



Date: August 3, 2022
To: Weber County Board of County Commissioners
From: Ronna Tidwell
Community Development Department

Agenda Date: August 9, 2022

Subject: **Request for approval to sell surplus property identified as part of Parcel #04-022-0016**

Attachments: A - Aerial View of Parcel
B - Recorder's Plat
C- Aerial View of Part of Parcel #04-022-0016 to be Conveyed
D- Real Estate Purchase and Sale Agreement
E – Quit Claim Deed

Summary:

A Weber County owned parcel of land, identified as Tax ID #04-022-0016, was acquired by the County through a tax sale process and deed executed in 1994. The parcel contains approximately 1,841 square feet and is located at 3076 Ogden Ave. The existing parcel is shown in Attachment A.

The County was contacted by an adjacent property owner and was asked if the County would consider selling the subject parcel. Due to the nature of the parcel and the discussion between Commissioner's and the Community Development department, the county surveyor's office has prepared a description that divides and separates the north portion of parcel #04-022-0016, which allows for the sale of 840 square feet, of the overall 1,841 square feet. This portion of the county's existing parcel is the subject of this sale shown in Attachment C. The 840 square foot portion of the existing parcel has a fair market value of \$579, as determined by the Weber County Assessor's Office. The southern portion (1,001 sq ft) of this parcel sold to the property owner to the south of this parcel on July 12, 2022.

Weber County previously declared the existing parcel as surplus property on May 24, 2022.

Property Description:

PORTION OF 04-022-0016 WITHIN LOT 8 (TO THE NORTH)

THAT PART LYING WITHIN LOT 8 WOODMANSEE'S MAIN STREET ADDITION, BEING THE NORTHERN 10.5 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645. CONTAINING ONLY THE AREA WITHIN SAID LOT 8 OF THE RECORD TAX DESCRIPTION BELOW.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 1295645:

PART OF LOTS 7 AND 8, BLOCK 6, WOODMANSEE'S MAIN STREET ADDITION, OGDEN CITY, WEBER COUNTY, UTAH: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE SOUTH 26.5 FEET; THENCE EAST 62 FEET; THENCE NORTH 15.5 FEET; THENCE EAST 18 FEET; THENCE NORTH 11 FEET; THENCE WEST 80 FEET TO THE PLACE OF BEGINNING.

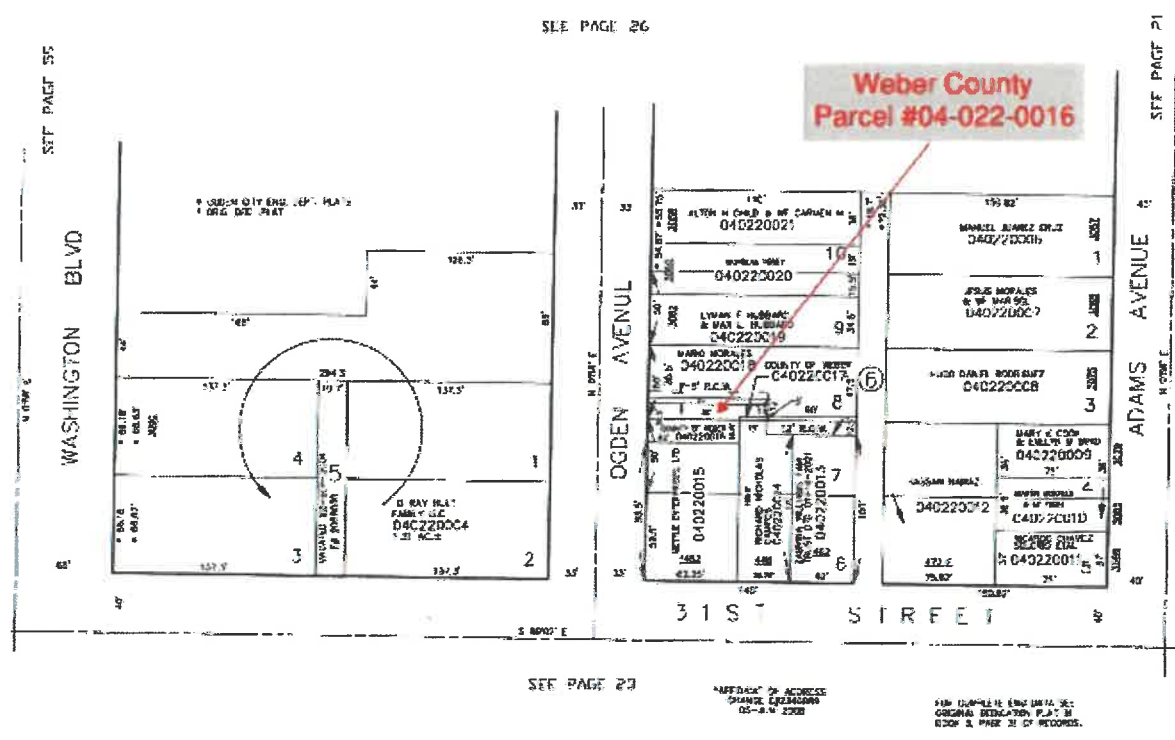
ALSO: GRANTING A RIGHT-OF-WAY IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE EAST 80 FEET; THENCE NORTH 8 FEET; THENCE WEST 80 FEET; THENCE SOUTH 8 FEET TO THE PLACE OF BEGINNING.

