

Date: February 7, 2022
To: Weber County Board of County Commissioners
From: Scott Mendoza
Community Development Department

Agenda Date: February 15, 2022

Subject: **Request for approval to sell a part of surplus property identified as Parcel #05-112-0051.**

Attachments: A - Aerial Vicinity Map
B - Dedication Plat – 1890 F.T. Sanford’s Subdivision
C – Tax Sale Record
D – Real Estate Purchase and Sale Agreement
E – Quit Claim Deed

Summary:

A Weber County owned parcel of land, identified as Tax ID# 05-112-0051, was acquired by the County through a tax sale process and deed executed in 2019. The parcel contains approximately 3,644 square feet and is located on a mid-block alley, near 3234 Pingree Avenue, in Ogden City. This parcel is described as being a part of an unnumbered lot in the F.T. Sanford’s Subdivision. See Attachment A for a vicinity map and Attachment B for the official dedication plat that created the parcel. See Attachment C for the tax sale record.

The County has been contacted by an adjacent property owner who has asked if the County will consider selling the southernmost 440 square feet of the subject parcel. The Community Development Department has worked with the county surveyor’s office and the county assessor’s office so that a smaller (divided) parcel can be created and an appropriate value can be determined. The fair market value of the 440 square foot parcel is \$300.00. The remaining parcel will be offered to two other adjacent homeowners.

Weber County has no intended use for this property; therefore, the County Commission reviewed and declared this property to be surplus during a public meeting held on December 21, 2021.

All standards and requirements found in the County’s surplus property code (Title 2, Chapter 21 – Disposal of Surplus Property) have been met and the existing legal description has been reviewed by the Weber County Surveyor’s Office. The Surveyor’s Office has also prepared a legal description that is appropriate for use in the proposed purchase agreement and quit claim deed. See Attachment D for a purchase agreement and Attachment E for a quit claim deed that can facilitate the sale if approved.

Property Description:

Part of Parcel #05-112-0051

A PORTION OF THE DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED, RECORDED AS ENTRY NUMBER 2986819, LIMITED TO THE AREA LYING BETWEEN AN EASTWARD EXTENSION OF THE NORTH LINE OF LOT 13 AND THE SOUTH LINE OF LOT 14, BLOCK 1 SOUTH PARK ADDITION TO OGDEN CITY, ALSO BEING THE NORTH AND SOUTH LINES OF PARCEL 04-050-0023 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3165958.

EXCLUDING THEREFROM ANY PORTION LYING WITHIN THE ALLEYWAY DEDICATED TO OGDEN CITY BY F.T. SANFORD'S SUBDIVISION.

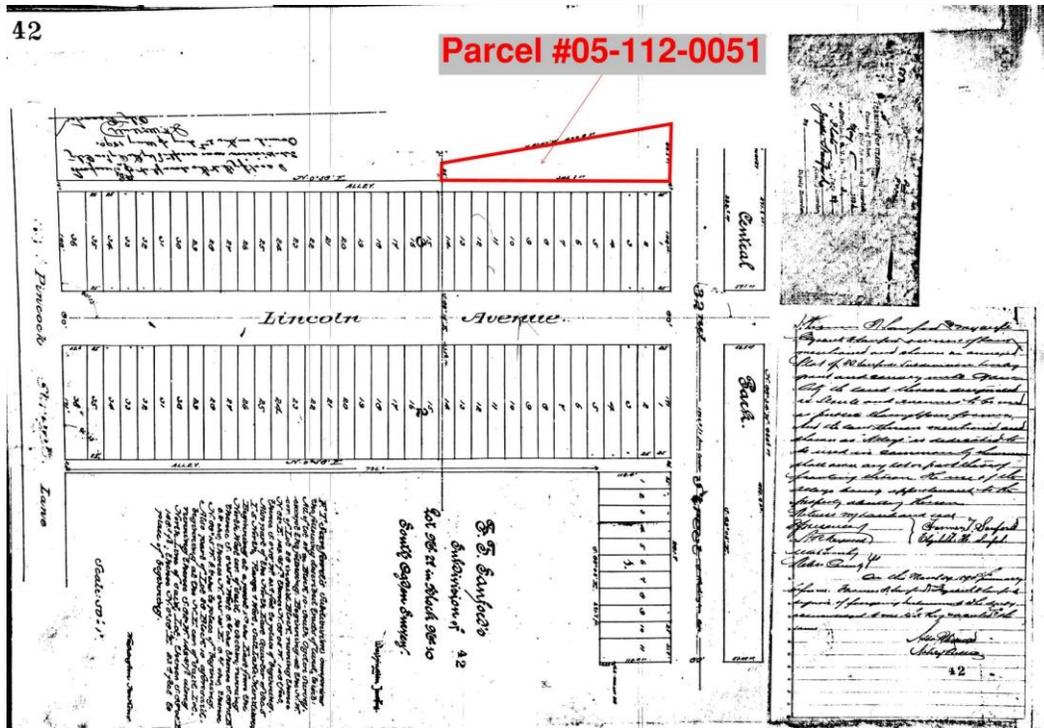
DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 2986819:

