



**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: July 17, 2013

AGENDA ITEM: Taylorsville City acquired property from two individuals as part of 5400 South roadway improvements to create a new, safer, and consolidated access into the West Point Shopping Center and as part of the 5400 South & Bangerter Highway Urban Renewal Project. 0.3 acres of the total 0.7 acres of the acquired property is not needed for the access road and was surplus with the adoption of Taylorsville Ordinance No. 13-10 on May 15, 2013.

Ordinance 13-10 needs to be modified / amended with a new ordinance to clarify the method of conveyance. The method of conveyance will change from Quit Claim Deed to Special Warranty Deed.

PUBLIC HEARING REQUIRED - YES ___ NO X

**RESOLUTION/ORDINANCE REQUIRED:
ORDINANCE X RESOLUTION ___ NONE ___**

PRESENTER: John Brems, City Attorney

ISSUE SUMMARY: Adopt the "Modified Ordinance," Ordinance No. 13-17, establishing a minimum bid for surplus City property at approximately 3901 West 5400 South.

COMMISSION / ADVISORY BOARD RECOMMENDATION:

CITY ATTORNEY (Approved as to form): N/A

ACTION REQUIRED: Adopt Modified Ordinance No. 13-17.

CONTACT INFO: John Brems / 801.963.5400 x 1005 / jbrems@taylorsvilleut.gov
Donald Adams / 801.558.8795 / dadams@taylorsvilleut.gov

ATTACHMENTS:

- Ordinance No. 13-17

Taylorsville, Utah
Ordinance No. 13-17

AN ORDINANCE MODIFYING ORDINANCE NO. 13-10 THAT DECLARED CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 3901 WEST 5400 SOUTH AS SURPLUS TO PROVIDE FOR THE CONVEYANCE OF SUCH PROPERTY BY SPECIAL WARRANTY DEED RATHER THAN BY QUIT CLAIM DEED

WHEREAS, the City Council (“Council”) met in regular meeting on July 17, 2013 to consider, among other things, an ordinance modifying Ordinance No. 13-10 that declared certain real property located at approximately 3901 West 5400 South as surplus to provide for the conveyance of such property be special warranty deed rather than quit claim deed, and

WHEREAS, in Ordinance 13-10 the Council declared certain real property located at approximately 3901 West 5400 South (“Property”), which was acquired as part of the redevelopment of the Westwood shopping center, as surplus; established a minimum bid; and established a method to determine the highest and best economic return to the City and provided that the Property be conveyed by quit claim deed; and

WHEREAS, the highest bidder for the Property requests that the Property be conveyed by special warranty deed rather than quit claim deed; and

WHEREAS, the staff support this request; and

WHEREAS, the Council finds that the change by the highest bidder with respect to the type of conveyance does not materially alter Ordinance 13-10; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens to modify Ordinance 13-10 to provide that the conveyance of the Property be accomplished by special warranty deed.

NOW, THEREFORE, BE IT ORDAINED by the Council that this Ordinance 13-17 supersede Ordinance 13-10 with respect to conveyance of the Property and that the Property be conveyed by special warranty deed rather than quit claim deed.

This Ordinance, assigned Ordinance No. 13-17, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2013.

TAYLORSVILLE CITY COUNCIL

By: _____
Dama Barbour, Chairman

VOTING:

Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___
Brad Christopherson	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2013.

APPROVED this _____ day of _____, 2013.

Jerry Rechtenbach, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2013.

POSTED this _____ day of _____, 2013.