RECORD TAX DESCRIPTION CONTAINS 1,841 SQUARE FEET, OR 0.042 ACRES, OF WHICH 840 SQUARE FEET, OR 0.019 ACRES LIES WITHIN SAID LOT 8.

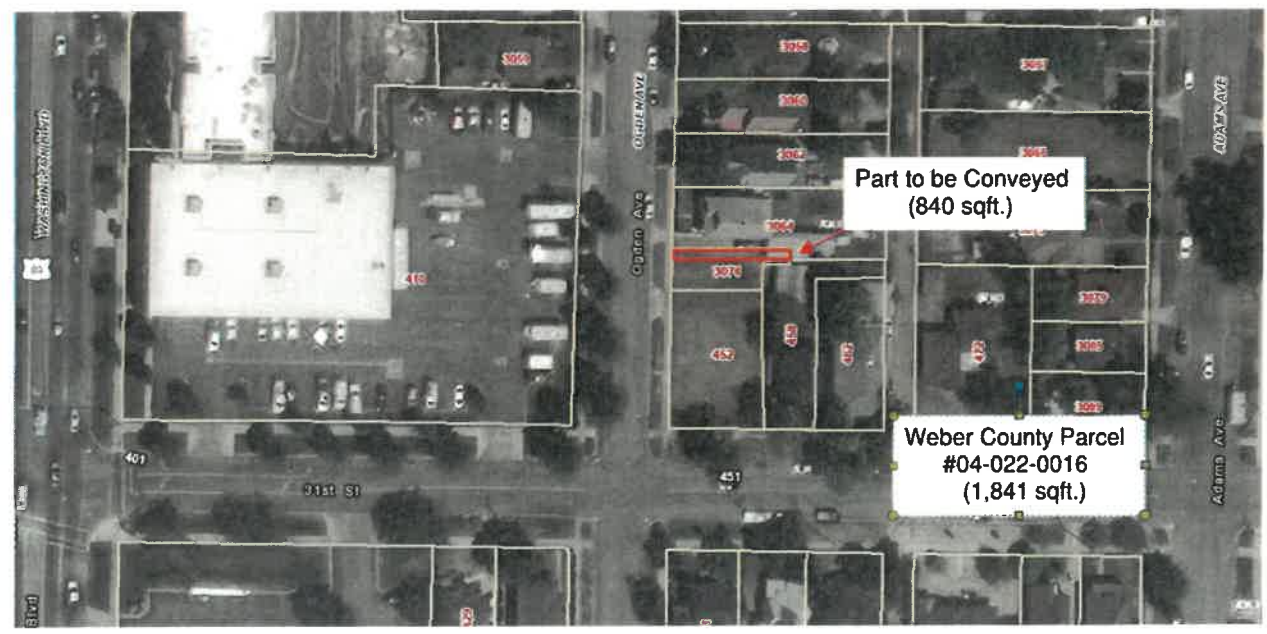
Attachment A



Attachment B



Attachment C



**REAL ESTATE PURCHASE AND SALE AGREEMENT
BY AND BETWEEN WEBER COUNTY AND MARIO T MORALES**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ____ day of _____, 2022, by and between Weber County, a body politic, corporate, and political subdivision of the State of Utah (hereinafter "County") and Mario T Morales (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 May 24th, 2022; 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 here to as follows:

**SECTION ONE
DESCRIPTION OF PROPERTY**

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

PORTION OF 04-022-0016 WITHIN LOT 8 (TO THE NORTH)

THAT PART LYING WITHIN LOT 8 WOODMANSEE'S MAIN STREET ADDITION, BEING THE NORTHERN 10.5 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645. CONTAINING ONLY THE AREA WITHIN SAID LOT 8 OF THE RECORD TAX DESCRIPTION BELOW.

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ALSO: GRANTING A RIGHT-OF-WAY IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE EAST 80 FEET; THENCE NORTH 8 FEET; THENCE WEST 80 FEET; THENCE SOUTH 8 FEET TO THE PLACE OF BEGINNING.

