

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE SOUTH SALT LAKE CITY COUNCIL APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY FOR THE SEWER LIFT STATION

WHEREAS, the City of South Salt Lake (the “**City**”) desires to purchase the real property located at 2250 South 600 West, South Salt Lake, Utah 84115, a parcel of land that contains 10,789 square feet, or 0.248 acre acres, Assessor’s Parcel Number 15-7:351:3Q, and certain other rights and interests appurtenant thereto (collectively, the “**Property**”), for the purpose of maintaining the City’s sewage infrastructure;

WHEREAS, to effectuate the City’s purchase of the Property, the City anticipates entering into a Purchase Contract (the “**Purchase Contract**”), by and between the City, as buyer, and the Utah Department of Transportation (“**UDOT**”), as seller;

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 by resolution 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 identified the specific line items in the budget where funding can be transferred funds for the purchase of the Property in a budget line item, with funds coming from the Sewer Fund, 52-80-731-00 “Sewage Collection System”;

WHEREAS, as required by Section 3.14.020.B. of the Code, the City Council’s approval by resolution of the City’s purchase of the Property will be an express condition to the City’s obligation to purchase the Property pursuant to the proposed Purchase Contract;

WHEREAS, as required by Section 3.14.020.C.1. of the Code, the Mayor certifies to the City Council that funds are available to pay for the purchase of the Property according to the terms of the proposed Purchase Contract 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, the seller disclosures required by Section 3.14.020.F. of the Code will be an express condition to the City’s obligation to purchase the Property pursuant to the proposed Purchase Contract;

WHEREAS, the City will commission an environmental assessment of the Property and will comply with Section 3.14.020.G. of the Code in all respects; and

WHEREAS, in accordance with Section 3.14.020.D. of the Code, the City Council has discussed the aspects of the transaction contemplated thereby to enable the City to complete the transaction on the best possible terms and the City Council, in a public session has determined that this Resolution 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 proposed Purchase Contract 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 proposed Purchase Contract 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 proposed Purchase Contract, as may be necessary or convenient to carry out the transaction contemplated by the proposed Purchase Contract be, and hereby are, approved and adopted in all respects with such additions, deletions and/or changes thereto as the Mayor may, in her reasonable discretion, determine necessary;

BE IT FURTHER RESOLVED, that the City Council approves the proposed Purchase Contract and authorizes the Mayor 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 proposed Purchase Contract, and all actions taken by the Mayor prior hereto with such purpose are hereby ratified;

BE IT FURTHER RESOLVED, that the purchase price for the Property shall be paid from the Sewer Fund, 52-80-731-00 "Sewage Collection System"; and

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

DATED this _____ day of _____, 2022.

BY THE CITY COUNCIL:

Sharla Bynum, Council Chair

ATTEST:

Craig D. Burton, City Recorder

City Council Vote as Recorded:

| | |
|----------|-------|
| Huff | _____ |
| Thomas | _____ |
| Bynum | _____ |
| Mila | _____ |
| Pinkney | _____ |
| Siwik | _____ |
| Williams | _____ |

Transmitted to the Mayor's office on this _____ day of _____ 2022.

Craig D. Burton, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2022.

Cherie Wood, Mayor

ATTEST:

Craig D. Burton, City Recorder