

Date: July 6, 2022

To: Weber County Board of County Commissioners

From: Ronna Tidwell  
Community Development Department

Agenda Date: July 12, 2022

Subject: **Request for approval to sell surplus property identified as 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

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**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 southernmost 16 feet from the existing parcel, which allows for the sale of 1,001 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 1,001 square foot portion of the existing parcel has a fair market value of \$600, as determined by the Weber County Assessor's Office. The Community Development Department will continue working with the other adjacent property owners to see if they are interested in acquiring the remaining portion of parcel that lies next to them.

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

**Property Description:**

PORTION OF 04-022-0016 WITHIN LOT 7 (TO THE SOUTH)

THAT PART LYING WITHIN LOT 7 WOODMANSEE'S MAIN STREET ADDITION, BEING THE SOUTHERN 16 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645. CONTAINING ONLY THE AREA LYING WITHIN SAID LOT 7 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.

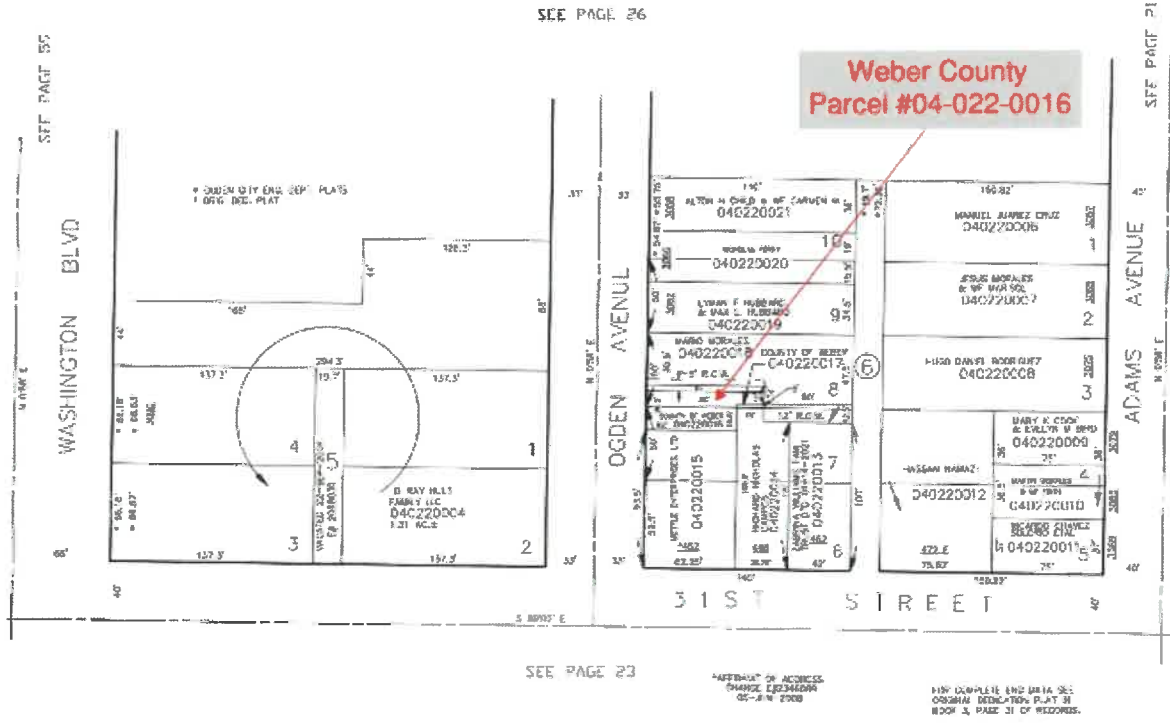
ALSO: GRANTING A RIGHT-OF-WAY IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 39.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 8, RUNNING THENCE EAST 80 FEET; THENCE NORTH 8 FEET; THENCE WEST 80 FEET; THENCE SOUTH 8 FEET TO THE PLACE OF BEGINNING.

RECORD TAX DESCRIPTION CONTAINS 1,841 SQUARE FEET, OR 0.042 ACRES, OF WHICH 1,001 SQUARE FEET, OR 0.023 ACRES LIES WITHIN SAID LOT 7.

### Attachment A



## Attachment B



## Attachment C



**REAL ESTATE PURCHASE AND SALE AGREEMENT  
BY AND BETWEEN WEBER COUNTY AND METTLE ENTERPRISES LTD**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the 29 day of June, 2022, by and between Weber County, a body politic, corporate, and political subdivision of the State of Utah (hereinafter "County") and METTLE ENTERPRISES, LTD. of Salt Lake City, UT (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 24<sup>th</sup>, 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 7 (TO THE SOUTH)

THAT PART LYING WITHIN LOT 7 WOODMANSEE'S MAIN STREET ADDITION, BEING THE SOUTHERN 16 FEET, OF THE DESCRIBED PARCEL OF LAND KNOWN AS PARCEL 04-022-0016 DEFINED BY TAX DEED, ENTRY NUMBER 1295645. CONTAINING ONLY THE AREA LYING WITHIN SAID LOT 7 OF THE RECORD TAX DESCRIPTION BELOW.

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**SECTION TWO  
PURCHASE PRICE AND TERMS**

The purchase price for the above-described property is Six Hundred Dollars (\$600.00). 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.

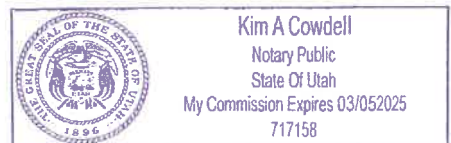
BUYER(S):

METTLE ENTERPRISES, LTD.

By \_\_\_\_\_  
Joshua L. Mettle, General Partner

Subscribed and sworn to before me,  
this 29 day of June, 2022.

Kim A Cowdell  
\_\_\_\_\_  
Notary Public



Mail Tax Notice To:  
Mettle Enterprises LTD  
P.O. Box 271351  
Salt Lake City, UT 84127

## QUIT CLAIM DEED

**WEBER COUNTY CORP**, Grantor, of 2380 Washington Blvd., Ogden, Utah 84401, hereby QUIT CLAIMS to:  
**METTLE ENTERPRISES LTD**, Grantees, the following described tract(s) of land in Weber County, State of Utah:

**PORTION OF 04-022-0016 WITHIN LOT 7 (TO THE SOUTH)**

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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

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