MILLCREEK, UTAH
ORDINANCE NO. 24-58

AN ORDINANCE DECLARING AN AREA OF REAL PROPERTY LOCATED AT OR ALONG 3239 EAST, NEAR 3900 SOUTH, AS SURPLUS; ESTABLISH A MINIMUM BID; AND ESTABLISH A METHOD TO DETERMINE THE HIGHEST AND BEST ECONOMIC RETURN TO THE CITY

WHEREAS, the Millcreek Council ("Council") met in a regular meeting on December 9, 2024, to consider, among other things, declaring an area of real property located at or along 3239 East, near 3900 South, as surplus; establish a minimum bid; and establish a method to determine the highest and best economic return to the City; and

WHEREAS, the City is the owner and/or steward of real property known as the westerly three feet of the Olympus Way (3250 East) public street or right of way located at or along 3239 East near 3900 South, which is identified in the legal descriptions provided in **Exhibit A** and map provided in **Exhibit B** below (Real Property"); and

WHEREAS, the Real Property is no longer needed for City purposes, and

WHEREAS, the adjacent landowner, Sue Liu, of the parcel of real property located at 3239 East 3900 South has offered to purchase the Real Property at fair market value as determined by a third party who is licensed in real estate valuation; and

WHEREAS, the City has obtained a Real Estate Broker's Opinion of Value, a copy of which is attached, which states the current market value of the area of Real Property on a per square footage basis as provided in **Exhibit C**; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the City to declare the area of Real Property surplus, to establish a minimum bid, and to develop a method to determine the highest and best economic return to the City; and

WHEREAS, the staff has advised the Council that the Property is an area of Real Property, not a significant parcel of real property as that term is defined in section 2.22.180 of the Millcreek Code of Ordinances; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the public to declare the Property surplus, establish a minimum bid, and establish a method to determine the highest and best economic returns to the City because, among other things, it is a better alignment of Olympus Way (3250 East) public street or right of way.

NOW, THEREFORE, BE IT ORDAINED, by the Council that it is in the best interest of the public to declare the Real Property as surplus and the Real Property is hereby declared surplus, that the minimum bid for the Real Property shall be $14,148 and that the highest and

best economic return to the City shall be by an evaluation by a qualified and disinterested appraiser.

BE IT FURTHER ORDAINED, the Council finds that the Real Estate Broker's Opinion of Value, attached as **Exhibit C**, is an evaluation by a qualified and disinterested appraiser.

BE IT FURTHER ORDAINED, the Council finds that the Real Property is not a significant parcel of real property, as defined in Section 2.22.180 of the Millcreek Code of Ordinances.

BE IT FURTHER ORDAINED that the Mayor and Recorder are hereby authorized and directed to surplus the Real Property to Sue Liu by quit claim deed.

PASSED AND APPROVED this 16th day of December 2024.

MILLCREEK

By: _____
Jeff Silvestrini, Mayor

ATTEST:

_____
Elyse Sullivan, City Recorder

Roll Call Vote:		
Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 24-58: AN ORDINANCE DECLARING AN AREA OF REAL PROPERTY LOCATED AT OR ALONG 3239 EAST, NEAR 3900 SOUTH, AS SURPLUS; ESTABLISH A MINIMUM BID; AND ESTABLISH A METHOD TO DETERMINE THE HIGHEST AND BEST ECONOMIC RETURN TO THE CITY was adopted the 16th day of December, 2024 and that a copy of the foregoing Ordinance 24-58 was posted in accordance with Utah Code 10-3-711 this 17 day of December, 2024.

_____
Elyse Sullivan, City Recorder

Exhibit A

Legal Description
(Vacated Area)

A PART OF THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT AT THE SOUTH QUARTER CORNER OF SAID SECTION 35; AND RUNNING THENCE NORTH 0°02'41" EAST 1770.80 FEET ALONG THE MONUMENT LINE OF 3100 EAST STREET TO A FOUND BRASS CAP MONUMENT IN THE INTERSECTION OF 3900 SOUTH STREET AND 3100 EAST STREET; THENCE SOUTH 89°57'00" EAST 933.91 FEET ALONG THE MONUMENT LINE OF 3900 SOUTH STREET; THENCE NORTH 0°03'00" EAST 40.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 3900 SOUTH STREET AND THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE;

THENCE NORTHEASTERLY 39.29 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°03'00" AND A LONG CHORD BEARING NORTH 45°01'30" EAST 35.37 FEET TO A POINT OF TANGENCY;

THENCE NORTH 149.93 FEET;

THENCE EAST 3.00 FEET;

THENCE SOUTH 149.93 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY 39.29 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°03'00" AND A LONG CHORD BEARING SOUTH 45°01'30" WEST 35.37 FEET TO A POINT OF TANGENCY AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 3900 SOUTH STREET;

THENCE NORTH 89°57'00" WEST 3.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINS 524 SQ. FT. OR 0.012 ACRES