RECORD TAX DESCRIPTION CONTAINS 1,841 SQUARE FEET, OR 0.042 ACRES, OF WHICH 840 SQUARE FEET, OR 0.019 ACRES LIES WITHIN SAID LOT 8.

**SECTION TWO
PURCHASE PRICE AND TERMS**

The purchase price for the above-described property is Five Hundred Seventy-nine Dollars (\$579.00). 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.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Scott K. Jenkins, Chair

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

ATTEST:

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

This ____ day of _____, 2022.

BUYER(S):

[Handwritten Signature]

Signature

MARIO MORALES

Print

Signature

Print

Subscribed and sworn to before me, Ronna Tidwell,
this 29 day of July, 2022.

[Handwritten Signature]

Notary Public



Mail Tax Notice To:
Mario T Morales
3064 Ogden Ave
Ogden, Utah 84401

QUIT CLAIM DEED

WEBER COUNTY CORP, Grantor, of 2380 Washington Blvd., Ogden, Utah 84401, hereby QUIT CLAIMS to:
Mario T Morales, Grantee, the following described tract(s) of land in Weber County, State of Utah:

04-022-0016

PORTION OF 04-022-0016 WITHIN LOT 8 (TO THE NORTH)

THAT PART LYING WITHIN LOT 8 WOODMANSEE'S MAIN STREET ADDITION, BEING THE NORTHERN 10.5 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645. CONTAINING ONLY THE AREA WITHIN SAID LOT 8 OF THE RECORD TAX DESCRIPTION BELOW.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 1295645:

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ALSO: GRANTING A RIGHT-OF-WAY IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE EAST 80 FEET; THENCE NORTH 8 FEET; THENCE WEST 80 FEET; THENCE SOUTH 8 FEET TO THE PLACE OF BEGINNING. RECORD TAX DESCRIPTION CONTAINS 1,841 SQUARE FEET, OR 0.042 ACRES, OF WHICH 840 SQUARE FEET, OR 0.019 ACRES LIES WITHIN SAID LOT 8.

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 _____, 2022.

Ricky Hatch, CPA
Weber County Clerk/Auditor

seal

THE FOLLOWING IS A REQUEST TO COMBINE PROPERTIES

Mario T Morales, Grantor, of Weber County, Utah, hereby quit claim to **Mario T Morales**, 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:

04-022-0016

PORTION OF 04-022-0016 WITHIN LOT 8 (TO THE NORTH)

THAT PART LYING WITHIN LOT 8 WOODMANSEE'S MAIN STREET ADDITION, BEING THE NORTHERN 10.5 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645, CONTAINING ONLY THE AREA WITHIN SAID LOT 8 OF THE RECORD TAX DESCRIPTION BELOW.

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ALSO: GRANTING A RIGHT-OF-WAY IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE EAST 80 FEET; THENCE NORTH 8 FEET; THENCE WEST 80 FEET; THENCE SOUTH 8 FEET TO THE PLACE OF BEGINNING. RECORD TAX DESCRIPTION CONTAINS 1,841 SQUARE FEET, OR 0.042 ACRES, OF WHICH 840 SQUARE FEET, OR 0.019 ACRES LIES WITHIN SAID LOT 8.

04-022-0018

PART OF LOT 8, BLOCK 6, WOODMANSEE'S MAIN STREET ADDITION TO OGDEN CITY: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8 AND RUNNING THENCE EAST 140 FEET, THENCE SOUTH 47.5 FEET, THENCE WEST 60 FEET, THENCE NORTH 12 FEET, THENCE WEST 80 FEET, THENCE NORTH 35.5 FEET TO PLACE OF BEGINNING. SUBJECT TO A RIGHT OF WAY OVER THE FOLLOWING DESCRIBED PORTION OF SAID PROPERTY: BEGINNING AT A POINT 35.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE SAID LOT 8, AND RUNNING THENCE NORTH 4 FEET, THENCE EAST 80 FEET, THENCE SOUTH 4 FEET, THENCE WEST 80 FEET TO PLACE OF BEGINNING TOGETHER WITH A RIGHT-OF-WAY OVER THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT 35.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, AND RUNNING THENCE EAST 80 FEET, THENCE SOUTH 4 FEET, THENCE WEST 80 FEET, THENCE NORTH 4 FEET TO PLACE OF BEGINNING.

IN WITNESS WHEREOF, the said grantor have hereunto set their hand(s) this _____ day of _____, A.D. 2022.

Mario T Morales

State of Utah)
County of Weber)

On the _____ day of _____ 2022 personally appeared before me,

Mario T Morales

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

NOTARY PUBLIC

Residing At: _____

My Commission Expires: _____