

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL  
APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY

WHEREAS, the City of South Salt Lake (the “City”) desires to purchase the real property located at 119 West Oakland Avenue, South Salt Lake, Utah 84115, more particularly described as follows:

Lots 7 and 8, Amended Plat of Block 3, Oakland Place Subdivision, according to the official plat thereof, as recorded in the Office of the County Recorder, Salt Lake County, Utah,

Tax ID No. 15-24-427-011,

and certain other rights and interests appurtenant thereto (collectively, the “Property”), for the purpose of expanding the City’s public works facilities;

WHEREAS, to effectuate the City’s purchase of the Property, Mayor Cherie Wood has negotiated that certain Purchase and Sale Agreement dated June 25, 2019 (the “Purchase Agreement”), by and between the City, as buyer, and Bluemountain, Inc., a Utah corporation (d/b/a Blueridge Apartments), as seller (“Bluemountain”);

WHEREAS, the Property is a “significant parcel,” as defined in Section 3.14.010 of the South Salt Lake City Code of Ordinances (the “Code”), because the fair market value of the Property, as determined by a reasonable evaluation method, is greater than twenty-five thousand dollars (\$25,000.00) and the total acreage of the Property exceeds five thousand (5,000) square feet;

WHEREAS, Section 3.14.020.A. of the Code requires the Mayor to obtain the approval of the City Council for the purchase of any significant parcel of real property unless the City Council has already appropriated and specifically identified funds for the purchase of the real property in a budget line item;

WHEREAS, the City Council has not already appropriated and specifically identified funds for the purchase of the Property in a budget line item;

WHEREAS, as required by Section 3.14.020.B. of the Code, the City Council’s approval of the City’s purchase of the Property is an express condition to the City’s obligation to purchase the Property pursuant to the Purchase Agreement;

WHEREAS, as required by Section 3.14.020.C.1. of the Code, Mayor Cherie Wood has certified to the City Council that the City has sufficient funds in [redacted] [Identify source of funds.] to pay for the purchase of the Property according to the terms of the

Purchase Agreement and has recommended that the purchase price for the Property be paid from such funds;

WHEREAS, the City has obtained an appraisal of the Property, as required by Section 3.14.020.E. of the Code;

WHEREAS, Bluemountain has made the disclosures required by Section 3.14.020.F. of the Code;

WHEREAS, the City has commissioned an environmental assessment of the Property and has otherwise complied with Section 3.14.020.G. of the Code in all respects;

WHEREAS, in accordance with Section 3.14.020.D. of the Code, the City Council has discussed the confidential aspects of the Purchase Agreement and the transaction contemplated thereby in a closed session to enable the City to complete the transaction on the best possible terms; and

WHEREAS, following the above-described closed session, the City Council reconvened in a public hearing and determined that adopting this Ordinance is in the best interests of the City.

BE IT RESOLVED, therefore, by the City Council of the City of South Salt Lake, that the form, terms, and provisions of the Purchase Agreement and the transaction contemplated thereby be and hereby are determined to be fair to, advisable, and in the best interests of the City, and the Purchase Agreement and the transaction contemplated thereby are hereby approved and adopted in all respects; and

BE IT FURTHER RESOLVED, that the terms and provisions of all other agreements, instruments, certificates and documents, including all exhibits and schedules attached to the Purchase Agreement, as may be necessary or convenient to carry out the transaction contemplated by the Purchase Agreement be, and hereby are, approved and adopted in all respects with such additions, deletions and/or changes thereto as Mayor Cherie Wood may, in her reasonable discretion, determine necessary;

BE IT FURTHER RESOLVED, that Mayor Cherie Wood is hereby authorized and directed to execute all documents and to take such action as she may deem necessary or advisable in order to carry out and perform the transaction contemplated by the Purchase Agreement, and all actions taken by Mayor Cherie Wood prior hereto with such purpose are hereby ratified;

BE IT FURTHER RESOLVED, that the purchase price for the Property shall be paid from [redacted] [Identify source of funds.]; and

BE IT FURTHER RESOLVED, that the council chair is hereby authorized and directed by the City Council to execute this Ordinance and to do all things necessary to render the same in full force and effect.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Ben B. Pender, Council Chair

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

City Council Vote as Recorded:

- Bynum \_\_\_\_\_
- Kindred \_\_\_\_\_
- deWolfe \_\_\_\_\_
- Mila \_\_\_\_\_
- Pender \_\_\_\_\_
- Thomas \_\_\_\_\_
- Siwik \_\_\_\_\_

Transmitted to the Mayor's office on this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Craig D. Burton, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Cherie Wood, Mayor

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder