Ivins City Staff Report
City Council Meeting 1/3/2019

Agenda Item: Discuss and consider approval of disposal of real property, approximately 0.007 acres, to R Terry Marten 595 West 400 South.

Submitted by: Charles R Gillette, P.E., Public Works Director and City Engineer

Recommended City Council Action:
Approval of disposal of real property, approximately 0.007 acres, to R Terry Marten 595 West 400 South.

BACKGROUND:
The City has realigned 600 West so that it intersects with Old Highway 91 at a perpendicular angle. See attached Exhibit A. During the process of the realignment, staff has been working on acquiring the necessary property, or right of way, to realign both 600 West and 400 South. Typically, the City has been able to just acquire the land necessary for the right of way of the roadway, but at approximately 595 West and 400 South, the right of way left a small remainder piece of property from the parcel owned by Development Solutions. Since the property was so small, essentially leaving it with very limited utility, but wasn't needed for the roadway, the City offered to purchase it from Development Solutions using COG funds and the offer was accepted the purchase has been completed.

Now there is a portion of this property that is not needed for 400 South and needs to be sold to the adjacent land owner which is R Terry Marten. (R Terry Marten will be the owner of "Area 3" and the City will maintain a utility easement per a previous property exchange agreement that has been signed by both the City and Mr. Marten.)

FINDINGS AND ANALYSIS:
The property is small, 0.007 acres, and R Terry Marten has agreed to purchase the property for the sum of $500.00. The City has been typically valuing property in the area at $80,000 per acre which justifies the value. The parties have agreed to make the exchange with a quit claim deed.

SUPPORT MATERIALS:
Quit Claim Deed
Exhibit A Map
Exhibit B Legal Description

FINANCIAL IMPACT:

Respectfully Submitted:

Charles R Gillette, P.E., Public Works Director & City Engineer

Content Review:

~~Dale Coulam~~, ~~City Manager~~
Wally Ritchie Asst. City Manager

WHEN RECORDED, MAIL TO:

KARI JIMENEZ
IVINS CITY RECORDER
55 NORTH MAIN
IVINS, UT 84738

MAIL COPY TO GRANTEE(S):

RT MARTEN UTAH LLC
932-B ART VILLAGE WAY
IVINS, UTAH 84738

APN: I-SB-37

QUITCLAIM DEED

Ivins City, a Municipality of the State of Utah, with its principal office at Ivins City, Washington County, Utah, Grantor hereby QUIT CLAIMS to RT Marten Utah, LLC a Utah limited liability company, Grantee for the sum of ten dollars ($10.00) and other good and valuable consideration, any interest it may have in the following described property situate in Washington County, Utah:

SEE ATTACHED EXHIBIT "A" MAP & EXHIBIT "B" LEGAL DESCRIPTION

IN WITNESS WHEREOF, the grantor has caused this deed to be executed this _____ day of _____, 20__

IVINS CITY:

By:_____
Chris Hart, Mayor

Attest:

By:_____
Kari Jimenez, Ivins City Recorder

STATE OF UTAH)
ss.
County of Washington)

On this ___ day of _____, 20__, before me personally appeared Chris Hart and Kari Jimenez whose identities are personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that they are respectively the Mayor and Recorder of Ivins City, and that the foregoing document was signed by them by authority, and they acknowledged before me that Ivins City executed the document and the document was the act of Ivins City for its stated purpose.