PART OF THE UNNUMBERED LOT IN F.T. SANFORD'S SUBDIVISION, OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF SOUTH LINE OF 32ND STREET AND THE EAST LINE OF ALLEY; SAID BEGINNING BEING 148 FEET WEST FROM THE INTERSECTION OF THE SOUTH LINE OF 32ND STREET AND THE WEST LINE OF LINCOLN AVENUE; THENCE SOUTH 0°58' WEST ALONG THE EAST LINE OF SAID ALLEY 345.30 FEET; THENCE NORTH 89°15' WEST 25.13 FEET; THENCE NORTH 8°45' WEST 168.4 FEET; THENCE EAST TO THE WEST LINE OF THE ALLEY; THENCE NORTH 182.9 FEET, MORE OR LESS, TO THE SOUTH LINE OF 32ND STREET; THENCE EAST ALONG SAID LINE OF 32ND STREET TO THE PLACE OF BEGINNING.

Attachment A



Attachment B



Attachment C



TAX DEED



"W2986819"

The fee simple title to the property described in this entry and previously owned by:

REEDER, BART

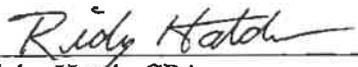
was sold and conveyed to the County of Weber on May 23, 2019 in payment of general taxes charged against the property as shown below. (It was offered at the tax sale and struck off to the county as no bids were placed.)

05-112-0051 11 PART OF THE UNNUMBERED LOT IN F.T. SANFORD'S SUBDIVISION,
 12 OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS:
 ds DB 13 BEGINNING AT THE INTERSECTION OF SOUTH LINE OF 32ND STREET
 14 AND THE EAST LINE OF ALLEY; SAID BEGINNING BEING 148 FEET WEST
 CM 15 FROM THE INTERSECTION OF THE SOUTH LINE OF 32ND STREET AND
 BST 16 THE WEST LINE OF LINCOLN AVENUE; THENCE SOUTH 0D58' WEST ALONG
 BT 17 THE EAST LINE OF SAID ALLEY 345.30 FEET; THENCE NORTH 89D15'
 18 WEST 25.13 FEET; THENCE NORTH 8D45' WEST 168.4 FEET; THENCE
 19 EAST TO THE WEST LINE OF THE ALLEY; THENCE NORTH 182.9 FEET,
 20 MORE OR LESS, TO THE SOUTH LINE OF 32ND STREET; THENCE EAST
 21 ALONG SAID LINE OF 32ND STREET TO THE PLACE OF BEGINNING.

Tax Year	Area	General Charges	Direct Charges	Penalties	Interest	Total
2018	25	19.97	.00	.00	.66	20.63
2017	25	21.38	.00	.00	2.15	23.53
2016	25	21.75	248.00	10.00	46.78	326.53
2015	25	21.31	.00	.00	5.06	26.37
2014	25	21.70	155.00	.00	54.32	231.02

Grand Total 628.08
 EN 2986819 PG 1 OF 1
 LEANN H KILTS, WEBER COUNTY RECORDER
 19-JUN-19 447 PM FEE \$1.00 DEP DC
 REC FOR: WEBER COUNTY CLERK/AUDITOR

Ricky Hatch, the duly elected, qualified and acting County Clerk/Auditor in and for Weber County, State of Utah, declares that the above and foregoing instrument was signed in behalf of said county by authority of Section 59-2-1351, Utah Code.


