

**MIDVALE CITY, UTAH
RESOLUTION NO. 2020-R-52**

**A RESOLUTION DECLARING THE PROPERTY LOCATED WITHIN SANDY CITY
SURPLUS AND AUTHORIZING THE CITY TO EXECUTE NECESSARY
DOCUMENTS TO TRANSFER THE PROPERTY TO ADJACENT PROPERTY
OWNER.**

WHEREAS, pursuant to Utah Code Annotated § 10-8-2 and Title 3 of Midvale 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 (“the Property”); and

WHEREAS, Midvale gained ownership of the Property in 1991 from the Utah Department of Transportation after the abandonment of a waterline that had been previously used to service Midvale residents; and

WHEREAS, after the waterline had been abandoned, Midvale did not use the Property and was unaware of its ownership until the summer of 2019; and

WHEREAS, during the entirety of Midvale’s ownership, the Property has been used and enjoyed by the adjacent property owners; and

WHEREAS, the Property is approximately .27 acres and valued at \$700.00 by the Salt Lake County Assessor’s Office.

WHEREAS, pursuant to Title 3 of the Midvale Municipal Code, public notice is not required because the Property is under one acre and valued at less than \$100,000.00,

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

WHEREAS, after careful consideration, the City Council determined the surplus and disposal of the 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; and

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 convey the Property to the adjacent property owner: Lyle E. Kunz as Trustee of the Clayton and Sharon Green Family Trust Dated December 2, 2020, subject to the following conditions:


1. The Property sales price shall be \$700.00.
2. 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.
3. The Property will be conveyed with an access easement for the adjacent property on the southern end of the Property (Parcel ID: 22-31-379-029-0000, currently owned by Major Realty, LLC).
4. The Mayor is authorized to sign any documents needed to transfer ownership of the Property.

APPROVED and **ADOPTED** this 8th day of December, 2020.



Robert M. Hale, Mayor

ATTEST:


Rori L. Andreason, City Recorder

Voting by the City Council

Quinn Sperry

Paul Glover

Heidi Robinson

Bryant Brown

Dustin Gettel

"Aye"

Absent

✓

✓

✓

✓

"Nay"

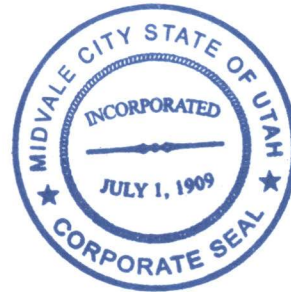


EXHIBIT A

PARCEL NUMBER: 22-31-379-027-0000

A PART OF THE SW QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY DESCRIBED AS FOLLOWS: COMMENCING AT THE S1/4 CORNER OF SAID SECTION 31 AND PROCEEDING N00°11'51"E, 66.42 FT; THENCE N89°48'09"W, 663.35 FT TO THE TRUE POINT OF BEGINNING, THENCE N37°52'57"W, 298.06 FT; THENCE THENCE N04°17'20"E, 10.39 FT; THENCE N03°49' 59" E, 31.46 FT; THENCE S40°39'34"E, 120.85 FT; THENCE S00°20'59"W, 11.02 FT; THENCE S32°43'47"E, 153.20 FT; THENCE N01°30'23"W, 25.15 FT; THENCE S37°38'06"E, 51.93 FT; THENCE WEST, 12.45 FT; THENCE S00°17'05"W, 29.80 FT; TO THE TRUE POINT OF BEGINNING. HAVING AN AREA OF 7790.1 SQUARE FEET, 0.179 ACRES

LESS AND EXCEPTING AN ACCESS EASEMENT FOR THE BENEFIT OF PARCEL NO. 22-31-379-029-0000