MIDVALE CITY, UTAH
RESOLUTION 2019-R-06

A RESOLUTION DECLARING THE PROPERTY AT 7287 SOUTH CATALPA STREET SURPLUS WITH CONDITIONS FOR ITS DISPOSAL.

WHEREAS, pursuant to Section 10-8-2 Utah Code Annotated and Chapters 3.03 and 12.16 Midvale City Municipal Code, the City has authority to surplus and dispose of real property; and

WHEREAS, a request has been made to designate surplus and dispose of the property described in Exhibit A; and

WHEREAS, each City Department has reviewed the request to determine impact to the City and made a recommendation to approve the surplus request; and

WHEREAS, the Planning Commission of Midvale City, Utah held a public hearing on September 26, 2018, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News on September 12, 2018, to review the request for surplus, and, after considering all the information received, made a recommendation to approve the surplus request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on October 16, 2018, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News on October 2, 2018; and

WHEREAS, after taking into consideration citizen testimony, three (3) appraisals completed by qualified and disinterested appraisers, background information obtained on the property through a title report and ALTA survey, and the recommendations from City Staff and the Planning Commission, the City Council determined the surplus and disposal of said property would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. The foregoing recitals are true and correct;

Section 2. The property listed in Exhibit A is hereby determined and declared to be surplus to the needs of the City; and

Section 3. The Mayor and Staff are hereby authorized to hold a public auction with the property being sold to the highest bidder, subject to the following conditions:

1. The minimum property sale price shall be no less than $110,000.
2. The auction shall occur no later than April 5, 2019. The City shall notify
the public about the sale of the property by commercially feasible methods, including publication of a notice in one or more newspapers of general circulation in the county in which the sale is proposed at least 15 days before the date of the auction. The City may advertise the auction using any other methods the City determines may increase the potential for additional competition at the auction.

3. The City will convey the property by a Quitclaim Deed in an “as-is” condition without any representations or warranties, express or implied, regarding the property.

4. The property purchase contract shall include a right of first refusal and a 5-year reversionary interest to the City. The reversionary interest may be exercised by the City if the property is not developed within 5 years from the transfer date.

5. The auction winner shall be responsible for preparing all legal documents for the transfer of the property and shall assume any costs incurred in this process.

6. The Mayor is authorized to sign any documents needed to transfer ownership of the property to the auction winner.

PASSED AND APPROVED this 14th day of February, 2019.

[Signature]
Robert M. Hale, Mayor

ATTEST:

[Signature]
Ron Andreason, MMC
City Recorder

Voting by City Council

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<thead>
<tr>
<th>Name</th>
<th>“Aye”</th>
<th>“Nay”</th>
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<tbody>
<tr>
<td>Bryant Brown</td>
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<td>Dustin Gettel</td>
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<td>Paul Glover</td>
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<td>Quinn Sperry</td>
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“EXHIBIT A”
(Resolution No. 2019-R-06)

A RESOLUTION DECLARING THE PROPERTY AT 7287 SOUTH CATALPA STREET SURPLUS WITH CONDITIONS FOR ITS DISPOSAL.

Legal Description:

21-25-176-032 / 7287 South Catalpa Street / 0.49 ac.

A tract of land situated in the Southeast quarter of the Northwest quarter of Section 25, Township 2 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said tract of land are described as follows:

Beginning at a point which is 1945.90 feet South and 657.10 feet West and 183.69 feet South 25°52'14" West from the North quarter corner of said Section 25 (Note: said point of beginning is also 1960.12 feet South 00°19'02" West along the section line and 1971.07 feet East and 183.69 feet South 25°52'14" West from the Northwest corner of said Section 25) and running thence North 25°52'14" East 56.73 feet; thence North 55°52'07" East 26.69 feet; thence South 89°58'53" East 273.57 feet; thence South 43°41'53" East 33.25 feet; thence South 00°03'55" West 42.28 feet; thence North 89°56'05" West 343.34 feet to the point of beginning.

LESS AND EXCEPTING the following:

A parcel of land located in the Southeast quarter of the Northwest quarter of Section 25, Township 2 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point which is South 593.110 meters (1945.88 feet) and West 200.283 meters (657.09 feet) and South 25°52'14" West 38.697 meters (126.96 feet) from the North quarter corner of said Section 25 and running thence North 25°52'14" East 8.461 meters (27.76 feet); thence South 89°58'53" East 87.732 meters (287.83 feet); thence South 43°41'53" East 8.254 meters (27.08 feet); thence South 00°03'55" West 4.407 meters (14.46 feet); thence North 43°41'53" West 10.135 meters (33.25 feet); thence North 89°58'53" West 83.384 meters (273.57 feet); thence South 55°52'07" West 8.135 meters (26.69 feet) to the point of beginning.