



Agenda Item

File #: 22-0800

Requested Agenda Date:

8/30/2022

Requested Agenda Title:

A Resolution of the Salt Lake County Council Authorizing and Approving Proceedings in Eminent Domain as Necessary.

Requested Agenda Item Description: Salt Lake County works with the United States Army Corps of Engineers the "USACE" as the non-federal sponsor of the Surplus Canal. To maintain federal certification of the Surplus Canal, and comply with USACE, there are violations to clean up. M-13 Limited Partnership owns a parcel adjacent to the canal where the interest of the county needs to be clarified. The county has identified a 7,243 square-foot portion of the M-13 Parcel, described in the attached Exhibit A, as necessary to the Project and has provided required notifications to the Owner pursuant to Utah Code 78B-6-504, has had the Subject Property and property interests appraised by independent appraisers, has offered appraised amounts to the Owner; and has offered to engage in mediation and further negotiations. Despite these efforts, the County has not been able to acquire the Subject Property by negotiation and voluntary purchase; instead, the Owner has refused to reasonably negotiate, the County is facing construction deadlines for commencing and completing the Project, and the County believes that further negotiation would be futile. The County is a political subdivision of the State of Utah and is authorized to acquire private property for public use through the exercise of eminent domain. On August 30, 2022, the Salt Lake County Council met to consider, a resolution approving proceeding in eminent domain as necessary. The County has funding to complete the project and expects to be able to complete work within a reasonable time after title to the Subject Property is acquired. The Council finds and determines the Project to which the Subject Property are legitimate public uses. the Council directs County staff and the Salt Lake County District Attorney's Office, on behalf of the County to initiate formal proceedings in eminent domain in accordance with Utah law.

Requested Action: Discussion - Vote Needed

Presenter(s) (with titles): Derrick Sorensen, Real Estate Manager and Lizel Allen, Flood Control Engineering Associate Director

Time Needed: 10 MINS

Is this Item Time-Sensitive and/or Requesting a Time-Certain? No

Requesting Staff Member: Ina Landry, Administrative Services Department Assistant

Are Supporting Documents Needed for this Agenda Item Request? Yes