

Date: May 2, 2022
To: Weber County Board of Commissioners
From: Scott Mendoza
Community Development Department

Agenda Date: May 10, 2022

Subject: **Request for approval to sell a part of surplus property identified as Parcel #14-023-0006.**

Attachments: A - Aerial View of Existing Parcel
B - County Recorder's Plat
C - Aerial View of Part of Parcel #14-023-0006 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 #14-023-0006, was acquired by the County through a tax sale process and deed executed in 2013. The existing parcel contains approximately 10,395 square feet and is located at 457 West 24th Street. 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. At the request of the County Commission, the Community Development Department sent letters to all adjacent property owners with the intent of offering an equally opportunity to all of them. The Department received a response from one of them (besides the original caller), stating that they have an interest in purchasing a part of the parcel, but only the portion of the overall parcel that lies next to their property. The county surveyor's office has prepared a description that divides and separates the northernmost 99 feet from the existing parcel, which allows for the sale of 3,465 square feet, of the overall 10,395 square feet. The smaller portion of the county's existing parcel, that is the subject of this sale, is shown in Attachment C. This 3,465 square foot portion of the existing parcel has a fair market value of \$9,815, as determined by the Weber County Assessor's Office. The Community Development Department will continue working with other adjacent property owners if they are interested in acquiring a remaining parcel that lies next to them.

Weber County previously declared the existing parcel as surplus property on August 10, 2021.

Property Description:

Part of 14-023-0006

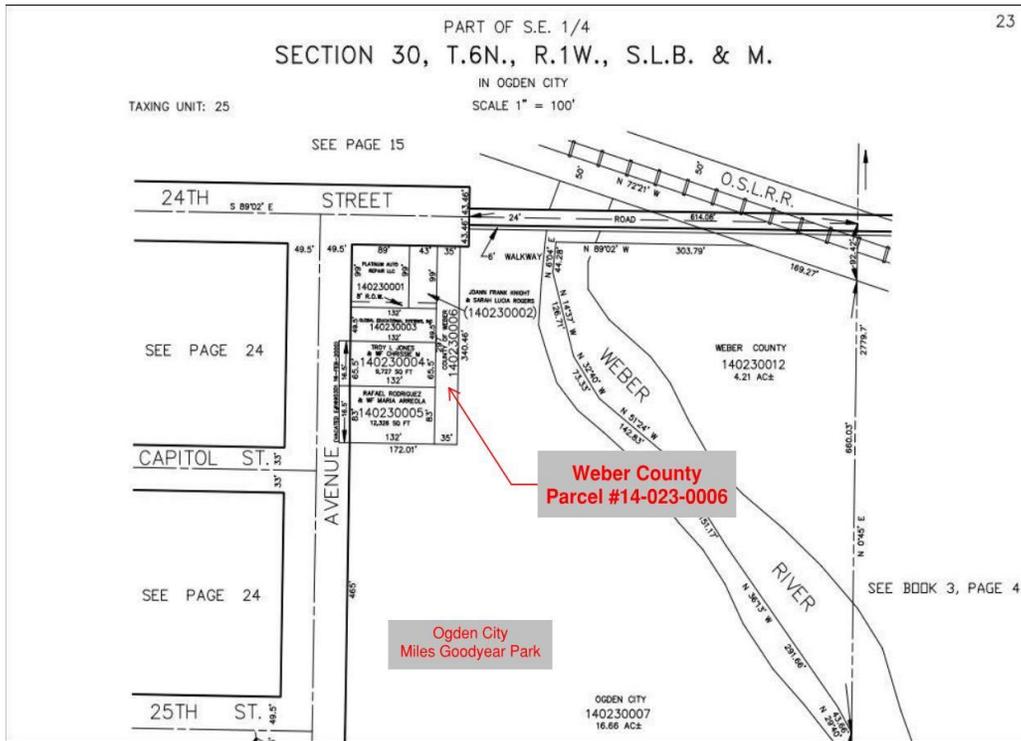
THE NORTH 99 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED RECORDED AS ENTRY NUMBER 2643569, SUCH THAT THE SOUTH LINE OF PROPERTY DESCRIBED HEREON LIES ON AN EXTENSION OF THE SOUTH LINE OF PARCEL 14-023-0002 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3011093.

