

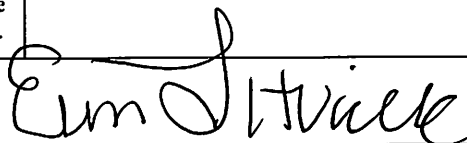
Mayor's Office: Council Agenda Item Request Form

This form and supporting documents (if applicable) are due the Wednesday before the COW meeting by noon.

Date Received
(office use)

Date of Request	05/16/2018
Requesting Staff Member	Derrick Sorensen
Requested Council Date	05/22/2018
Topic/Discussion Title	RE 3748 Tax Deed - MD & L, LC (Kenneth S. Olson)
Description	The County Owns a parcel of Real Property 14-36-152-030 at approximately 3733 S 5450 W, UT. MD & L, LC owns land adjacent to the Parcel. The property is not in public use and is available for disposition.
Requested Action ¹	Consent Agenda
Presenter(s)	Derrick Sorensen
Time Needed ²	>5 minutes
Time Sensitive ³	No
Specific Time(s) ⁴	No
Will You Be Providing a PowerPoint?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will You Be Providing Back-Up Documentation or Handouts? Please attach 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.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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 schedule on the requested date.

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

RESOLUTION NO. _____, 2018

**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 MD & L, LC**

RECITALS

1. Salt Lake County (the “County”) owns a parcel of real property, Parcel No. 14-36-152-030, located at approximately 3733 South 5450 West, West Valley City, Utah (the “Property”), which was struck off to the County after the tax sale in 1968.
2. MD & L, LC (“MD & L”), has offered in writing to purchase a portion of the Property (the “Parcel”) from the County for \$6,000.00, which amount has been approved by the County Real Estate Section as fair market value. This offer is in the form of a Tax Sale Property Purchase Agreement (the “Agreement”) attached hereto as Exhibit A.
3. The County has determined that the Parcel is not in public use. Proceeds from the sale of the Parcel will be distributed in accordance with Section 59-2-1351.5 of the Utah Code.
4. It has been determined that the best interest of the County and the general public will be served by the sale and conveyance of the Parcel to MD & L. 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 MD & L as provided in the Agreement for the agreed appraised value of Six Thousand Dollars and Zero Cents (\$6,000.00) is hereby approved; and the Mayor is hereby authorized to execute the Agreement and the Mayor and County Clerk are hereby authorized to execute the Quit-Claim Deed, attached to the Agreement as Exhibit 2, and to deliver the fully executed documents to the County Real Estate Section for delivery to MD

& L upon payment of the agreed upon purchase amount.

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: 5/14/2018

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 MD & L, LC, a Utah limited liability company, hereinafter referred to as BUYER.

RECITALS

- A. COUNTY owns a parcel of land located at 3733 South 5450 West in West Valley City, Utah, identified as Tax ID 14-36-152-030 (the "Property"), which was struck off to COUNTY after the tax sale in 1968.
- B. BUYER owns title to real property adjacent to a portion of the Property, desires to purchase from the County that portion of the Property that is immediately adjacent to its property (the "Parcel"), and has paid a fee of \$100, which amount shall be credited towards the purchase price of the Parcel. A description of the Parcel is attached hereto as Exhibit 1 and incorporated herein by this reference.
- C. COUNTY has determined that the Parcel is not currently in public use and that the Parcel has an appraised value of \$6,000.00.

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 ~~\$4,850~~ ^{\$6,000} (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.

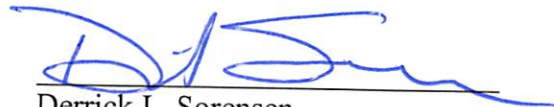
9. It is agreed that the terms herein constitute the entire Agreement between COUNTY and BUYER and that no verbal statement made by anyone shall be construed to be part of this Agreement unless incorporated in writing herein.

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: MD & L, LC

By: Kenneth S. Olson
Its: _____

APPROVED AS TO FORM:



R. Christopher Preston
Deputy District Attorney
Date: 5/14/2018

EXHIBIT 1
LEGAL DESCRIPTION

A parcel of land being part of an entire tract conveyed to Salt Lake County, in the City of West Valley, County of Salt Lake, State of Utah, per that Tax Sale Deed recorded September 4, 1968 as Entry No. 2258498 in Book 2688, at Page 11 in the Office of the Salt Lake County Recorder, said entire tract is located in the Northwest Quarter of Section 36, Township 1 South, Range 2 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at a point on the west boundary line of said entire tract at the northeasterly corner of Parcel # 14-36-152-031, as described in that Quit Claim Deed recorded as Entry No. 5097357, in Book 6336, on Page 2447 in the office of said Recorder, which point is 16.50 feet N. $89^{\circ}39'35''$ W. (Record = West 1 rd.) along the South line of said Quarter Section and 520.00 feet N. $00^{\circ}20'35''$ E. (Record = North) from the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 36; thence S. $89^{\circ}39'35''$ E. 16.50 feet along an easterly projection of the northerly line of said Parcel # 14-36-152-031 to the easterly boundary line of said entire tract; thence S. $00^{\circ}20'25''$ W. (Record = South) 520.00 feet along said easterly boundary line to the southeasterly corner of said entire tract and said Southeast Corner of the Southwest Quarter of the Northwest Quarter of Said Section 36; thence N. $89^{\circ}39'35''$ W. 16.50 feet (Record = West 1 rod) along the quarter section line of said Section 36 and the southerly boundary line to the southwesterly corner of said entire tract; thence N. $00^{\circ}20'25''$ E. (Record = N.) 520 feet along the westerly boundary line of said entire tract and the easterly boundary line of said Parcel # 14-36-152-031 and Parcel 14-36-152-032, to the point of beginning.

The above described parcel of land contains 8,580 square feet in area or 0.197 acres, more or less.

BASIS OF BEARINGS: The Basis of Bearing is N. $89^{\circ}39'35''$ W. between the East Quarter Corner and the West Quarter Corner of said Section 36, Township 1 South, Range 2 West, 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

Space above for County Recorder's use

QUIT CLAIM DEED
Salt Lake County

Parcel No. 1:C
Tax Serial No. 14-36-152-030
Surveyor WO: SU20180057

SALT LAKE COUNTY a body corporate and politic of the State of Utah, GRANTOR(S), hereby Quit Claim(s) to, MD & L, L.C. a Utah Corporation, GRANTEE(S), 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

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: _____

Residing in: _____

NOTARY PUBLIC

"EXHIBIT A"

A parcel of land being part of an entire tract conveyed to Salt Lake County, in the City of West Valley, County of Salt Lake, State of Utah, per that Tax Sale Deed recorded September 4, 1968 as Entry No. 2258498 in Book 2688, at Page 11 in the Office of the Salt Lake County Recorder, said entire tract is located in the Northwest Quarter of Section 36, Township 1 South, Range 2 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at a point on the west boundary line of said entire tract at the northeasterly corner of Parcel # 14-36-152-031, as described in that Quit Claim Deed recorded as Entry No. 5097357, in Book 6336, on Page 2447 in the office of said Recorder, which point is 16.50 feet N. 89°39'35" W. (Record = West 1 rd.) along the South line of said Quarter Section and 520.00 feet N. 00°20'35" E. (Record = North) from the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 36; thence S. 89°39'35" E. 16.50 feet along an easterly projection of the northerly line of said Parcel # 14-36-152-031 to the easterly boundary line of said entire tract; thence S. 00°20'25" W. (Record = South) 520.00 feet along said easterly boundary line to the southeasterly corner of said entire tract and said Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 36; thence N. 89°39'35" W. 16.50 feet (Record = West 1 rod) along the quarter section line of said Section 36 and the southerly boundary line to the southwesterly corner of said entire tract; thence N. 00°20'25" E. (Record = N.) 520 feet along the westerly boundary line of said entire tract and the easterly boundary line of said Parcel # 14-36-152-031 and Parcel 14-36-152-032, to the point of beginning.

The above described parcel of land contains 8,580 square feet in area or 0.197 acre, more or less.


EXHIBIT "B":

By this reference, made a part hereof.

BASIS OF BEARINGS:

The Basis of Bearing is N. 89°39'35" W. between the East Quarter Corner and the West Quarter Corner of said Section 36, Township 1 South, Range 2 West, Salt Lake Base and Meridian.

LEGEND

- SUBDIVISION BOUNDARY
- PARCEL LINES
-  AREA DEEDED TO FONGER
- SL COUNTY PARCEL BOUNDARY

(1:C)
8,580 SF
0.197 AC

SALT LAKE COUNTY
14-36-152-030

ROBERT T.
FONGER TR
14-36-152-031

EXHIBIT "B"



NOT TO SCALE

JASON AND KATHLEEN
CHRISTOPHER
(J&KCFT)
14-36-152-032

N89°39'35"W
16.5'

SE COR of the
SW QTR of the
NW QTR of SEC 36

POB

S89°39'35"E
16.5'

LOT
206

LOT
207

LOT
208

LOT
209

LOT
210

MOSHIER LANE
3740 SOUTH

5380 WEST

LOT
217

LOT
216

LOT
215

MOSHIER LANE

OLD FARM STATION
PLAT 2 SUBDIVISION

MOSHIER VIEW CIRCLE
3785 SOUTH

LOT
211

N00°20'25"E 520'

S00°20'25"W 520'

SALT LAKE COUNTY
14-36-152-030

Salt Lake County Surplus Property
Robert T. Fonger TR

Prepared for:
Salt Lake County Real Estate

Sec. 36, T.1S, R.2W, S.L.B.&M.
Work Order No. SU20180057

Page 3 of 3
Revised 05/07/2018

Drawn By KDS Date: 02/14/2018
Checked By SVK Date: 02/14/2018

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

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: 5/14/2018

QUIT CLAIM DEED
Salt Lake County

Parcel No. 1:C
Tax Serial No. 14-36-152-030
Surveyor WO: SU20180057

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(SEE EXHIBIT A)

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SALT LAKE COUNTY

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

By _____
MAYOR or DESIGNEE
By _____
COUNTY CLERK

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My Commission Expires: _____

NOTARY PUBLIC

Residing in: _____

Acknowledgement continued on following page

ended

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Residing in: _____

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