

TAX SALE PROPERTY PURCHASE AGREEMENT

This TAX SALE PROPERTY PURCHASE AGREEMENT ("Agreement") is made and executed this ___ day of _____, 2019, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah, hereinafter referred to as COUNTY, and the 1995 FITZGERALD FAMILY TRUST, dated October 27, 1995, hereinafter referred to as BUYER.

RECITALS

- A. COUNTY owns a parcel of land located at approximately 6707 South 2300 East in Cottonwood Heights City, Utah, identified as Tax ID 22-22-403-002 (the "Property"), which was struck off to COUNTY after the tax sale in 1969. A description of the Property is attached hereto as Exhibit 1 and incorporated herein by this reference.
- B. BUYER, which is represented by Garff Fitzgerald as successor trustee, 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 \$525.00.

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 \$525.00 (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: 1995 FITZGERALD FAMILY TRUST, dated October 27, 1995


By: Garff Fitzgerald
Its: Successor Trustee

APPROVED AS TO FORM:

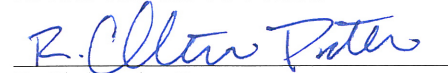

R. Christopher Preston
Deputy District Attorney

EXHIBIT 1
LEGAL DESCRIPTION

All of an entire tract described in that Tax Sale Record recorded September 26, 1969 as Entry No. 2304536 in Book 2792 at Page 551 in the office of the Salt Lake County Recorder. Said entire tract is located in the Southeast Quarter of Section 22, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and is described as follows:

Beginning at the northwest corner of said entire tract being the northwest corner of Lazy Bar subdivision recorded November 2, 1960 as Entry No. 1744740 in Book V of Plat, at Page 75 in the Office of said Recorder; thence East 138.00 (Record = 139.41 ft.) along the north line of said entire tract and Lazy Bar subdivision to the west line of Lot 1, Lazy Bar No. 3 recorded May 2, 1963 as Entry No. 1916801 in Book Z of Plats, at Page 78 in the Office of said Recorder; thence South 1.0 feet along said west line to the southeast corner of said entire tract being the southwest corner of Lot 1, Lazy Bar No. 3 and the south line of a 1' protection strip; thence West 138.00 feet (Record = 139.41 ft.) along the south line of said entire tract and said south line of a 1' protection strip, to the southwest corner of said entire tract and west line of said Lazy Bar subdivision; thence North 1.0 feet along the west line of said entire tract and Lazy Bar subdivision to the **Point of Beginning**.

The above-described parcel of land contains 138 square feet in area or 0.003 acre, more or less.

BASIS OF BEARING: North along the Quarter Section line between a railroad spike marking the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the Center of Section 22, Township 2 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: 10/14/2019

QUITCLAIM DEED
Salt Lake County

Parcel No. 1:C
Tax Serial No. 22-22-403-002
Surveyor WO: W071819120
RE-3820

SALT LAKE COUNTY a body corporate and politic of the State of Utah, GRANTOR, hereby Quitclaim(s) to, Garff Fitzgerald, successor trustee of the 1995 Fitzgerald Family Trust, dated October 27, 1995, 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 Quitclaim Deed to be signed and its official seal to be affixed hereto by its duly authorized officer this _____ day of _____, 20 ____.

SALT LAKE COUNTY

By: _____
MAYOR or DESIGNEE

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

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:

Notary Public _____

My Commission Expires: _____

Residing in: _____

Acknowledgement Continued on Following Page

Acknowledgement Continued from Preceding 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:

Notary Public _____

My Commission Expires: _____

Residing in: _____

(EXHIBIT A)

All of an entire tract described in that Tax Sale Record recorded September 26, 1969 as Entry No. 2304536 in Book 2792 at Page 551 in the office of the Salt Lake County Recorder. Said entire tract is located in the Southeast Quarter of Section 22, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and is described as follows:

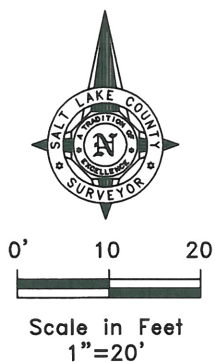
Beginning at the northwest corner of said entire tract being the northwest corner of Lazy Bar subdivision recorded November 2, 1960 as Entry No. 1744740 in Book V of Plat, at Page 75 in the Office of said Recorder; thence East 138.00 (Record = 139.41 ft.) along the north line of said entire tract and Lazy Bar subdivision to the west line of Lot 1, Lazy Bar No. 3 recorded May 2, 1963 as Entry No. 1916801 in Book Z of Plats, at Page 78 in the Office of said Recorder; thence South 1.0 feet along said west line to the southeast corner of said entire tract being the southwest corner of Lot 1, Lazy Bar No. 3 and the south line of a 1' protection strip; thence West 138.00 feet (Record = 139.41 ft.) along the south line of said entire tract and said south line of a 1' protection strip, to the southwest corner of said entire tract and west line of said Lazy Bar subdivision; thence North 1.0 feet along the west line of said entire tract and Lazy Bar subdivision to the **Point of Beginning**.