Exhibit B

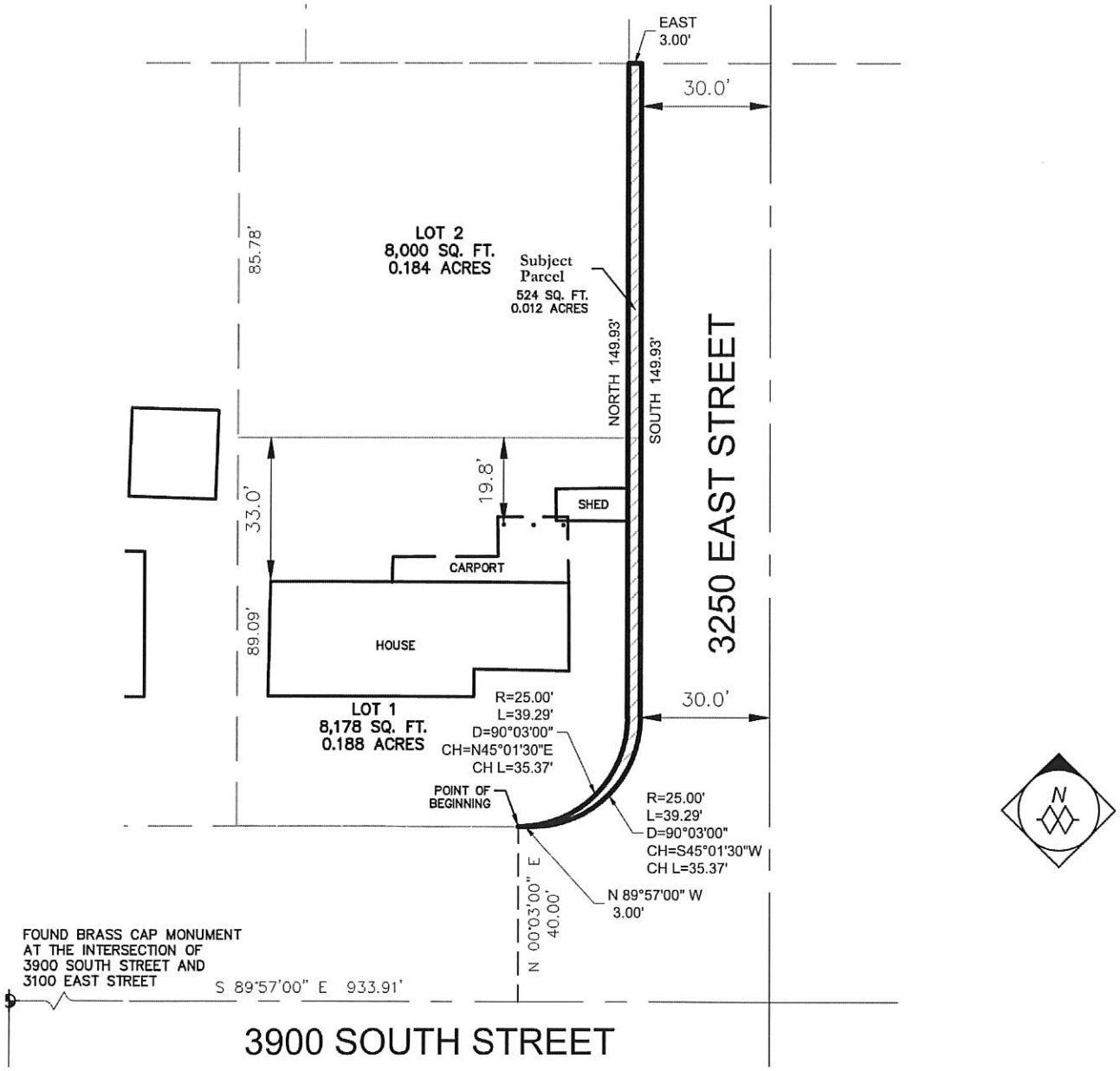

EAST
3.00'
30.0'
LOT 2
8,000 SQ. FT.
0.184 ACRES
Subject
Parcel
524 SQ. FT.
0.012 ACRES
85.78'
NORTH 149.93'
SOUTH 149.93'
3250 EAST STREET
19.8'
SHED
33.0'
CARPORT
89.09'
HOUSE
LOT 1
8,178 SQ. FT.
0.188 ACRES
R=25.00'
L=39.29'
D=90°03'00"
CH=N45°01'30"E
CH L=35.37'
30.0'
POINT OF
BEGINNING
R=25.00'
L=39.29'
D=90°03'00"
CH=S45°01'30"W
CH L=35.37'
N 89°57'00" W
3.00'
N 00°03'00" E
40.00'
FOUND BRASS CAP MONUMENT
AT THE INTERSECTION OF
3900 SOUTH STREET AND
3100 EAST STREET
S 89°57'00" E 933.91'
3900 SOUTH STREET
N

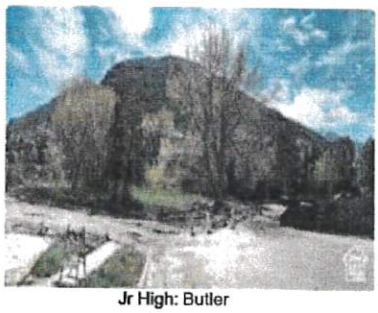
Exhibit C

UtahRealEstate.com - Agent Full Report - Land

MLS# 1994074

List Price: $550,000
Lease Price: $0
DOM: 65
Address: 7657 S Avondale Dr
NS/EW: 7657 S / 3700 E
City: Salt Lake City, UT 84121
County: Salt Lake
Plat:
LOT #:
Tax ID: 22-25-352-034
Zoning Code:

Status: ACTIVE
Price Per:
Entry Date: 04/23/2024
Est. Taxes: $2,514
HOA Fee: $0



School Dist: Canyons
Sr High: Brighton
Acre FT./Share: 0.00 |
Wells: |
Culinary Well Health Inspected:

Elem: Canyon View
Other Schl: Carden Memorial
Acre FT./Share: 0.00 |
Surface: |

Jr High: Butler
Acre FT./Share: 0.00 |
Dev. Spring: |

Prop Type: Residential
Acres: 0.36
Frontage: 0.0
Side: 0.0
Back: 0.0
Irregular: Yes
Facing:
Drv. Access
Water Distance:
Sewer Distance:
Gas Distance:
Usable Electric:
Pressurized Irr.:
Conn. Fees:
Irrigation Co:
Water:
Exterior Feat.:
Irrigation:
Land Use:
Utilities:
Zoning: Single-Family
Possession: Recording
Terms: Cash; Conventional
CCR: Yes
Lot Facts:
Township:
Range:
Section:
Section Desc.:
Driving Dir:

Remarks: Great location: Minutes to the ski areas and recreation for both big and little cottonwood canyons, Alta, Snowbird, Brighton, Solitude and I-215 Belt Route. Upscale are homes are being build next to the lot.

Agt Remarks: If square footage or acreage of the property or improvement concern to buyer, buyer is responsible to verify the square footage/acreage measurements to buyer's own satisfaction.

