

RESOLUTION NO. 2022-\_\_\_\_\_

**A RESOLUTION OF THE 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 171 West Oakland Ave, South Salt Lake, Utah 84115, a single family residence structure on 0.14 acres, Parcel Record 15-24-427-008-0000, and certain other rights and interests appurtenant thereto (collectively, the “Property”), for the purpose of expanding the City’s public works campus; and

WHEREAS, to effectuate the City’s purchase of the Property, the City has negotiated that certain Purchase and Sale Agreement dated April 5, 2022 (the “Purchase Agreement”), by and between the City, as buyer, and Boardwalk Homes, LLC, as seller (“Seller”); and

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; and

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; and

WHEREAS, the City Council has identified funds for the purchase of the Property in a budget line item, with funds coming from Capital Fund, account 40-80-704-01 “Park/Recreation Land Purchase;” and

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 is an express condition to the City’s obligation to purchase the Property pursuant to the Purchase Agreement; and

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

WHEREAS, the City has commissioned an appraisal of the Property, as required by Section 3.14.020(E) of the Code; and

WHEREAS, Seller has made the disclosures required by Section 3.14.020(F) of the Code; and

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; and

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, the City Council, in a public hearing, determined that this Resolution is in the best interests of the City;

NOW, THEREFORE BE IT RESOLVED 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 the Mayor may, in her reasonable discretion, determine necessary;

BE IT FURTHER RESOLVED, that the City Council approves the Purchase Agreement 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 Purchase Agreement, 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 Capital Fund, account 40-80-704-01 "Park/Recreation Land Purchase;" 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