


Date: April 3, 2018
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP 
Department Director, Community Development

Agenda Date: April 10, 2018

Subject: **Request for Approval to Sell Surplus Real Property (Parcel Numbers 08-047-0011 and 08-047-0045)**

Documents: - Aerial Image of Property (Exhibit A)
- Plat Map of Property (Exhibit B)
- Purchase and Sale Agreement (Exhibit C)
- Quit-claim Deed (Exhibit D)

Summary:

Parcel Numbers 08-047-0011 and 08-047-0045 were obtained by Weber County in the 1987 and 1974 Tax Sales, respectively. Parcel Number 08-047-0011 contains 3,843 square feet and Parcel 08-047-0045 contains 1,960 square feet. Willy and Cesar Velasquez own the adjacent property from which both parcels were divided, and they have approached the County about purchasing the properties. Weber County has no intended use for these properties and selling them to Willy and Cesar Velasquez will result in a benefit to both parties. The County Commission declared these parcels surplus to the County's needs on March 27, 2018. The legal descriptions have been reviewed and approved by the County Surveyor's Office. The purchase price for each parcel is \$150 (\$300 total) which is the market value determined by the County Assessor's Office. All requirements of Weber County Code Article X. (Disposal of Surplus Property) §2-9-371 have been met.

Property Descriptions:

08-047-0011

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 8.75 CHAINS SOUTH AND 4.42 CHAINS EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE EAST 0.08 OF A CHAIN; THENCE SOUTH 4.40 CHAINS; THENCE WEST 4.50 CHAINS; THENCE NORTH 0.12 OF A CHAIN; THENCE EAST 4.42 CHAINS; THENCE NORTH 4.28 CHAINS TO THE PLACE OF BEGINNING.

08-047-0045

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 52.60 RODS SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE EAST 4.50 CHAINS; THENCE SOUTH 0.10 OF A CHAIN; THENCE WEST 4.50 CHAINS; THENCE NORTH 0.10 OF A CHAIN TO BEGINNING.

Recommendation:

Sell Parcels 08-047-0011 and 08-047-0045 to Willy and Cesar Velasquez for \$300.

Fiscal Impact:

Weber County will recover the administrative costs of maintaining and selling the property. The parcels will also be placed back on the County property tax roll for future years.

Exhibit B

399+49

0004

380.80' ST

STATE ROAD COMM
080470010 TU 376

S 10°09'30"W
156.78

155.00'
57.50'

140'

113.47'

S 89°15'40" E
MARRIA B WASSWELEIN
& husband
ROBERT WASSWELEIN, JR
080470047
1.54 AC±
TU 376

4156 S
WILLY E VELASQUEZ
080470009
2.08 AC±
TU 376

307.71'
4.42 CHS
0.08 CHS

329.22' ±
TU 376

COUNTY OF WEBER
(080470045)

COUNTY OF WEBER
(080470011)

3843 SQ FT
TU 376

TU 376

380.81'

THE
SI

Exhibit C

REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND BREITEN ANDERSON

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the 10th day of April, 2018, by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereinafter "County") and Willy E. Velasquez and Cesar Saul Velasquez Carrillo, with their principal address located at 4156 South 5900 West, Hooper, UT 84315 (hereinafter "Buyer").

RECITALS

WHEREAS, according to the official records of the Recorder of Weber County, State of Utah, County owns certain real property more fully described in this Agreement; and

WHEREAS, County declared such property as surplus to its needs on March 27, 2018; and

WHEREAS, Buyer approached County about purchasing the property; and

WHEREAS, Buyer desires to purchase such property on the terms and conditions more particularly set forth herein;

NOW, THEREFORE, it is hereby acknowledged and agreed by and between the parties hereto as follows:

SECTION ONE DESCRIPTION OF PROPERTY

The real property which is the subject of this agreement is described as follows:

Land Serial Numbers: 08-047-0011 and 08-047-0045

08-047-0011

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 8.75 CHAINS SOUTH AND 4.42 CHAINS EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE EAST 0.08 OF A CHAIN; THENCE SOUTH 4.40 CHAINS; THENCE WEST 4.50 CHAINS; THENCE NORTH 0.12 OF A CHAIN; THENCE EAST 4.42 CHAINS; THENCE NORTH 4.28 CHAINS TO THE PLACE OF BEGINNING.

08-047-0045

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**SECTION TWO
PURCHASE PRICE AND TERMS**

The purchase price for the above described property is three hundred dollars (\$300). The County shall convey the real property to Buyer by Quit Claim Deed upon receipt of the full purchase price.

**SECTION THREE
INDEMNIFICATION**

Buyer agrees to defend, indemnify and hold harmless County, its officers, agents and employees for and against any claims or suits that arise as a result of this purchase and sale transaction.

**SECTION FOUR
NO WARRANTIES**

The County does not warrant or guarantee that the property is free from easements, covenants, mortgages, liens, or other encumbrances, nor does the County make any other covenants or warranties concerning the property.

**SECTION FIVE
GOVERNING LAW**

The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this Agreement.

**SECTION SIX
ENTIRE AGREEMENT**

This Agreement constitutes the entire Agreement by and between the parties hereto with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this Agreement unless specifically incorporated herein by reference. This Agreement supersedes any and all other agreements, negotiations, or understandings between the parties.

IN WITNESS WHEREOF the undersigned have affixed their respective signatures hereto on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
James H. "Jim" Harvey, Chair

Commissioner Ebert voted _____
Commissioner Gibson voted _____
Commissioner Harvey voted _____

ATTEST:

Date:

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

BUYER:

Willy E. Velasquez

Cesar Saul Velasquez Carrillo

Subscribed and sworn to before me, _____,
this ____ day of April, 2018.

Notary Public

Exhibit D

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

Willy E. Velasquez and Cesar
Saul Velasquez Carrillo
4156 South 5900 West
Hooper, UT 84315

MAIL TAX NOTICE TO:

Willy E. Velasquez and Cesar
Saul Velasquez Carrillo
4156 South 5900 West
Hooper, UT 84315

QUIT CLAIM DEED

Weber County Corporation, Grantor, of 2380 Washington Blvd., Ogden, UT 84401, hereby quit claims to Willy E. Velasquez and Cesar Saul Velasquez Carrillo, Grantees, at 4156 South 5900 West, Hooper, UT 84315, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Weber County, Utah, to wit:

The real property which is described as follows:

Land serial numbers: 08-047-0011 and 08-047-0045

08-047-0011

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 8.75 CHAINS SOUTH AND 4.42 CHAINS EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE EAST 0.08 OF A CHAIN; THENCE SOUTH 4.40 CHAINS; THENCE WEST 4.50 CHAINS; THENCE NORTH 0.12 OF A CHAIN; THENCE EAST 4.42 CHAINS; THENCE NORTH 4.28 CHAINS TO THE PLACE OF BEGINNING.

08-047-0045

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BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

James H. "Jim" Harvey, Chair

I hereby certify that the sale and transfer of the property described herein was duly approved at a regularly scheduled meeting of the Board of County Commissioners on the 10th day of April 2018.

Ricky D. Hatch, CPA
Weber County Clerk/Auditor