HOA Remarks:
Clos Remarks:

Showing Requests Available Soon

Owner:
Contact: Klew L Yeh Mori
L/Agent: Klew L. Mori
L/Office: Fathom Realty (Union Park)
BBC: 3%

Special Owner Type:
Contact Type: Agent
Email: klewmori3@gmail.com
Dual/Var: No

Ph 1: 801-573-0676
Ph: 801-573-0676
Ph: 801-441-1950
List Type: Exclusive Right to Sell (ERS)

Ph 2:
Mobile: 801-573-0676
Fax:
Comm Type: Net

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MLS# 1883595

3207 South Orchard Street (1455 East), Millcreek City

Listed: June 16, 2023 and went under contract on May 3, 2024 and closed on May 14, 2024. The seller was motivated to sell it that he carried the contract on the sale. It was listed the Salt Lake Board of Realtors MLS for 283 days. The original list price was $399,000 and eventually sold for $335,000.

The parcel was a 0.28 of an acre in size or 12,197 square feet. That puts the "Market Value" per square foot at $27.47.

MLS# 1979985

839 East 4200 South ,Salt Lake City

Listed: February 8, 2024 and has been on the Salt Lake Board of Realtors MLS for 140 days. The original list price was $700,000 and has been reduced to $595,000.

The parcel is 0.43 of an acre is size or 18,731 square feet. Based upon the current list price and the size of the lot the per square foot priced is $31.77.

MLS# 1994074

7657 South Avondale Drive (3700 East), Salt Lake City

Listed April 23, 2024 and has been on the Salt Lake Board of Realtors MLS for 65 days. The original list price is $550,000.

The parcel is 0.36 of an acre or15,682 square feet. Based upon the current list price and the size of the lot the per square foot price is %35.07.

Land value Conclusion

The two comparable listings are considered to be in the upper end of the bracket. Most likely either the property owner will lower the price of the lot motivate a buyer to make an offer or buyer will buyer will offer the owner a lower price trying to secure a better purchase price.

After considering the sold listing and the two lot listings, it is my opinion the per square foot valve range for the subject surplus parcel square foot value to be between $27.00 and $31.00. All the properties are residential lots.

Millcreek City
Administrative Compensation Estimate

Project: Valuation of surplus property — Parcel No. (s):
Project Location: 3250 East 3900 South, Millcreek City, Utah

County of Property: Salt Lake — Tax ID / Sidwell No:
Property Address: 3250 East 3900 South, Millcreek City, Utah 84106
Owner / Grantor (s): Millcreek City
Owner's Address: 1330 East Chambers Avenue , Millcreek City, Utah 84106
City's phone number 801-214-2700

Parcel No.	Type		Size	Units	Price per Unit	%	PROPERTY USE	HB	PARCEL ZONING Zoning	Jurisdiction
	Land	300 to 500 square foot		SQFT SQFT	$27.00 to 31.00/sqft	100	Residential	Residential		UTAH

VALUE OF THE ---------->	$27.00 tp $31.00 /SqFt		x	Factor 100.0	=	$0.00
:						$0.00
IMPROVEMENT						$0.00
OTHER COSTS						$0.00
Rounding						$0.00
TOTAL COMPENSATION:						**$0.00**

ACKNOWLEDGEMENTS

The Compensation Estimate is an appraisal waiver program that administrates an estimate of just compensation for the impacted subject property. Though this form is not an appraisal, the estimated just compensation is derived from market data and information contained within the project file. An inspection with the property owner is recommended, but not required. This form is for internal R/W purposes only. The exempting authority for the Appraisal Waiver Program is found in 49 C.F.R. 24(c) for Federal requirements and in R933-1-1 for State of Utah requirements.

ADMINISTRATIVE APPROVAL

NAME

DATE OF APPROVAL

(CONSULTANT)
TITLE

6/27/2024
DATE OF ESTIMATE

Description and Valuation of the Larger Parcel

The administrative compensative estimate process for determining real estate "Market Value" involves a systematic analysis of the facts which pertain to the supply and demand of the real estate being valued.

Whereas the subject parcel of land being valued is part of the 3250 East located within the Hawker Heights Subdivision, Millcreek City. The subject parcel land generates no income, and there were no road sales that could be found to compare it to, so it will be valued based upon the abutting property which is residential.

