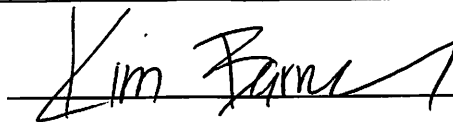


Mayor's Office: Council Agenda Item Request Form
*This form and supporting documents (if applicable) are due the Wednesday
before the COW meeting by noon.*

Date Received (office use)	
--------------------------------------	--

Date of Request	April 4, 2018
Requesting Staff Member	Derrick Sorensen
Requested Council Date	April 10, 2018
Topic/Discussion Title	RE 3747 Richard Latimer
Description	Disposition of a Tax Deed Tax ID 16-34-431-017
Requested Action¹	Consent
Presenter(s)	Derrick Sorensen , Real Estate Manager
Time Needed²	<5
Time Sensitive³	No
Specific Time(s)⁴	No
Please attach the supporting documentation you plan to provide for the packets to this form. While not ideal, if supporting documents are not yet ready, you can still submit them by 10 am the Friday morning prior to the COW agenda. Items without documentation may be taken off for consideration at that COW meeting.	

Mayor or Designee approval:



¹ What you will ask the Council to do (e.g., discussion only, appropriate money, adopt policy/ordinance) – in specific terms.

² Assumed to be 10 minutes unless otherwise specified.

³ Urgency that the topic to scheduled on the requested date.

⁴ If important to schedule at a specific time, list a few preferred times.

RESOLUTION NO. _____, 20__

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL DECLARING
SURPLUS REAL PROPERTY AND APPROVING THE CONVEYANCE OF A
PORTION OF THE SAME BY QUIT-CLAIM DEED TO RICHARD M.
LATIMER

RECITALS

1. Salt Lake County (the "County") owns a parcel of real property, Parcel No. 16-34-431-107, located at approximately 3843 South Hillside Lane, Holladay, Utah (the "Property"), which was struck off to the County after the tax sale in 1992.
2. Richard M. Latimer ("Buyer"), owns a parcel of land adjacent to a portion of the Property.
3. Buyer has offered to purchase from the County the portion of the Property that is immediately adjacent to his property (the "Parcel") for its appraised value, which has been reviewed and approved by the County Real Estate Division, and has paid a fee of \$100, which amount shall be credited towards the purchase prices of the Parcel. This offer is in the form of a Tax Sale Property Purchase Agreement (the "Agreement") attached hereto as Exhibit A.
4. The County has determined that the Parcel is not currently in public use and that the Property has an appraised value of \$12,100.00. Proceeds from the sale of the Parcel will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
5. The best interest of the County and the general public will be served by the sale and conveyance of the Parcel to Buyer for its fair market value. The sale and conveyance will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Parcel described in Exhibit 1 of the Agreement is hereby declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the sale and

conveyance of the Parcel by quit-claim deed to Buyer as provided in the Agreement for the agreed appraised value of Twelve Thousand One Hundred Dollars (\$12,100.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are authorized to execute the Quit-Claim Deed, attached to the Agreement as Exhibit 2, and to deliver the fully executed documents to the Salt Lake County Real Estate Division for delivery to Buyer in accordance with the terms of the Agreement.

APPROVED and ADOPTED this _____ day of _____, 2018.

SALT LAKE COUNTY COUNCIL

By: _____
Aimee Winder Newton, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Wilson voting	_____

APPROVED AS TO FORM:

R. Christopher Preston
R. Christopher Preston
Deputy District Attorney
Date: 3/29/2018

EXHIBIT A

Tax Sale Property Purchase Agreement

TAX SALE PROPERTY PURCHASE AGREEMENT

This TAX SALE PROPERTY PURCHASE AGREEMENT ("Agreement") is made and executed this ___ day of _____, 2018, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah, hereinafter referred to as COUNTY, and Richard M. Latimer, hereinafter referred to as BUYER.

RECITALS

- A. COUNTY owns a parcel of land located at approximately 3843 South Hillside Lane in Holladay, Utah, identified as Tax ID 16-34-431-107 (the "Property"), which was struck off to COUNTY after the tax sale in 1992. A description of the Property is attached hereto as Exhibit 1 and incorporated herein by this reference.
- B. BUYER owns title to real property adjacent to a portion of the Property (the "Parcel"), desires to purchase the Parcel from the County, and has paid a fee of \$100, which amount shall be credited towards the purchase price of the Parcel.
- C. COUNTY has determined that the Parcel is not currently in public use and that the Parcel has an appraised value of \$12,100.

