

Date:	October 2, 2023
То:	Weber County Board of County Commissioners
From:	Scott Mendoza Community Development Department
Agenda Date:	October 10, 2023
Subject:	Request for approval to sell surplus property identified as Parcel #05-135-0030.
Attachments:	A - Aerial Vicinity Map B – Recorder's Tax Map C – Real Estate Purchase and Sale Agreement D – Quit Claim Deed

Summary:

A Weber County owned parcel of land, identified as Tax ID #05-135-0030, was acquired by the County through a tax sale process and deed executed in 1945. The parcel contains 356.25 square feet and is located at approximately 3903 Adams Avenue, in South Ogden City. This parcel is described as a 2½ foot wide strip that runs 142.5 feet in length. See Attachment A for a vicinity map and Attachment B for a Recorder's Office plat map.

South Ogden City recently notified the County that the City's municipal code requires that the County (as a property owner) assume responsibilities associated with maintaining area within the mid-block alley. The area that the County is responsible for is the area in between the County's parcel (where it fronts on the alley) and the centerline of the alleyway. Because of the city required maintenance responsibilities, the Community Development Office contacted an adjacent landowner and found that the landowner is interested in purchasing the property. The County Assessor's Office has evaluated the subject parcel's fair market value and has determined the value to be \$163.00

Weber County has no intended use for this property and has no interest in maintaining the area within the alley; therefore, it is recommended that the parcel be sold to the adjacent property owner for \$163.00.

In order to convey real property, the County Commission must first take action to declare this parcel as surplus property. The property was declared surplus during a regular commission meeting held on June 6th, 2023.

Property Description:

05-135-0030

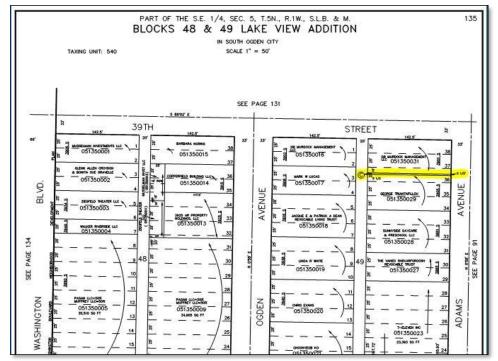
THE SOUTH 2.5 FEET OF THE NORTH 12.5 FEET OF LOT 36, BLOCK 49, LAKE VIEW ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.



Attachment A



Attachment B



ATTACHMENT C

REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND DB MURDOCK MANAGEMENT L.L.C.

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ______ day of ______ 2023, by and between Weber County, a body politic, corporate, and political subdivision of the State of Utah (hereinafter "County") and DB Murdock Management, L.L.C., a Utah limited liability company, located at 3569 N 475 E, North Ogden, Utah 84414 (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 June 6th, 2023; and

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

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: 05-135-0030

THE SOUTH 2.5 FEET OF THE NORTH 12.5 FEET OF LOT 36, BLOCK 49, LAKE VIEW ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

SECTION TWO PURCHASE PRICE AND TERMS

The purchase price for the above described property is One Hundred Sixty-Three Dollars (\$163.00). The County shall convey the real property to Buyer by Quit Claim Deed upon receipt of the full purchase price.

ATTACHMENT C

SECTION THREE INDEMNIFICATION

Buyer agrees to indemnify and hold harmless County, its officers, agents, and employees from 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.

Witness the hand of said Buyer this _____ day of _____, 2023.

DB Murdock Management, L.L.C.

STATE OF UTAH) :ss COUNTY OF Weber County) On this ______ day of ______, in the year 2023, before me, ______ a notary public, personally appeared Dan B. Murdock, signer of the foregoing instrument, who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, did say that she/he is a Member of DB Murdock Management, L.L.C. and that this instrument was signed by her/him on behalf of said Limited Liability Company and by its authority, and duly acknowledged to me that said Limited Liability Company executed the same.

Witness my hand and official seal.

Notary Public			
My Commission Expires:	SEAL		
	BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY By Gage H. Froerer, Chair Commissioner Harvey voted Commissioner Bolos voted Commissioner Froerer voted		

ATTEST:

This _____ day of _____, 2023.

Ricky D. Hatch, CPA Weber County Clerk/Auditor

ATTACHMENT D

Mail Tax Notice To: DB Murdock Management, L.L.C. 3569 N 475 E North Ogden, Utah 84414

QUIT CLAIM DEED

COUNTY OF WEBER (aka Weber County), Grantor, of 2380 Washington Blvd., Ogden, Utah 84401, hereby QUIT CLAIMS to: DB Murdock Management, L.L.C., Grantee, the following described tract(s) of land in Weber County, State of Utah:

Part of Parcel #05-135-0030

THE SOUTH 2.5 FEET OF THE NORTH 12.5 FEET OF LOT 36, BLOCK 49, LAKE VIEW ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

	BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY
	By:
	Gage H. Froerer, Chair
	above property was duly approved at a regularly scheduled on the day of, 20
Ricky Hatch, CPA	seal
Weber County Clerk/Auditor	

THE FOLLOWING IS A REQUEST TO COMBINE PROPERTIES

DB Murdock Management, L.L.C., Grantor, of Weber County, Utah, hereby quit claims to DB Murdock Management, L.L.C. Grantee, of Weber County, Utah, the following described tract(s) of land in Weber County, State of Utah, with the intent to combine the parcels under a single tax identification number for tax purposes, and hereby request that the Weber County Recorder combine the parcels:

Tax ID# 05-135-0031 THE NORTH 10 FEET OF LOT 36, AND ALL OF LOT 37 AND 38, BLOCK 49, LAKEVIEW ADDITION TO OGDEN CITY, UTAH.

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ATTACHMENT D

Tax ID# 05-135-0030

THE SOUTH 2.5 FEET OF THE NORTH 12.5 FEET OF LOT 36, BLOCK 49, LAKE VIEW ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

IN WITNESS WHEREOF the undersigned has affixed his respective signature hereto on the date indicated below.

Witness the hand of said Grantor this _____ day of _____, 2023.

DB Murdock Management, L.L.C.

STATE OF UTAH				
COUNTY OF Weber County	:ss)			
On this day of	, in the year 202	23, before me,		a
of satisfactory evidence to be th	red Dan B. Murdock, signer of the person whose name is subscribe	ed to this instrument,	did say that he	is a Member
C .	L.L.C. and that this instrument wa athority, and duly acknowledged t	<u> </u>		
executed the same.				

Witness my hand and official seal.

Notary Public My Commission Expires:

SEAL