DESCRIPTION FROM TAX DEED RECORDED AS ENTRY NUMBER 2643569:
 BEGINNING AT A POINT ON THE SOUTH LINE OF 24TH STREET CONTINUED EAST FROM BLOCK 1, WEST OGDEN ADDITION, OGDEN CITY, WEBER COUNTY, UTAH; 364.42 FEET NORTH AND 231 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 8, WEST OGDEN ADDITION, OGDEN CITY, UTAH (BEING AT THE EAST LINE OF THE LAND CONVEYED BY KATIE WINN, FORMERLY KATIE SWIGART TO J W BROWNING AND J A BROWNING BY DEED RECORDED MAY 14TH, 1889, IN THE OFFICE OF THE COUNTY RECORDER OF SAID WEBER COUNTY), AND FROM SAID POINT OF BEGINNING, RUNNING THENCE EAST 35 FEET, THENCE SOUTH 18 RODS, MORE OR LESS, TO A POINT DUE EAST OF JUNCTION STREET, THENCE WEST 35 FEET, THENCE NORTH 18 RODS TO THE PLACE OF BEGINNING.

Attachment A



Attachment B



Attachment C



Attachment D

1 of 3

REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND JOANN FRANK KNIGHT and SARAH LUCIA ROGERS

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 JoAnn Frank Knight and Sarah Lucia Rogers whose principal address is 477 West 24th Street 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 August 10th, 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:

THE NORTH 99 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED RECORDED AS ENTRY NUMBER 2643569, SUCH THAT THE SOUTH LINE OF PROPERTY DESCRIBED HEREON LIES ON AN EXTENSION OF THE SOUTH LINE OF PARCEL 14-023-0002 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3011093.

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Attachment D

2 of 3

SECTION TWO PURCHASE PRICE AND TERMS

The purchase price for the above described property is Nine Thousand Eight Hundred and Fifty-five Dollars (\$9,855.00). 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 Harvey voted _____
Commissioner Froerer voted _____
Commissioner Jenkins voted _____

Attachment D

3 of 3

ATTEST:

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

This ____ day of _____, 2022.

BUYER(S):

JoAnn Knight
Signature

JoAnn Knight
Print

Sarah Lucia Rogers
Signature

Sarah Lucia Rogers
Print

Subscribed and sworn to before me, Heather Hardin,
this 18 day of April, 2022.

Heather Hardin
Notary Public



Attachment E

1 of 3

Mail Tax Notice To:
JoAnn F. Knight & Sarah L. Rogers
477 W 24th Street
Ogden, Utah 84401

QUIT CLAIM DEED

WEBER COUNTY CORP, Grantor, of 2380 Washington Blvd., Ogden, Utah 84401, hereby QUIT CLAIMS to:
JoAnn Frank Knight and Sarah Lucia Rogers, as joint tenants, Grantees, the following described tract(s) of land in Weber County, State of Utah:

Part of 14-023-0006

THE NORTH 99 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND DEFINED BY TAX DEED RECORDED AS ENTRY NUMBER 2643569, SUCH THAT THE SOUTH LINE OF PROPERTY DESCRIBED HEREON LIES ON AN EXTENSION OF THE SOUTH LINE OF PARCEL 14-023-0002 AS DEFINED BY WARRANTY DEED RECORDED AS ENTRY NUMBER 3011093.

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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

seal

THE FOLLOWING IS A REQUEST TO COMBINE PROPERTIES

JoAnn Frank Knight and Sarah Lucia Rogers, Grantors, of Weber County, Utah, hereby quit claim to **JoAnn Frank Knight and Sarah Lucia Rogers**, as joint tenants, Grantees, of Weber County, Utah, the following described tract(s) of land

Attachment E

2 of 3

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# 14-023-0002

PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING ON THE SOUTH LINE OF 24TH STREET 89 FEET SOUTH 89D02' EAST OF THE EAST LINE OF "A" AVENUE; THENCE SOUTH 89D02' EAST 43 FEET; THENCE SOUTH 0D58' WEST 99 FEET; THENCE NORTH 89D02' WEST 43 FEET; THENCE NORTH 0D58' EAST 99 FEET TO BEGINNING. SUBJECT TO 8 FEET RIGHT-OF-WAY ACROSS END THEREOF.

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

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

JoAnn Frank Knight

Sarah Lucia Rogers

State of Utah)
County of Weber)

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

JoAnn Frank Knight and Sarah Lucia Rogers

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

NOTARY PUBLIC

Residing At: _____

Attachment E
3 of 3

My Commission Expires: _____

COPY