Because recent land sales on the Salt Lake Board of Realtors MLS of similar size within the subject neighborhood were scarce, it is necessary to expand the search beyond neighborhood boundaries.

Comparable land listings for sale on the Salt Lake Board of Realtors MLS were found and is used to help estimate the market value of the subject parcel and was also beyond the existing neighborhood boundaries.

The following pages show the details of the one sold listing and two current lots that are listed for sale on the Salt Lake Board of Realtors MLS. The listed lots show the list price, any reduction from the original list price, how long they have been listed, and the size of the parcel.

These comparable sales are summarized, reviewed, and compared to the subject for a variety of characteristics. An equitable market value per square foot is then concluded and used as the basis for computing acquisition costs on a per square foot basis.

The subject parcel is currently part of a 66-foot-wide road (3250 East) which Millcreek City is looking to reduce in size down to a 60-foot-wide road. The city is looking to surplus 3 feet from both the east side and the west side of 3250 East, thus making 3250 East a 60-foot-wide road. This is the reason the City is looking to determine the "Market Value" of the per square foot of the excess property. It is estimated that Millcreek City will have a surplus of approximately 300 to 500 square feet from both the east and west sides of 3250 East.

HAWKER HEIGHTS

A SUBDIVISION IN THE S.E. 1/4 OF SEC. 35, T1S. R1E., S.L.B.&M.



ENGINEERS CERTIFICATE

I, George A. Hodgell, a registered Engineer and Land Surveyor as prescribed under the laws of State of Utah, and holding Certificate No. 1882 do hereby certify that the survey of this plat shown on this map and known as HAWKER HEIGHTS was made by me or under my direction and that the same is correctly represented on this plat.

Beginning at a point 330.22 ft. N. & 330.21 ft. East and North 1284.81 feet from the South 1/4 corner of Sec. 35, T1S., R1E., S.L.B.&M. and running thence North 87°13' East, thence East 132.00 ft. thence North 47°45' East, thence East 60.00 ft. thence North 331.32 feet, thence West 132.00 ft. thence South 47°45' West, thence South 87°13' West 132.00 feet, thence South 2°47' East 33.00 feet, thence West 132.00 feet, thence South 330.22 feet, thence West 132.00 feet, thence North 330.22 feet, thence North 2°47' West 33.00 feet, thence West 132.00 feet, thence North 330.22 feet, thence East 132.00 feet to the point of beginning.

I further certify that I have sufficiently staked out the various subdivided lots, roads, and streets, to be known hereafter as HAWKER HEIGHTS in accordance with this plat and that the same has been accurately represented on this map.

George A. Hodgell
REGISTERED

OWNERS DEDICATION

Know all men by these presents that GEORGE H. SMITH and MARY M. SMITH his wife, owners of the above described tract of land, having caused same to be subdivided into lots and streets to be known hereafter as HAWKER HEIGHTS a subdivision, do hereby dedicate for the perpetual use of the public all of said streets as shown hereon and do hereby grant to Salt Lake County an easement over and under the public utility easements shown hereon for the installation and maintenance of public utilities.

Mary M. Smith

ACKNOWLEDGEMENT

County of Salt Lake } ss.
State of Utah }

On this 23rd day of April A.D. 1952, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake, State of Utah GEORGE H. SMITH and MARY M. SMITH his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same freely and voluntarily and for the purposes therein.

My commission expires Sept. 1953

Notary Public

COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that I have examined this map and the plat in the ground, and have found the same to be in accordance with information on file in my office, this 29th day of May A.D. 1952.