IN CONSIDERATION of the covenants and conditions set forth herein, it is mutually agreed by the parties hereto as follows:

1. COUNTY agrees to convey and deliver to BUYER a quit-claim deed for the Parcel (the "Quit-claim Deed"), the form of which is attached hereto as Exhibit 2 and incorporated herein by this reference.

2. IN CONSIDERATION for conveying the Parcel by quit-claim deed, BUYER shall pay COUNTY \$12,100 (the "Purchase Price").

3. COUNTY makes no representations as to the title conveyed, nor as to BUYER's right of possession of the Parcel. Similarly, COUNTY makes no warranties or representations as to whether the Parcel is buildable or developable, nor does COUNTY make any representations regarding whether the Parcel complies with applicable zoning regulations. COUNTY does not warrant or represent that the Parcel is habitable or in any particular condition. COUNTY also makes no warranties or representations regarding the accuracy of the assessment of the Parcel or the accuracy of the description of the real estate or improvements therein.

4. COUNTY and BUYER agree that time is of the essence of this Agreement.

5. COUNTY and BUYER understand and agree that this Agreement shall not be considered final until executed by the Mayor of Salt Lake County, pursuant to a resolution of the Salt Lake County Council.

6. COUNTY and BUYER agree that Derrick Sorensen of the Salt Lake County Real Estate Division shall act as closing agent in accordance with the terms of this Agreement for the parties hereto.

7. Upon receipt of the full Purchase Price from BUYER, COUNTY shall deliver the Quit-claim Deed to BUYER.

8. CAMPAIGN CONTRIBUTIONS: BUYER acknowledges the prohibition of campaign contributions by contractors to COUNTY candidates, pursuant to Chapter 2.72A, Salt Lake County Code of Ordinances, 2001. BUYER also acknowledges and understands this prohibition means that any person, business, corporation or other entity that enters into a contract or is engaged in a contract with BUYER maybe prohibited from making certain campaign contributions to COUNTY candidates. BUYER further acknowledges that violation of this prohibition may result in criminal sanctions as well as termination of this Agreement. BUYER represents, by executing this Agreement, that BUYER has not made or caused others to make any campaign contribution to any COUNTY candidate in violation of the above-referenced County ordinance.

9. It is agreed that the terms herein constitute the entire Agreement between COUNTY and BUYER and that no verbal statement made by anyone shall be construed to be part of this Agreement unless incorporated in writing herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed this __ day of _____, 20__.

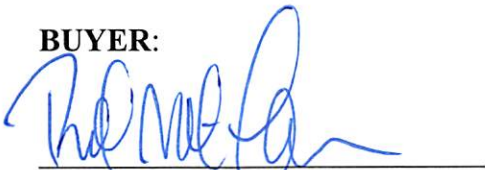
COUNTY: Salt Lake County

RECOMMENDED FOR APPROVAL:

By _____
Mayor or Designee


Derrick L. Sorensen
Salt Lake County Property Manager

BUYER:


Richard M. Latimer

APPROVED AS TO FORM:


R. Christopher Preston
Deputy District Attorney
Date: 3/29/2018

EXHIBIT 1
LEGAL DESCRIPTION

A parcel of land being part of an entire tract described in that Tax Sale Record recorded July 16, 1992 as Entry No. 5293990 in Book 6486, at Page 2557 in the Office of the Salt Lake County Recorder; said entire tract is located in the Southeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at the northeasterly corner of said entire tract at the southwesterly corner of Lot 4, Plateau Villa recorded April 29, 1958 in Book S of Plats, at Page 54 in the Office of said Recorder; thence S. 25°20' W. 101.61 feet along the northwesterly line of Lot 3, to the northwesterly corner of Lot 1 of said Plateau Villa; thence N. 85°50'52" W. 36.97 feet along a westerly extension of the northerly line of said Lot 1 to the easterly right-of-way line of Hillside Lane being 25.0 feet radially distant southeasterly from the centerline of said Hillside Lane and a point in a non-tangent 5019.65 foot radius curve to the left, concave westerly (Radius point bears N. 69°37'23" W.); thence northerly 114.57 feet along the arc of said curve, concentric to said centerline, through a central angle of 01°18'28" to the northwesterly corner of said entire tract; thence S. 65°51'28" E. 45.69 feet along the northeasterly boundary line of said entire tract to the Point of Beginning.

The above described parcel of land contains 4,336 square feet in area or 0.100 acre, more or less.

BASIS OF BEARINGS: The basis of bearing is S. 00°04'30" E. between the East Quarter Corner and the Southeast Corner of said Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian.

EXHIBIT 2
QUIT-CLAIM DEED

WHEN RECORDED RETURN TO:
Salt Lake County Real Estate
2001 South State Street, Suite S3-110
Salt Lake City, Utah 84114-3300

APPROVED AS TO FORM
District Attorney's Office

Space above for County Recorder's use

By: R. Christopher Preston
Attorney

R. CHRISTOPHER PRESTON

Date: 3/29/2018

QUIT CLAIM DEED
Salt Lake County

Parcel No. 1:C
Tax Serial No. 16-34-431-017
Surveyor WO: SU20170510

SALT LAKE COUNTY a body corporate and politic of the State of Utah, GRANTOR, of Salt Lake County, State of Utah, hereby Quit Claim(s) to, **RICHARD M. LATIMER**, GRANTEE, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described parcel of real property in Salt Lake County, Utah, to wit:

(SEE EXHIBIT A)

IN WITNESS WHEREOF, GRANTOR has caused this Quit-Claim Deed to be signed and its official seal to be affixed hereto by its duly authorized officer this _____ day of _____, 20 ____.

SALT LAKE COUNTY

STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

By _____
MAYOR or DESIGNEE
By _____
COUNTY CLERK

On this ____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that __he is the _____ of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

WITNESS my hand and official stamp the date in this certificate first above written:

My Commission Expires: _____

NOTARY PUBLIC

Residing in: _____

Acknowledgement Continued on following page

APPROVED AS TO FORM
District Attorney's Office

By: R. CHRISTOPHER PRINSTEON
Attorney
Date: _____

On this ____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that ___he is the CLERK_ of Salt Lake County and that the foregoing instrument was signed by him/her on behalf of Salt Lake County, by authority of a resolution of the SALT LAKE COUNTY COUNCIL

WITNESS my hand and official stamp the date in this certificate first above written:

My Commission Expires: _____

NOTARY PUBLIC

Residing in: _____

(EXHIBIT A)

A parcel of land being part of an entire tract described in that Tax Sale Record recorded July 16, 1992 as Entry No. 5293990 in Book 6486, at Page 2557 in the Office of the Salt Lake County Recorder; said entire tract is located in the Southeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian. The boundary of said entire tract is described as follows:

Beginning at the northwesterly corner of Lot 1, Plateau Villa recorded April 29, 1958 in Book S of Plats, at Page 54 in the Office of said Recorder; thence S. 25°20' W. 129.09 feet along the northwesterly line of said Plateau Villa to the northerly right-of-way line of 3900 South Street and the southwesterly corner of said Lot 1; thence N. 89°56'30" W. 27.35 feet along said northerly right of way line to the easterly right-of-way line of Hillside Lane, said point being 25 feet perpendicularly distant easterly from the centerline of said Hillside Lane; thence northerly along said easterly right-of-way line, being parallel to or concentric with said centerline, the following two (2) courses: 1) N. 21°11'E. 57.13 feet to a point of tangency with a 5019.65 foot radius curve to the left, concave westerly 2) Northerly 70.65 feet along the arc of said curve through a central angle of 00°48'23" to the intersection of said easterly right of way line and a westerly extension of the northerly line of said Lot 1; thence S. 85°50'52" E. 36.97 feet along said westerly extension to the **Point of Beginning**.

The above described parcel of land contains 3,838 square feet in area or 0.088 acre, more or less.

EXHIBIT "B": By this reference, made a part hereof.