The above-described parcel of land contains 138 square feet in area or 0.003 acre, more or less.

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

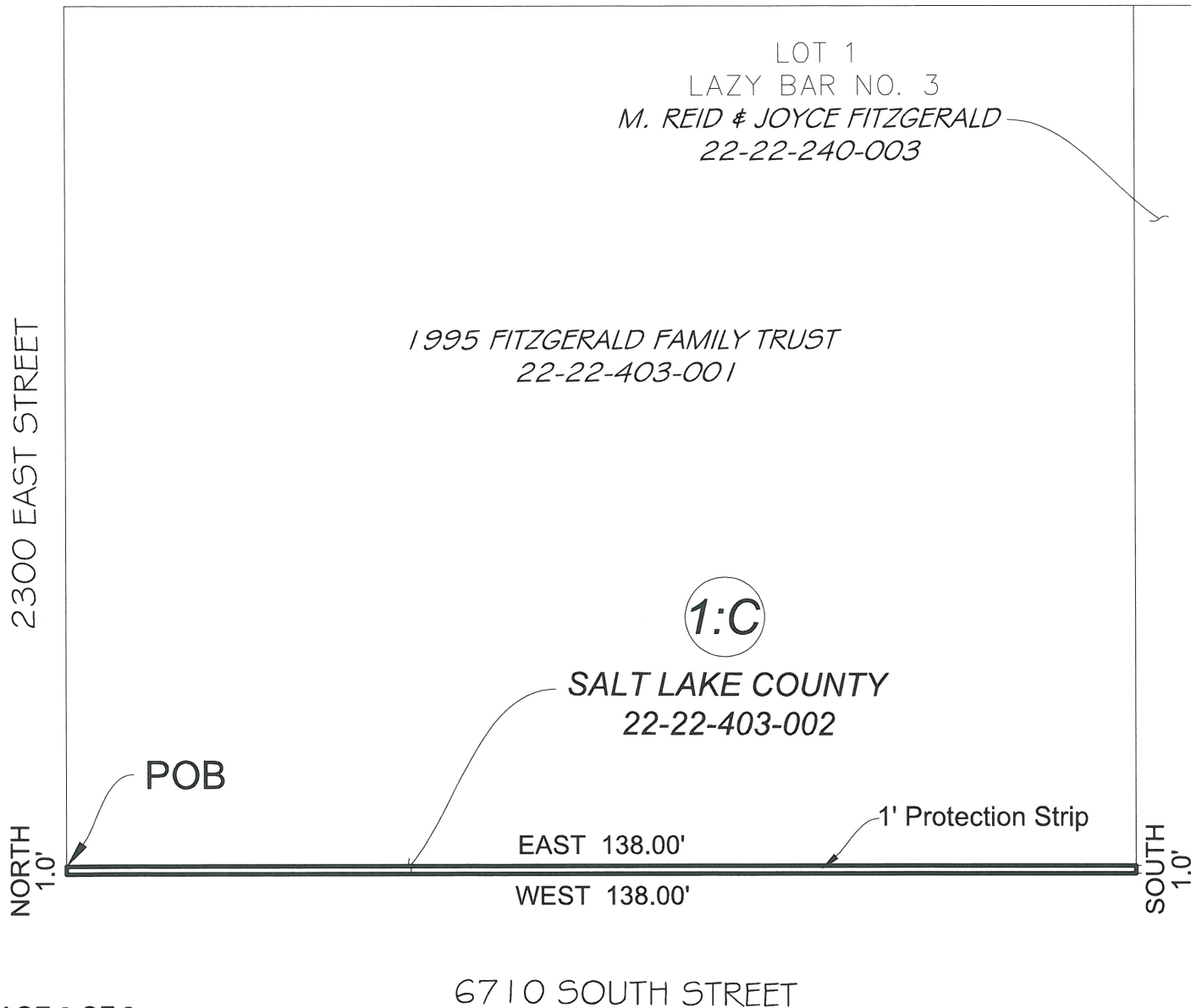
BASIS OF BEARING: North along the Quarter Section line between a railroad spike marking the SW corner of the NW ¼ of the SE ¼ and the Center of Section 22, Township 2 South, Range 1 East, Salt Lake Base and Meridian.

EXHIBIT "B"



LEGEND

- TRACT BOUNDARY
- ADJACENT PARCEL



PAGE 3 OF 3
PREPARED: JULY 22, 2019



1995 FITZGERALD FAMILY TRUST
Quit Claim Deed

Prepared for:
Salt Lake County Real Estate

Sec. 22, T.2S, R.1E, S.L.B.&M.
Work Order No. W071819120 Real Estate No. 3820

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