Vernon P. Nielsen
COUNTY SURVEYOR

APPROVED

Approved by the Salt Lake Suburban Planning Commission.
5/29/52
CHAIRMAN

APPROVED

Approved by the Salt Lake County Planning Commission May 29th 1952.
CHAIRMAN

APPROVED

Approved as to form.
DEPUTY COUNTY ATTORNEY

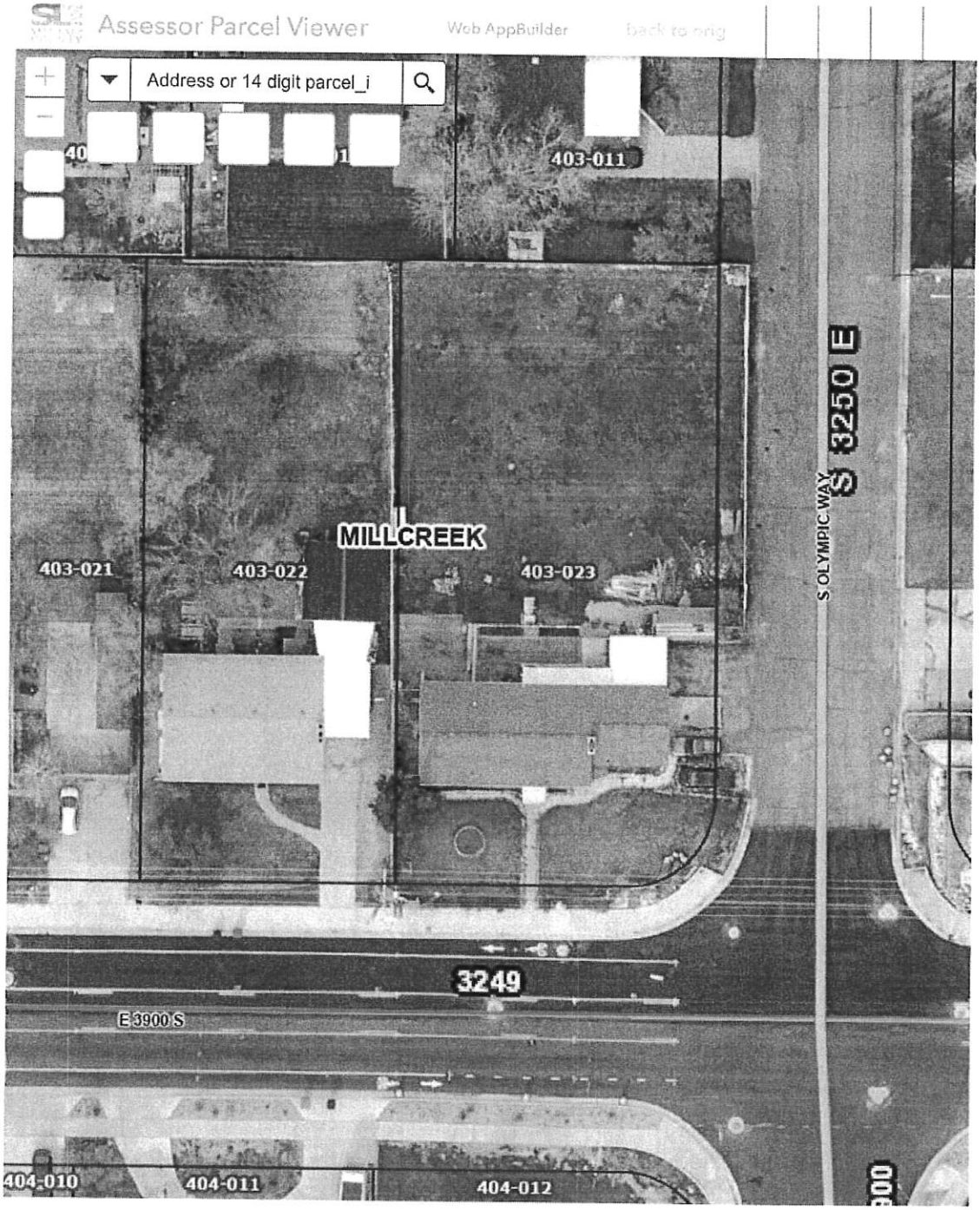
APPROVED

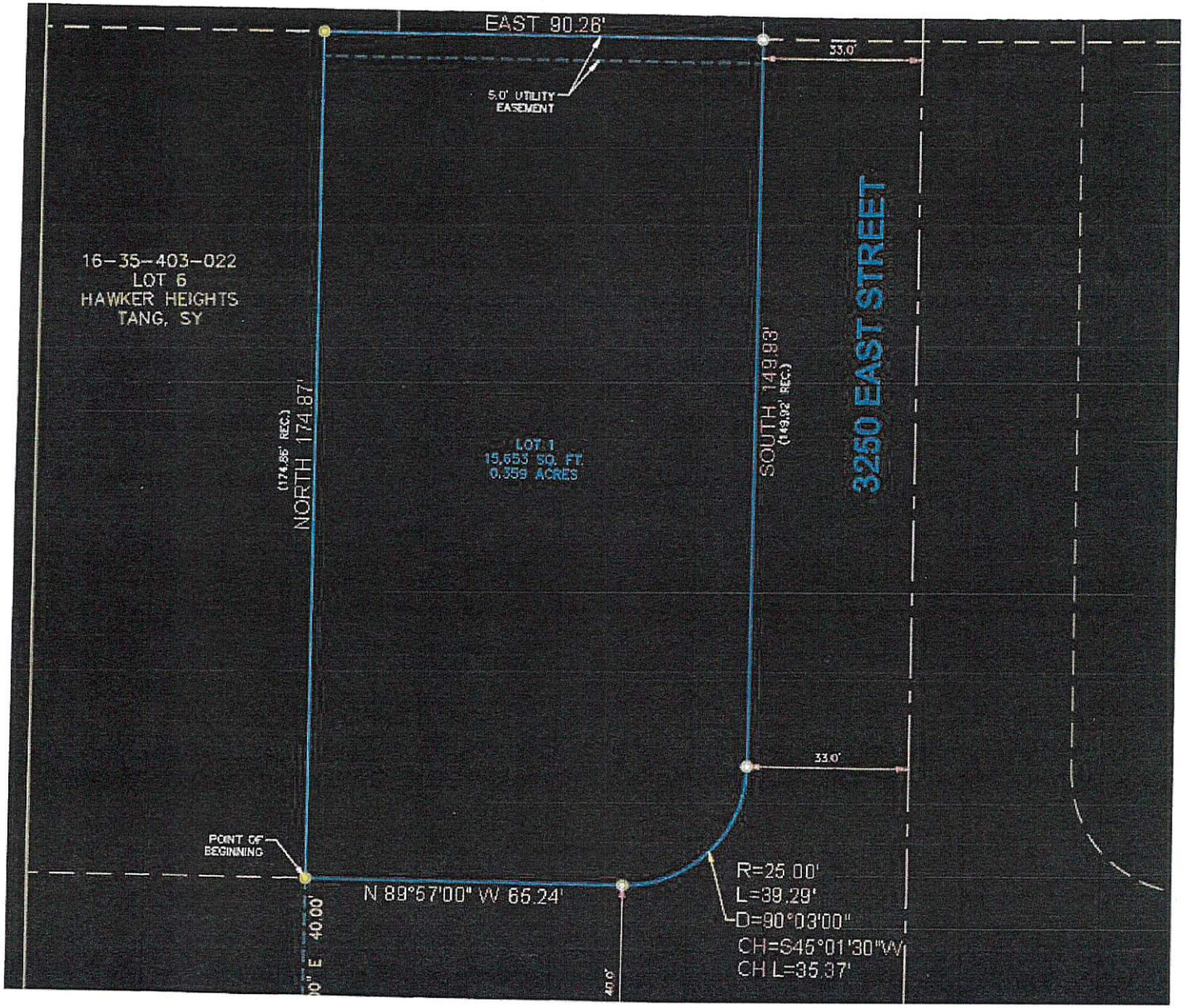
Accepted and approved by the Board of County Commissioners this 2nd day of June A.D. 1952.
COUNTY CLERK
CHAIRMAN

No. 191143
STATE OF UTAH
COUNTY OF SALT LAKE
Filed and recorded at the request of
Stears Inc.
this 3rd day of June A.D. 1952 at 9:30 A.M. in Book M of Plats Page 3
Fee Paid $3.00
Deputy County Recorder

