



Date: August 5, 2020
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP *SW*
Director, Community Development Department

Agenda Date: August 11, 2020

Subject: **Request for approval to sell surplus real property (Parcel Numbers 19-025-0012 and 19-025-0057)**

Exhibits: A - Maps (Aerial Photo) of Parcel & Recorder's Ownership Plat
B - Real Estate Purchase and Sale Agreement
C - Quit-claim Deed

Weber County acquired Parcels 19-025-0012 (0.13 acres) and 19-025-0057 (0.11 acres) through a tax deed executed in 1946. Combined, the parcels consist of approximately 0.24 acres and are located at approximately 3900 W 2800 N in Plain City.

Weber County has received a request from Plain City to purchase both parcels. Both adjacent property owners are in favor of Plain City purchasing the property. Weber County has no intended use for this property and selling it will remove the County's property maintenance costs and responsibility. The legal description has been reviewed and approved by the County Surveyor's Office and the County Commission declared this parcel surplus to the County's needs on July 28, 2020. All requirements of Weber County Code Title 2 Chapter 21 (Disposal of Surplus Property) have been met.

According to the County's surplus property code, property valued at less than \$10,000 does not require additional procedures to determine a present value beyond that currently provided by the County Assessor's Office. Parcel 19-025-0012 is valued at \$2,727 and Parcel 19-025-0057 is valued at \$2,273 (combined value of \$5,000). When acquired by Weber County, the combination of taxes, penalties, and interest owed was \$749.

Property Descriptions:

19-025-0012

PART OF SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 1075.5 FEET NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 89D03' WEST 1 ROD; THENCE NORTH 360 FEET; THENCE EAST 1 ROD; THENCE SOUTH 360 FEET TO BEGINNING.

19-025-0057

PART OF SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 47 RODS NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SECTION 28; THENCE WEST 1 ROD; THENCE NORTH 300 FEET; THENCE SOUTH 89D03' EAST 1 ROD; THENCE SOUTH 300 FEET TO BEGINNING.

Recommendation:

Weber County has no intended future use for these parcels. Therefore, it is recommended that the Commission sell Parcels 19-025-0012 and 19-025-0057 to Plain City.

Exhibit A-1



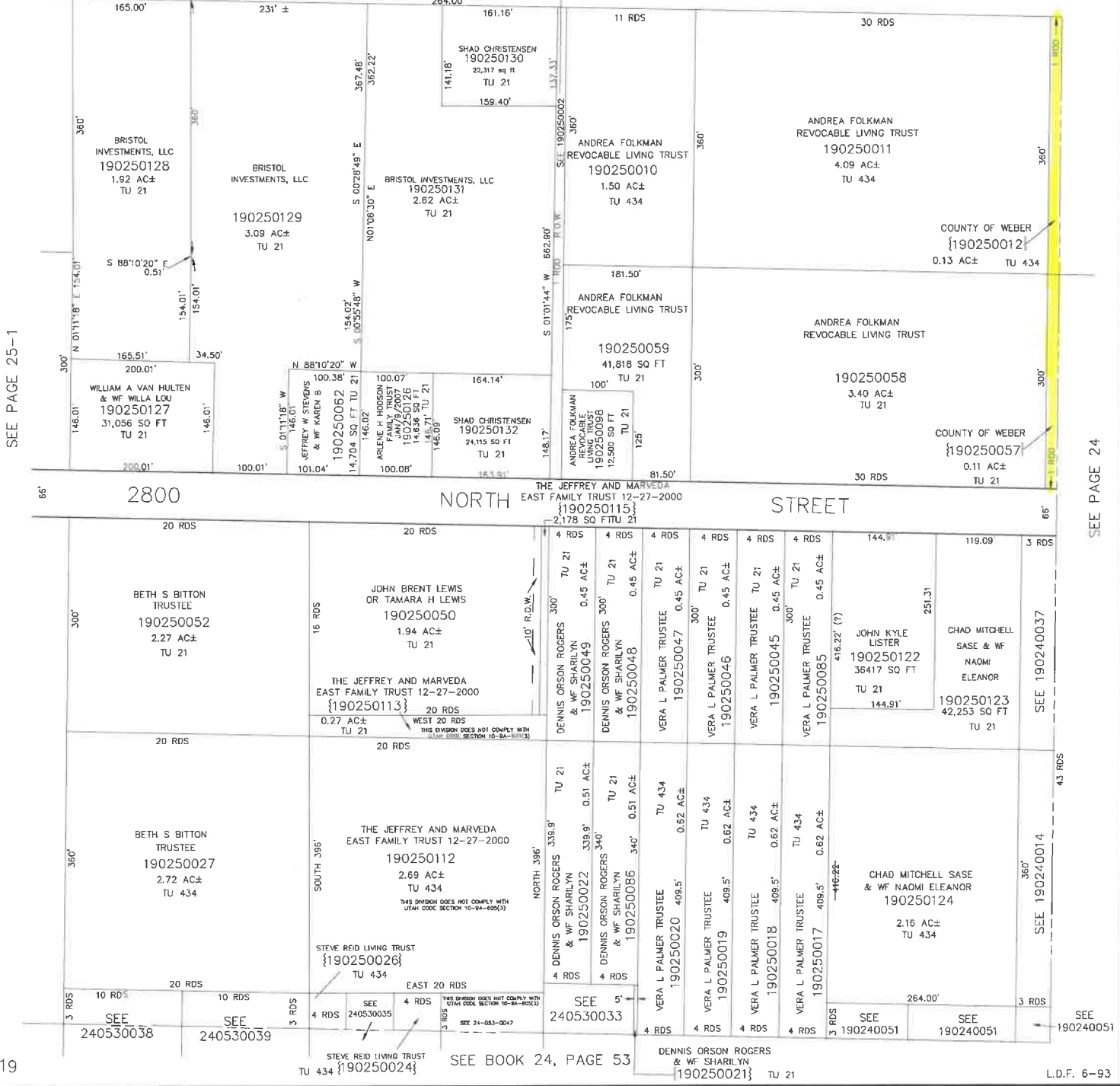
Exhibit A-2

PART OF S.W. 1/4
SECTION 28, T.7N., R.2W., S.L.B. & M.

TAXING UNIT: 19, 21, 434

IN PLAIN CITY

SCALE 1" = 100' SEE PAGE 25



SEE PAGE 25-1

SEE PAGE 24

Exhibit B

**REAL ESTATE PURCHASE AND SALE AGREEMENT
BY AND BETWEEN WEBER COUNTY AND PLAIN CITY**

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ___ day of August, 2020, by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereinafter "County") and Plain City, with its principal address being 4160 West 2200 North Plain City, UT 84404 (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 July 28, 2020; and

WHEREAS, Buyer approached County about purchasing the property; and

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

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: 19-025-0012

PART OF SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN; U.S. SURVEY: BEGINNING 1075.5 FEET NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 89D03' WEST 1 ROD; THENCE NORTH 360 FEET; THENCE EAST 1 ROD; THENCE SOUTH 360 FEET TO BEGINNING.

Land Serial Number: 19-025-0057

PART OF SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 47 RODS NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SECTION 28; THENCE WEST 1 ROD; THENCE NORTH 300 FEET; THENCE SOUTH 89D03' EAST 1 ROD; THENCE SOUTH 300 FEET TO BEGINNING.

**SECTION TWO
PURCHASE PRICE AND TERMS**

The purchase price for the above described property is five thousand dollars (\$5,000). The County shall convey the real property, using the exact legal description that described the property when the County took ownership, 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 _____
Gage Froerer, Chair

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

ATTEST:

Date: _____

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

BUYER

Jon Beesley, Mayor of Plain City

Subscribed and sworn to before me, _____,
this _____ day of _____, 20__.

Notary Public

Exhibit C

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

Plain City
4160 West 2200 North
Plain City, Utah 84404

MAIL TAX NOTICE TO:

Plain City
4160 West 2200 North
Plain City, Utah 84404

QUIT CLAIM DEED

Weber County Corporation, Grantor, of 2380 Washington Blvd. Ogden, Utah, 84401, hereby quit claims to Plain City, a Utah municipal corporation, Grantee, at 4160 West 2200 North Plain City, Utah 84404, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tracts of land in Weber County, Utah, to wit:

The real property which is described as follows:

Land Serial Number: 19-025-0012

PART OF SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 1075.5 FEET NORTH OF SOUTHEAST CORNER OF SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 89D03' WEST 1 ROD; THENCE NORTH 360 FEET; THENCE EAST 1 ROD; THENCE SOUTH 360 FEET TO BEGINNING.

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BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

Gage Froerer, Chair

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

Ricky D. Hatch, CPA
Weber County Clerk/Auditor