



Agenda Item

File #: 21-0507

Requested Agenda Date:
4/27/2021**Requested Agenda Title:**

A resolution of the Salt Lake County Council authorizing the execution of a real estate purchase contract and settlement agreement between Magna Metro Township, Salt Lake County, And Sego Properties, LLC, including the release of a portion of an easement over certain related real property located Magna, Utah.

Requested Agenda Item Description: The Requested Agenda Item Description should provide context for Councilmembers, staff, and members of the public to clearly understand the purpose of the agenda item, any relevant background information, and the nature of any action that is being requested. Sego Properties, LLC is the owner of real property in Salt Lake County, Utah, more particularly described as Salt Lake County Parcel No. 14-33-227-028-0000, with the address of 7373 W. 3500 S., Magna, Utah. On February 21, 1978, Salt Lake County recorded a perpetual surface drainage easement, which gave the County an easement that authorized it to install a storm drain pipeline for the transportation of surface water over, across, through, and under the northeast quadrant of the Sego Property. After acquiring the Stormwater Easement, the County installed a stormwater drainage pond that now occupies the northeast quadrant of the Sego Property. When Magna Metro Township incorporated as a municipality in 2017, it assumed ownership of the stormwater facilities within its municipal boundaries, including the Pond and Stormwater Easement, along with the County's stormwater responsibilities. A dispute arose between Seller and the County over the maintenance of the Pond and the Stormwater Easement, which resulted in a maintenance agreement dated July 7, 2017 between Seller and the County, pursuant to which the County agreed to make certain improvements and to landscape the area. A subsequent dispute arose between the Parties over the scope and intent of the Maintenance Agreement and Stormwater Easement. To resolve this dispute and all claims that Seller may have against the County and Buyer, Buyer will purchase the portion of the Sego Property on which the Pond is located, and Buyer will also pay Seller an additional sum to settle all present and past disputes, claims, damages, complaints, and grievances related to the Pond. To effectuate this Contract, Seller will need to: (i) subdivide the Sego Property into two parcels; (ii) convey the newly created parcel with the Pond to Buyer; and (iii) obtain a variance for certain setback requirements from Buyer, which is the applicable land use authority. Upon the completion of the subdivision and conveyance of the Property to Magna, the County agrees to release the Stormwater Easement. A form of the Notice of Release of Easement is attached as Exhibit 7 to the Agreement. The Parties have drafted a Real Estate Purchase Contract and Settlement Agreement, detailing all of the terms and obligations of each of the Parties.

Requested Action: Discussion - Vote Needed

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Presenter(s) (with titles): Derrick Sorensen, Real Estate Manager

Time Needed: 5 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

Please attach supporting documentation, including presentations, to the Legistar file.

Agenda item requests must be complete and submitted via Legistar Approval Sequence to the Council Administrative & Communications Coordinator by the Wednesday before the upcoming Tuesday meeting at 3:00 PM. Please note that some offices have earlier, internal Approval Sequence deadlines.

Items without necessary supporting documentation may be withheld from consideration for the desired meeting date.