N-2

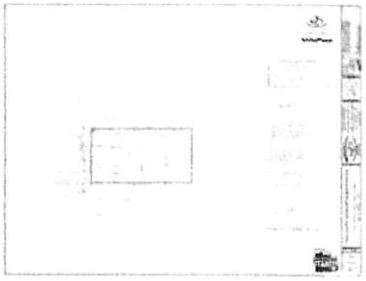
N 2


Assessor Parcel Viewer
Web AppBuilder
back to orig
Address or 14 digit parcel_i
403-011
S 3250 E
S OLYMPIC WAY
MILLCREEK
403-021
403-022
403-023
3249
E 3900 S
404-010
404-011
404-012
40ft
-111.802 40.668 Degrees


EAST 90.26'
33.0'
5.0' UTILITY EASEMENT
16-35-403-022
LOT 6
HAWKER HEIGHTS
TANG. SY
NORTH 174.87'
(174.85' REC.)
LOT 1
15,653 SQ. FT.
0.359 ACRES
SOUTH 149.93'
(149.92' REC.)
3250 EAST STREET
33.0'
POINT OF BEGINNING
N 89°57'00" W 65.24'
40.00'
R=25.00'
L=39.29'
D=90°03'00"
CH=S45°01'30"W
CH L=35.37'

MLS# 1883595

Sold Price:	$335,000	**Status:**	SOLD
Original List Price:	$399,000		
Lease Price:	$0	**Price Per:**	Other
DOM:	283	**Entry Date:**	06/16/2023
Time Under Contract:	11	**Contract Date:**	05/03/2024
		Sold Date:	05/14/2024
Concessions:	$0	**Sold Terms:**	Seller Financing
Address:	3207 S Orchard St		
NS/EW:	3207 S / 1455 E		
City:	Millcreek, UT 84106		
County:	Salt Lake		
Plat:	ORCHARD MANOR		
LOT #:	1		
Tax ID:	16-28-310-023	**Est. Taxes:**	$3,448
Zoning Code:		**HOA Fee:**	$0



School Dist: Granite **Elem:** Rosecrest **Jr High:** Evergreen
Sr High: Olympus **Other Schl:**
Acre FT./Share: 0.00 | **Acre FT./Share:** 0.00 | **Acre FT./Share:** 0.00 |
Wells: | **Surface:** | **Dev. Spring:** |

Culinary Well Health Inspected:
Prop Type: Residential
Acres: 0.28
Frontage: 0.0
Side: 194.0
Back: 91.0
Irregular: No
Facing: NW
Drv. Access Dirt; Gravel
Water Distance:
Sewer Distance:
Gas Distance:
Usable Electric:
Pressurized Irr.:
Conn. Fees: See Remarks
Irrigation Co:
Water: Culinary Available; Not Connected
Exterior Feat.:
Irrigation:
Land Use: See Remarks; Mature Trees
Utilities: See Remarks; Gas: Available; Power: Available; Sewer: Available; Sewer: Public
Zoning: See Remarks; Single-Family
Possession: Recording
Terms: See Remarks; Cash; Conventional
CCR: No
Lot Facts: See Remarks; Fenced: Part; Secluded Yard; Terrain: Flat; Wooded
Township:
Range:
Section:
Section Desc.: Flag Lot off of Orchard Street.
Driving Dir:
Remarks: PRICE REDUCED... Motivated seller... Hard to find single family lot in East Millcreek. Very secluded with large mature trees. This is a flag lot and would give the new owner the option of facing their dream home either west or north. there is a bond on property for existing improvement completion that will need to be incorporated in to final build.
Agt Remarks: Price just reduced. Motivated seller.. Secluded Single Family Flag Lot in hard to find single family lot in East Millcreek. Final recording of plat in process. PLEASE DO NOT disturb owner in home out in front to the south.
HOA Remarks:
Clos Remarks:

Owner: Jonathan ONeal **Special Owner Type:**

Contact: Gary Cannon	**Contact Type:** Agent	**Ph 1:** 801-573-8282	**Ph 2:**
L/Agent: Gary Cannon	**Email:** gary@thecannonteam.com	**Ph:** 801-573-8282	**Mobile:** 801-573-8282
L/Office: Cannon & Company		**Ph:** 801-753-8226	**Fax:** 801-566-5861

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