 Ricky Hatch, CPA
 Weber County Clerk/Auditor



Date: 6/19/2019

Attachment D

1 of 3

REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND DUSTIN R. WARD AND JESSICA J. DEPILO

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ____ day of January, 2022, by and between Weber County, a body politic, corporate, and political subdivision of the State of Utah (hereinafter "County") and Dustin R. Ward and Jessica J. Depillo whose principal address is 3234 Pingree Avenue, Ogden, Utah. 84401 (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 December 21, 2021; 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:

A PORTION OF THE DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED, RECORDED AS ENTRY NUMBER 2986819, LIMITED TO THE AREA LYING BETWEEN AN EASTWARD EXTENSION OF THE NORTH LINE OF LOT 13 AND THE SOUTH LINE OF LOT 14, BLOCK 1 SOUTH PARK ADDITION TO OGDEN CITY, ALSO BEING THE NORTH AND SOUTH LINES OF PARCEL 04-050-0023 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3165958.

EXCLUDING THEREFROM ANY PORTION LYING WITHIN THE ALLEYWAY DEDICATED TO OGDEN CITY BY F.T. SANFORD'S SUBDIVISION.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 2986819:
PART OF THE UNNUMBERED LOT IN F.T. SANFORD'S SUBDIVISION, OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF SOUTH LINE OF 32ND STREET AND THE EAST LINE OF ALLEY; SAID BEGINNING BEING 148 FEET WEST FROM THE INTERSECTION OF THE SOUTH LINE OF 32ND STREET AND THE WEST LINE OF LINCOLN AVENUE; THENCE SOUTH 0°58' WEST ALONG THE EAST LINE OF SAID ALLEY 345.30 FEET; THENCE NORTH

Attachment D

2 of 3

89°15' WEST 25.13 FEET; THENCE NORTH 8°45' WEST 168.4 FEET; THENCE EAST TO THE WEST LINE OF THE ALLEY; THENCE NORTH 182.9 FEET, MORE OR LESS, TO THE SOUTH LINE OF 32ND STREET; THENCE EAST ALONG SAID LINE OF 32ND STREET TO THE PLACE OF BEGINNING.

SECTION TWO PURCHASE PRICE AND TERMS

The purchase price for the above described property is Three Hundred Dollars (\$300.00). 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.

Attachment D

3 of 3

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Scott K. Jenkins, Chair

Commissioner Froerer voted _____
Commissioner Harvey voted _____
Commissioner Jenkins voted _____

ATTEST:

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

This _____ day of _____, 2022.

BUYER(S):

Signature

Print

Signature

Print

Subscribed and sworn to before me, _____,
this _____ day of January, 2022.

Notary Public

Attachment E

1 of 3

Mail Tax Notice To:
Dustin R. Ward
3234 Pingree Avenue
Ogden, Utah 84401

QUIT CLAIM DEED

COUNTY OF WEBER, Grantor, of 2380 Washington Blvd., Ogden, Utah 84401, hereby QUIT CLAIMS to: Dustin R. Ward and Jessica J. Depillo as joint tenants, Grantees, the following described tract(s) of land in Weber County, State of Utah:

Part of Parcel #05-112-0051

A PORTION OF THE DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED, RECORDED AS ENTRY NUMBER 2986819, LIMITED TO THE AREA LYING BETWEEN AN EASTWARD EXTENSION OF THE NORTH LINE OF LOT 13 AND THE SOUTH LINE OF LOT 14, BLOCK 1 SOUTH PARK ADDITION TO OGDEN CITY, ALSO BEING THE NORTH AND SOUTH LINES OF PARCEL 04-050-0023 AS DEFINED BY WARRANT DEED RECORDED AS ENTRY NUMBER 3165958.