BASIS OF BEARINGS: The basis of bearing is S. 00°04'30" E. between the East Quarter Corner and the Southeast Corner of said Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BRG.	CH. LEN.
C1	70.65	5019.65	00°48'23"	N20° 46' 48"E	70.65'

LEGEND

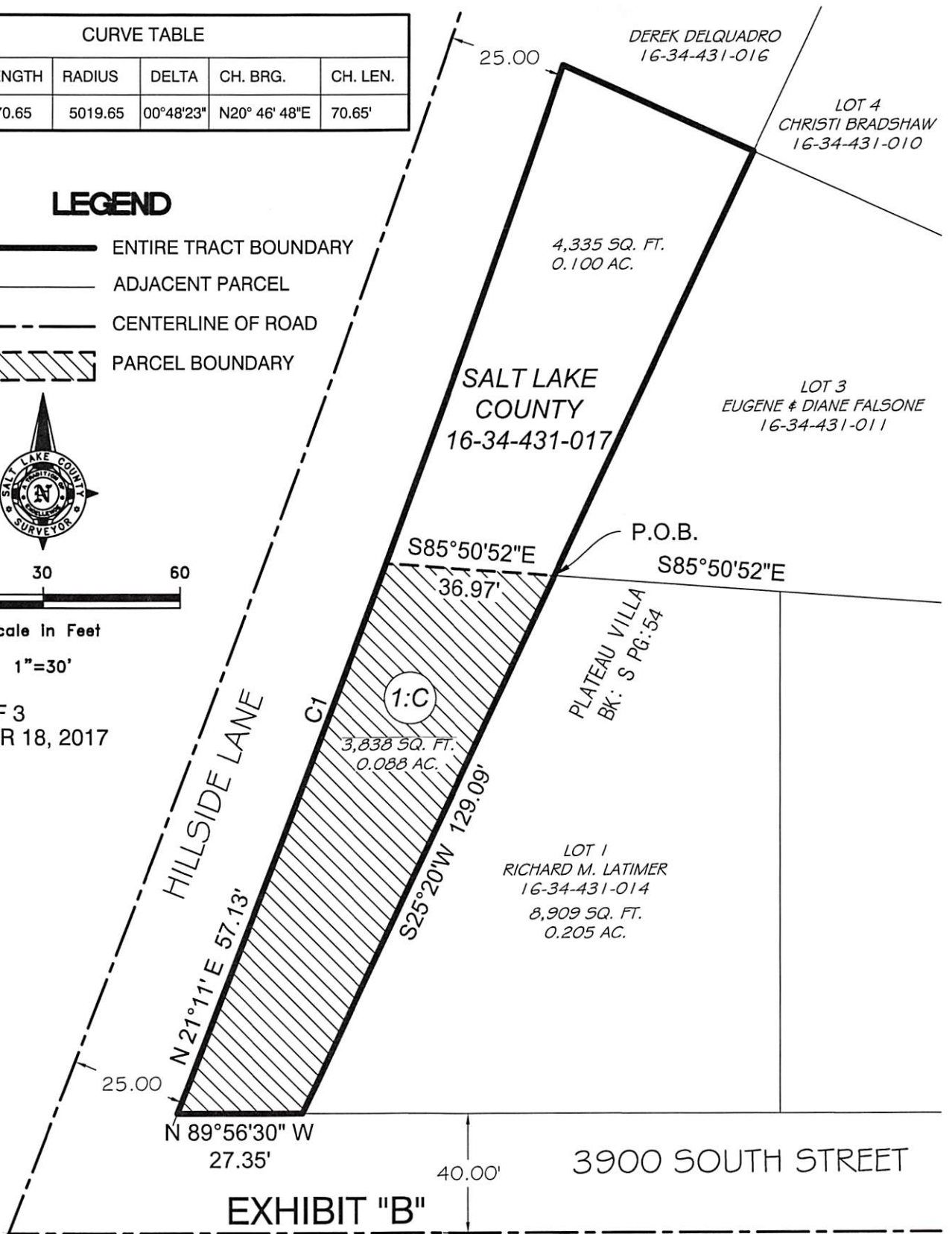
-  ENTIRE TRACT BOUNDARY
-  ADJACENT PARCEL
-  CENTERLINE OF ROAD
-  PARCEL BOUNDARY



Scale in Feet

1"=30'

PAGE 3 OF 3
DECEMBER 18, 2017



Quit Claim Deed
Richard M. Latimer

Prepared for:
Salt Lake County Real Estate

Sec. 34, T.1S, R.1E, S.L.B.&M.
Work Order No. SU20170510

Prepared by the Office of:

Reid J. Demman, P.L.S.
Salt Lake County Surveyor

2001 S. State St. #N1-400
Salt Lake City, Utah 84114-4575
(385) 468-8240