



**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: June 18, 2014

AGENDA ITEM: Ordinance No. 14-12 "AN ORDINANCE AMENDING A PRIOR ORDINANCE OF THE CITY OF TAYLORSVILLE DECLARING A PORTION OF REAL PROPERTY LOCATED AT APPROXIMATELY 1731 BOWLING AVENUE, TAYLORSVILLE UTAH, KNOWN AS THE CASA LINDA APARTMENTS, WHICH WAS ACQUIRED AS PART OF A BUS RAPID TRANSIT PROJECT, AS SURPLUS; ESTABLISHING A MINIMUM BID; AND ESTABLISHING A METHOD TO DETERMINE THE HIGHEST AND BEST ECONOMIC RETURN TO THE CITY"

On April 16, 2014, the City Council adopted Ordinance No. 14-05, which designated certain real property as surplus, established a minimum bid, and established a method to determine the highest and best economic return to the City. This Ordinance No. 14-12, will amend the previous ordinance to update two details: clarifying how the property will be conveyed and how the closing costs and commissions will be paid.

Taylorsville City purchased property located at approximately 1731 Bowling Avenue, Taylorsville Utah, known as the Casa Linda Apartments, which was acquired as part of a bus rapid transit project. Approximately 0.88 acres of the total 1.83 acres of the acquired property is not needed for the BRT project and needs to be surplus. The balance of the property will continue to operate and be managed as an apartment complex until final design and engineering and funding for the BRT project is completed and acquired.

PUBLIC HEARING REQUIRED – YES___ NO_X_

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

PRESENTER: John Brems, City Attorney

ISSUE SUMMARY: Adopt Ordinance No. 14-12, amending the previous ordinance to clarify how the property will be conveyed and how closing costs and commissions will be paid.

COMMISSION / ADVISORY BOARD RECOMMENDATION:

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

ACTION REQUIRED: Adopt Ordinance No. 14-12.

CONTACT INFO: John Brems / 801.963.5400 x 1005 / jbrems@taylorsvilleut.gov
Wayne Harper / 801.955-2024 / wharper@taylorsvilleut.gov

ATTACHMENTS: Ordinance No. 14-12

**Taylorsville, Utah
Ordinance No. 14-12**

**AN ORDINANCE AMENDING A PRIOR ORDINANCE OF THE CITY OF
TAYLORSVILLE DECLARING A PORTION OF REAL PROPERTY LOCATED AT
APPROXIMATELY 1731 BOWLING AVENUE, TAYLORSVILLE UTAH, KNOWN AS
THE CASA LINDA APARTMENTS, WHICH WAS ACQUIRED AS PART OF A BUS
RAPID TRANSIT PROJECT, AS SURPLUS; ESTABLISHING A MINIMUM BID; AND
ESTABLISHING A METHOD TO DETERMINE THE HIGHEST AND BEST
ECONOMIC RETURN TO THE CITY**

WHEREAS, the Taylorsville City Council (“Council”) met in regular session on June 18, 2014, to consider, among other things, an ordinance amending a prior ordinance of the City of Taylorsville declaring a portion of real property located at approximately 1731 Bowling Avenue, Taylorsville Utah, known as the Casa Linda Apartments, which was acquired as part of a bus rapid transit project, as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City; and

WHEREAS, on April 16, 2014, as Ordinance No. 14-05 the Council declared the referenced property surplus and established a minimum bid, and established a method to determine the highest and best economic return to the City; and

WHEREAS, the Council desires to amend Ordinance No. 14-05 to provide among other things that the Property be sold subject to standard warranties, the Property be conveyed by special warranty deed, and a commission and standard closing costs be equally shared by Buyer and Seller.

NOW, THEREFORE, BE IT ORDAINED by the Council that Ordinance No. 14-05 be amended to provide that the Property be sold subject to standard warranties (as determined by the Mayor), the Property be conveyed by special warranty deed, a commission is authorized, and standard closing costs be equally shared by Buyer and Seller.

BE IT FURTHER ORDAINED that the Mayor’s intent to sell the Property to Barth Family Holdings, LLC, (as outlined to the Council) is hereby approved.

This Ordinance, assigned Ordinance No. 14-12, 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.

PASSED AND APPROVED this _____ day of _____, 2014.

TAYLORSVILLE CITY COUNCIL

By: _____
Kristie S. Overson, Chairman

VOTING:

Dama Barbour	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Dan Armstrong	Yea	___	Nay	___
Kristie S. Overson	Yea	___	Nay	___
Brad Christopherson	Yea	___	Nay	___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2014.

APPROVED this _____ day of _____, 2014.

Lawrence Johnson, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2014.

POSTED this _____ day of _____, 2014.