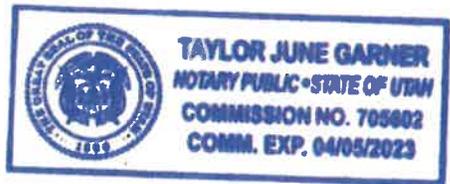
By \_\_\_\_\_  
Gage Froerer, Chair

Commissioner Froerer voted \_\_\_\_\_  
Commissioner Harvey voted \_\_\_\_\_  
Commissioner Jenkins voted \_\_\_\_\_

ATTEST:

Date: \_\_\_\_\_

\_\_\_\_\_  
Ricky D. Hatch, CPA  
Weber County Clerk/Auditor



BUYER  
  
\_\_\_\_\_  
Travis Lindsey

Subscribed and sworn to before me, Travis Lindsey,  
this 5 day of August, 2020.

  
\_\_\_\_\_  
Notary Public

Exhibit D

RECORDED AT THE REQUEST OF  
AND WHEN RECORDED MAIL TO:

Travis Lindsey  
881 37<sup>th</sup> Street  
Ogden, Utah 84403

MAIL TAX NOTICE TO:

Travis Lindsey  
881 37<sup>th</sup> Street  
Ogden, Utah 84403

**QUIT CLAIM DEED**

Weber County Corporation, Grantor, of 2380 Washington Blvd. Ogden, Utah, 84401, hereby quit claims to Travis O. Lindsey and Kimberly S. Lindsey, Grantees, at 881 37<sup>th</sup> Street Ogden, Utah 84403, 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: 05-080-0006

THE NORTH 44.03 FEET OF LOT 3, BEL MAR ACRES EXTENSION NO. 1, SOUTH OGDEN CITY, WEBER COUNTY, UTAH.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

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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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor