



Chris Stavros
Salt Lake County Assessor

Tyler Andrus
Chief Deputy Assessor

October 27, 2023

The Salt Lake County Council
Attn: Aimee Winder Newton
2001 South State Street N2-200
Salt Lake City, UT 84190-1010

Re: General Property Tax
Parcel No: 21-05-377-043-0000
Name: Utah Department of Transportation (UDOT)

Honorable Council Chair Aimee Winder Newton,

We recommend reducing the general property tax from \$9,005.72 to \$6,304.00.

This parcel was acquired by the Utah Department of Transportation by Warranty Deed on October 24th, 2022 (Entry No. 14035644) and was calculated to be 19% exempt for 2022. An in-house appeal was completed on 12/30/2022 to apply a 19% exemption for 2022. However, a Right of Entry and Occupancy Agreement was recorded prior to the Warranty Deed on September 21st, 2022 (Entry No. 14019057). The exemption should have been prorated from the date the Right of Entry was signed, not the Warranty Deed. This parcel should be 30% exempt for 2022.

If you agree with this recommendation, please notify the Salt Lake County Treasurer's office to abate (refund, if paid) property taxes as indicated plus penalty and interest.

Respectfully,

Chris Stavros
Salt Lake County Assessor
Tyler Andrus
Chief Deputy Assessor

SH/MK

Cc: Salt Lake County Assessor Greenbelt Dept
Attn: Melissa Kelly

Cc: Salt Lake County Treasurer

UTAH DEPARTMENT OF TRANSPORTATION
C/O RIGHT OF WAY
PO BOX 148420 4TH FLOOR
SALT LAKE CITY, UT 84114-8420

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
4501 South 2700 West
P.O. Box 148420
Salt Lake City, UT 84114-8420

14019057 B: 11373 P: 9470 Total Pages: 6
09/21/2022 08:24 AM By: kkennington Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: MERIDIAN TITLE COMPANY
64 E WINCHESTER ST SALT LAKE CITY, UT 841075600

MTL # 321039



Utah Department of Transportation Right of Entry and Occupancy Agreement

Project No: S-0154(97)10 Parcel No.(s): 394:T

Pin No: 16382 Job/Proj No: 73961 Project Location: Multiple Interchanges on Bangerter Hwy.
County of Property: SALT LAKE Tax ID / Sidwell No: 21-05-377-043
Property Address: 3752 W 4700 S WEST VALLEY UT, 84118
Owner's Address: 170 S Main Street #1600, Salt Lake City, UT, 84101
Owner's Home Phone: Owner's Work Phone: (801)978-1882
Owner / Grantor (s): 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101
Grantee: Utah Department of Transportation (UDOT)/The Department

Acquiring Entity: Utah Department of Transportation (UDOT)

For the subject property described in the attached Exhibit A.

This Right of Entry and Occupancy Agreement ("Agreement") is entered between 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101 ("Property Owners") and Utah Department of Transportation (UDOT).

Property Owners hereby grant to UDOT, its contractors, permittees, and assigns, including but not limited to, utilities and their contractors, the right to occupy and commence construction or other necessary activity on the property sought to be acquired/occupied with this Agreement, and to do whatever construction, relocation of utilities, and other work as may be required in furtherance of the state transportation project, located on the property described in attached Exhibit A. This Agreement is made in anticipation of a possible condemnation action by UDOT and is intended to provide for the entry and occupancy of the property pending further negotiations or the filing and pursuit of condemnation proceedings and possible alternative informal proceedings as provided for in this Agreement. Property Owners understand that, by executing this Agreement, Property Owners have waived and abandoned all defenses to the acquisition of the property.

The sum of \$2,220,000.00 (the "Deposit") will be paid into escrow, a non-interest bearing account, at a title company for the benefit of Property Owners as consideration for entering into this Agreement. UDOT will be responsible for the expenses of the escrow account. This amount paid into escrow shall be deducted from a final settlement, award of arbitration, or other determination of just compensation in an eminent domain action should one be pursued to acquire the property that is determined to be necessary for the project. The amount paid will be for the purposes of this Agreement only, and will not be admissible as evidence in any subsequent process used to establish the value of the property or the amount of compensation that may be due to the Property Owners.

The parties to this Agreement understand that a title report may indicate that other third parties may have a claim to part of the proceeds being paid by UDOT to the Property Owners under this Agreement. UDOT will have the right to approve the release of the Deposit from Escrow to Property Owners and to require a conveyance of the subject property from the Property Owners to UDOT prior to the release. It is not the intent of the Agreement to properly assess potential third-party claims. In the event it is later determined that part of the Deposit should properly be paid to other third parties, then UDOT will have the right to require that the third parties participate in the release of the Deposit or the Deposit will be applied to any remaining liens. In the event that UDOT desires to obtain title insurance in connection with the release of the deposit, UDOT will pay the premiums for the title coverage.

This Agreement is granted without prejudice to the rights of the Property Owners, pending any settlement, to contest the amount of compensation to be paid the Property Owners for the property described in Exhibit A. If

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a satisfactory settlement can not be agreed upon, UDOT will, upon notice from the Property Owners that the amount of compensation offered and/or other proposed settlement terms are not acceptable, or at its own election, proceed to commence and diligently prosecute a condemnation proceeding in the appropriate court for a judicial determination of such compensation. If requested to do so by the Property Owners, UDOT will, prior to commencing a condemnation proceeding, enter into a mediation or arbitration procedure provided for in the Utah Code Annotated 78B-6-522 and 13-43-204 through the Office of the Property Rights Ombudsman.

If the Property Owner uses the property for a residence, business, or farming operation and is required to move as a result of UDOT's acquisition of the property, the Property Owners may be entitled to relocation assistance and/or payments as a displaced person. The relocation assistance and payment are available as a matter of right and subject to federal and state law if the Property Owners are displaced by the acquisition of this property and are not conditional upon the Property Owners signing this Right of Entry and Occupancy Agreement.

The effective date of the Right Of Entry and Occupancy Agreement shall be the date this Agreement is executed by the Property Owners, as shown below, and that date shall be the date of value for fair market valuation purposes in the context of settlement negotiations, arbitration, or an eminent domain proceeding, should one be necessary, unless the Property Owners have been previously served with a summons in regard to this property acquisition or the parties have otherwise agreed in writing to a different date for purposes of valuation. It is understood that, according to state law, any additional compensation that is ordered to be paid to the Property Owners for the acquisition of the property will include interest at an annual rate of 8 % on any additional compensation that is determined to be payable to the Property Owners over and above that paid with this Agreement, calculated from the date of entry upon the property.

Additional Terms:

- This Agreement shall constitute a right of entry agreement for purposes of Utah Code § 59-2-1337 for the subject property described in the attached Exhibit A.
- UDOT agrees to re-evaluate any damages caused by its proposed taking to Property Owners property as part of ongoing negotiations, including impacts to Property Owners' lease.

Exhibits: Exhibit A - property to be acquired

[Signatures and Acknowledgments to Follow Immediately]

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 Grantee: Utah Department of Transportation (UDOT)/The Department

SIGNATURE PAGE
 TO
 UTAH DEPARTMENT OF TRANSPORTATION
 RIGHT OF ENTRY AND OCCUPANCY AGREEMENT

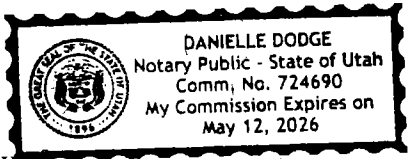
DATED this 12th day of Sept, 2022

Signature: Ralph Riedel Signature: Raph W T
 Print Name: _____ Print Name: _____
 Signature: _____ Signature: _____
 Print Name: _____ Print Name: _____

STATE OF UTAH
 County of Salt Lake city

On the 12 day of September, 2022, personally appeared before me
Ralph Riedel the signer(s) of the Agreement set forth above,
 who duly acknowledged to me that they executed the same.

Danielle Dodge
 NOTARY PUBLIC

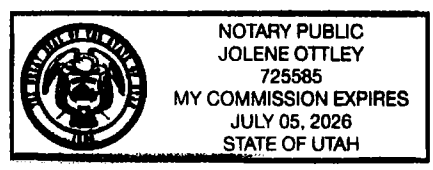


DATED this 13th day of September, 2022
Charles A Stormont
 UDOT ~~Director~~ Deputy Director of Right of Way

STATE OF UTAH
 County of SALT LAKE

On the 13th day of SEPTEMBER, 2022 personally appeared before me
CHARLES A STORMONT the signer(s) of this Agreement for UDOT
 who duly acknowledged to me that they executed the same.

Jolene Ottley
 NOTARY PUBLIC



WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

EXHIBIT A

Warranty Deed (Limited Liability Company)

Salt Lake County

Tax ID No.	21-05-377-043
PIN No.	16382
Project No.	S-0154(97)10
Parcel No.	0154:394:T

3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101, a Limited Liability Company of the State of Utah, Grantor, hereby CONVEYS AND WARRANTS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of TEN (\$10.00) Dollars, and other good and valuable considerations, the following described parcel of land in Salt Lake County, State of Utah, to wit:

An entire tract of land in fee for the widening of the existing Bangerter Highway known as Project No. S-0154(97)10, situate in the SE1/4 SW1/4 of Section 5, T. 2 S., R. 1 W., S.L.B.&M. in Salt Lake County, State of Utah. The boundaries of said parcel of land are described as follows:

Beginning at a point 860.0 feet South 89°58'12" West and 53.00 feet North 0°03'11" West from the South Quarter corner of Section 5, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 89°58'12" West 323.07 feet; thence North 327.15 feet; thence East 322.90 feet; thence South 0°01'48" East 326.98 feet to the point of beginning.

Less and excepting therefrom the following four parcels of land:

First Less and Excepting Parcel:

Beginning at a point 921.52 feet South 89°58'12" West and 53.00 feet North 0°03'11" West from the South Quarter corner of Section 5, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence

Continued on Page 2
LIMITED LIABILITY RW-01LL (5/24/2019)

North 0°01'48" West 327.01 feet; thence East 61.54 feet; thence South 0°01'48" East 326.98 feet; thence South 89°58'12" West 61.54 feet to the point of beginning.

Second Less and Excepting Parcel:

That parcel of land lying within the bounds of 3740 West Street, a dedicated street.

Third Less and Excepting Parcel:

Beginning at the Southeast corner of said entire tract of property, which point is 921.54 feet South 89°58'12" West (highway bearing North 89°58'02" West) along the Section line and 53.00 feet North 0°01'48" West (highway bearing North 0°01'58" East) from the South Quarter corner of said Section 5; thence South 89°58'12" West; (highway bearing North 89°58'02" West) 261.20 feet along a line which is 53 feet North of the centerline of 4700 South Street to the Southwest corner of said entire tract; thence North (highway bearing North 0°02'59" East) 33.58 feet along the West boundary line of said entire tract to a point designated as Point A; thence South 66°45'09" East (highway bearing South 66°41'23" West) 34.16 feet to a point 73.00 feet perpendicularly distant Northerly from the monument line of 4700 South Street; thence North 89°58'12" East (highway bearing South 89°58'02" East) 172.00 feet along a line parallel to said monument line; thence South 87°12'10" East (highway bearing South 87°08'24" East) 33.04 feet to a point designated as Point B; thence South 87°12'10" East (highway bearing South 87°08'24" East) 22.84 feet; thence South 0°01'48" East (highway bearing South 0°01'58" West) 17.15 feet along the East boundary of said entire tract to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Fourth Less and Excepting Parcel:

Beginning at a point 946.35 feet South 89°58'12" West (highway bearing North 89°58'02" West) along the Section line and 71.37 feet North 0°01'48" West (highway bearing North 0°01'58" East) from the South Quarter corner of said Section 5; thence North 87°12'10" West; (highway bearing North 87°08'24" West) 33.04 feet; thence South 89°58'12" West (highway bearing North 89°58'02" West) 172.00 feet; thence North 66°45'09" West (highway bearing North 66°41'23" East) 34.16 feet; thence North (highway bearing North 0°02'59" East) 567.12 feet along the Westerly boundary line of said entire tract to the Northwest corner of said entire tract; thence East (highway bearing South 89°57'01" East)

Continued on Page 3
LIMITED LIABILITY RW-01LL (5/24/2019)

PIN No.	16382
Project No.	S-0154(97)10
Parcel No.	0154:394:T

10.00 feet along the Northerly boundary line of said entire tract and the South boundary line of Helm Park Subdivision; thence South (highway bearing South 0°02'59" West) 560.53 feet; thence South 66°45'09" East (highway bearing South 66°41'23" East) 25.52 feet; thence North 89°58'12" East (Highway bearing South 89°58'02" East) 202.94 feet; thence South 0°01'48" East (highway bearing South 0°01'58" West) 11.63 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract of property contains 61,204 square feet or 1.405 acre in area, more or less.

STATE OF _____)
 _____) ss. 3752 West, LLC
 COUNTY OF _____)

By: _____

On this _____ day of _____, in the year 20____, before me personally appeared _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the _____ of 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101 and that said document was signed by him/her on behalf of said 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101, a Limited Liability Company of the State of Utah, by Authority of its _____.

 Notary Public

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

14035644 B: 11382 P: 2536 Total Pages: 3
10/28/2022 09:27 AM By: kkennington Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: MERIDIAN TITLE COMPANY
64 E WINCHESTER ST SALT LAKE CITY, UT 841075600

Warranty Deed

(Limited Liability Company)

Salt Lake County	Tax ID No.	21-05-377-043
	PIN No.	16382
	Project No.	S-0154(97)10
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Continued on Page 2
LIMITED LIABILITY RW-01LL (5/24/2019)

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That parcel of land lying within the bounds of 3740 West Street, a dedicated street.

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Continued on Page 3
LIMITED LIABILITY RW-01LL (5/24/2019)

PIN No. 16382
Project No. S-0154(97)10
Parcel No. 0154:394:T

10.00 feet along the Northerly boundary line of said entire tract and the South boundary line of Helm Park Subdivision; thence South (highway bearing South 0°02'59" West) 560.53 feet; thence South 66°45'09" East (highway bearing South 66°41'23" East) 25.52 feet; thence North 89°58'12" East (Highway bearing South 89°58'02" East) 202.94 feet; thence South 0°01'48" East (highway bearing South 0°01'58" West) 11.63 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract of property contains 61,204 square feet or 1.405 acre in area, more or less.

STATE OF Utah)
) ss. 3752 West, LLC
COUNTY OF Salt Lake)
By: Ralph Riedel

On this 24 day of October, in the year 2022, before me personally appeared Ralph Riedel, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the Manager of 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101 and that said document was signed by him/her on behalf of said 3752 West, LLC, c/o Ralph Riedel, CCIM, Commercial Real Estate Solutions, 170 South Main Street, Suite 1600, Salt Lake City, Utah 84101, a Limited Liability Company of the State of Utah, by Authority of its Operating Agreement.

[Signature]
Notary Public

