



## **RESOLUTION NO. R-26-30**

### **A RESOLUTION DECLARING CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 36 EAST FACTORY STREET SURPLUS TO MUNICIPAL NEEDS AND AUTHORIZING THE INITIATION OF PROCEEDINGS FOR ITS DISPOSITION**

**WHEREAS**, Garland City, Utah ("City"), is a municipal corporation organized and existing under the laws of the State of Utah; and

**WHEREAS**, Utah Code § 10-8-2 authorizes municipalities to sell, convey, and dispose of municipal real property when such action is in the public interest and complies with applicable law; and

**WHEREAS**, Garland City Code Title 1, Chapter 10 establishes procedures governing the disposition of City-owned property; and

**WHEREAS**, Garland City is the record grantee under a Warranty Deed dated December 23, 2021, and recorded December 27, 2021, as Box Elder County Recorder Entry No. 445284, concerning real property identified as Parcel No. 06-097-0015, commonly known as 36 East Factory Street, Garland, Utah; and

**WHEREAS**, the City Council has considered the present condition, location, municipal use, anticipated future use, and potential disposition of the property; and

**WHEREAS**, the City Council finds, based upon the information presented at its meeting, that the property is no longer necessary for any presently identified or reasonably anticipated municipal purpose; and

**WHEREAS**, the City Council further finds that retaining the property may result in continued maintenance, liability, insurance, and other ownership expenses, and that exploring its disposition may better serve the City's interests; and

**WHEREAS**, a preliminary real estate market estimate places the value of the property at approximately \$150,000, subject to further verification; and

**WHEREAS**, the City Council desires to make the property available for potential disposition in a manner consistent with applicable law, City ordinances, and the public interest;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GARLAND CITY, UTAH:**

## **Section 1. Declaration of Surplus Property**

The City Council hereby declares the real property identified as Box Elder County Parcel No. 06-097-0015, commonly known as 36 East Factory Street, Garland, Utah, and more particularly described in Exhibit A, together with City-owned improvements thereon, to be surplus to the City's present and reasonably anticipated municipal needs.

## **Section 2. Public Interest Determination**

The City Council finds that exploring the sale or other lawful disposition of the property serves the public interest by allowing the City to evaluate opportunities to convert an unneeded municipal asset into financial resources, reduce ownership obligations, and encourage productive use of the property.

## **Section 3. Authorization to Initiate Disposition**

The Mayor, City Attorney, City Recorder, and other appropriate City officials are authorized, within their respective authority, to undertake preliminary steps necessary for disposition of the property, including:

- A. Obtaining title information and confirming the legal description;
- B. Obtaining a written valuation or comparative market analysis;
- C. Reviewing applicable deed restrictions, easements, and encumbrances;
- D. Determining the property's significant-parcel classification in accordance with Utah Code § 11-1-202 and applicable City ordinance;
- E. Preparing and publishing or posting all notices required by applicable law;
- F. Soliciting and evaluating proposals, bids, or purchase offers through a process consistent with City ordinances;
- G. Obtaining professional assistance as authorized under applicable City purchasing and expenditure requirements; and
- H. Preparing a recommendation for subsequent City Council consideration.

## **Section 4. Compliance With Applicable Law**

All proceedings shall comply with Utah Code §§ 10-8-2 and 11-1-201 through 11-1-205, Garland City Code Title 1, Chapter 10, and other applicable requirements.

If the property is classified as a significant parcel, the City shall complete the additional publication, public-comment, and approval procedures required by law before completing its disposition.

## **Section 5. Reservation of Council Authority**

Nothing in this Resolution constitutes approval of a particular purchaser, purchase price, purchase agreement, or conveyance.

No City officer or employee is authorized by this Resolution alone to execute a binding agreement for sale or conveyance of the property.

The City Council reserves final authority to approve or reject any proposed disposition and to determine whether the proposed transaction serves the public interest.

## **Section 6. No Obligation to Sell**

The City reserves the right to reject any or all offers, discontinue the disposition process, retain the property, or reconsider its surplus designation when determined to be in the City's best interests and permitted by law.

## **Section 7. Effective Date**

This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the Garland City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**GARLAND CITY**

By: \_\_\_\_\_  
Danny Austin, Mayor

ATTEST:

\_\_\_\_\_  
Whitney Eggleston, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Steve Brooks, City Attorney

## VOTING

### City Council

### Vote

|                                  |                                                                                                                            |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Council Member Jeanette Atkinson | <input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/> Absent |
| Council Member Angie Johnsen     | <input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/> Absent |
| Council Member Tena Allen        | <input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/> Absent |
| Council Member Jim Hall          | <input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/> Absent |
| Council Member Josh Munns        | <input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/> Absent |

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

Beginning 149.7 feet East and 33 feet South of the Northwest corner of Section 35, Township 12 North, Range 3 West, Salt Lake Meridian; South 148.5 feet, East 20 feet, North 148.5 feet, West 20 feet to beginning.

Part Lots 3 & 4, Block 7, Plat F, Garland City Survey.

Box Elder County Parcel No. 06-097-0015.