EXCLUDING THEREFROM ANY PORTION LYING WITHIN THE ALLEYWAY DEDICATED TO OGDEN CITY BY F.T. SANFORD'S SUBDIVISION.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 2986819:
PART OF THE UNNUMBERED LOT IN F.T. SANFORD'S SUBDIVISION, OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF SOUTH LINE OF 32ND STREET AND THE EAST LINE OF ALLEY; SAID BEGINNING BEING 148 FEET WEST FROM THE INTERSECTION OF THE SOUTH LINE OF 32ND STREET AND THE WEST LINE OF LINCOLN AVENUE; THENCE SOUTH 0°58' WEST ALONG THE EAST LINE OF SAID ALLEY 345.30 FEET; THENCE NORTH 89°15' WEST 25.13 FEET; THENCE NORTH 8°45' WEST 168.4 FEET; THENCE EAST TO THE WEST LINE OF THE ALLEY; THENCE NORTH 182.9 FEET, MORE OR LESS, TO THE SOUTH LINE OF 32ND STREET; THENCE EAST ALONG SAID LINE OF 32ND STREET TO THE PLACE OF BEGINNING.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By: _____
Scott K. Jenkins, Chair

I hereby certify that the sale and transfer of the above property was duly approved at a regularly scheduled meeting of the Board of County Commissioners on the ____ day of _____, 20____.

Ricky Hatch, CPA
Weber County Clerk/Auditor

seal

Attachment E

2 of 3

THE FOLLOWING IS A REQUEST TO COMBINE PROPERTIES

Dustin R. Ward and Jessica J. Depillo, Grantors, of Weber County, Utah, hereby quit claim to Dustin R. Ward and Jessica J. Depillo, as joint tenants, Grantees, 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# 04-050-0023

ALL OF LOTS 13 AND 14, BLOCK 1, SOUTH PARK ADDITION, OGDEN CITY, WEBER COUNTY, UTAH.

Tax ID# (None as of date of conveyance.)

A PORTION OF THE DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED, RECORDED AS ENTRY NUMBER 2986819, LIMITED TO THE AREA LYING BETWEEN AN EASTWARD EXTENSION OF THE NORTH LINE OF LOT 13 AND THE SOUTH LINE OF LOT 14, BLOCK 1 SOUTH PARK ADDITION TO OGDEN CITY, ALSO BEING THE NORTH AND SOUTH LINES OF PARCEL 04-050-0023 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3165958.

EXCLUDING THEREFROM ANY PORTION LYING WITHIN THE ALLEYWAY DEDICATED TO OGDEN CITY BY F.T. SANFORD'S SUBDIVISION.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 2986819:

PART OF THE UNNUMBERED LOT IN F.T. SANFORD'S SUBDIVISION, OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF SOUTH LINE OF 32ND STREET AND THE EAST LINE OF ALLEY; SAID BEGINNING BEING 148 FEET WEST FROM THE INTERSECTION OF THE SOUTH LINE OF 32ND STREET AND THE WEST LINE OF LINCOLN AVENUE; THENCE SOUTH 0°58' WEST ALONG THE EAST LINE OF SAID ALLEY 345.30 FEET; THENCE NORTH 89°15' WEST 25.13 FEET; THENCE NORTH 8°45' WEST 168.4 FEET; THENCE EAST TO THE WEST LINE OF THE ALLEY; THENCE NORTH 182.9 FEET, MORE OR LESS, TO THE SOUTH LINE OF 32ND STREET; THENCE EAST ALONG SAID LINE OF 32ND STREET TO THE PLACE OF BEGINNING.

IN WITNESS WHEREOF, the said grantor(s) have hereunto set their hand(s) this _____ day of _____, A.D. 20____.

Dustin R. Ward

Jessica J. Depillo

Attachment E

3 of 3

State of Utah)
County of Weber)

On the _____ day of _____, 20____ personally appeared before me,

Dustin R. Ward and Jessica J. Depillo

the signers of the instrument, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

Residing At: _____

My Commission Expires: _____

ATTACHMENT