_____
Notary Public

EXHIBIT A

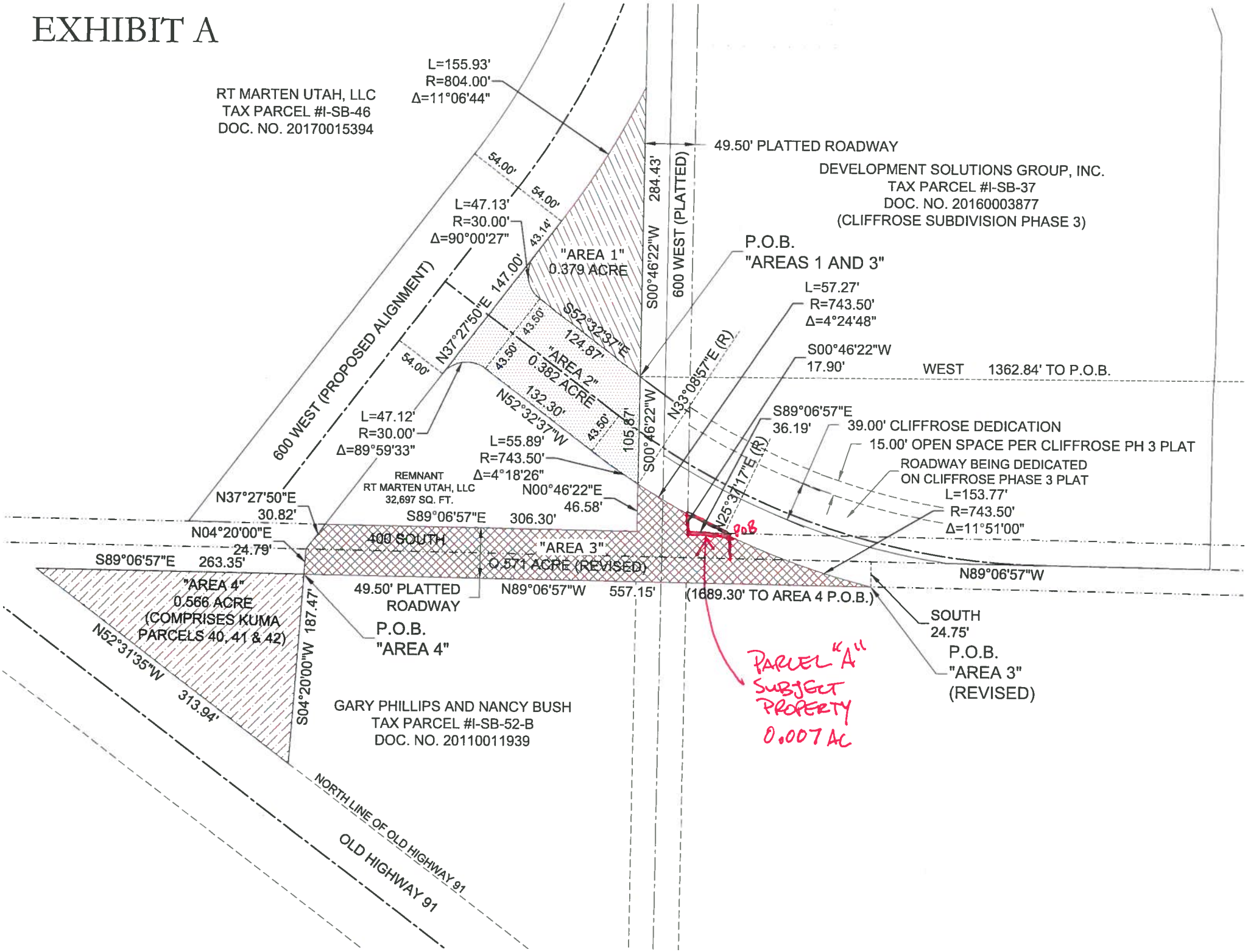

RT MARTEN UTAH, LLC
TAX PARCEL #I-SB-46
DOC. NO. 20170015394
L=155.93'
R=804.00'
Δ=11°06'44"
49.50' PLATTED ROADWAY
DEVELOPMENT SOLUTIONS GROUP, INC.
TAX PARCEL #I-SB-37
DOC. NO. 20160003877
(CLIFFROSE SUBDIVISION PHASE 3)
600 WEST (PROPOSED ALIGNMENT)
600 WEST (PLATTED)
284.43'
S00°46'22"W
54.00'
54.00'
L=47.13'
R=30.00'
Δ=90°00'27"
43.14'
147.00'
N37°27'50"E
"AREA 1"
0.379 ACRE
P.O.B.
"AREAS 1 AND 3"
L=57.27'
R=743.50'
Δ=4°24'48"
S00°46'22"W
17.90'
WEST 1362.84' TO P.O.B.
43.50'
S52°32'37"E
124.87'
"AREA 2"
0.382 ACRE
43.50'
54.00'
N37°27'50"E
43.50'
132.30'
N52°32'37"W
105.87'
S00°46'22"W
N33°08'57"E (R)
L=47.12'
R=30.00'
Δ=89°59'33"
L=55.89'
R=743.50'
Δ=4°18'26"
S89°06'57"E
36.19'
39.00' CLIFFROSE DEDICATION
15.00' OPEN SPACE PER CLIFFROSE PH 3 PLAT
ROADWAY BEING DEDICATED
ON CLIFFROSE PHASE 3 PLAT
L=153.77'
R=743.50'
Δ=11°51'00"
N25°31'17"E (R)
REMNANT
RT MARTEN UTAH, LLC
32,697 SQ. FT.
N00°46'22"E
46.58'
N37°27'50"E
30.82'
S89°06'57"E
306.30'
N04°20'00"E
24.79'
400 SOUTH
"AREA 3"
0.571 ACRE (REVISED)
S89°06'57"E
263.35'
N89°06'57"W
"AREA 4"
0.566 ACRE
(COMPRISES KUMA
PARCELS 40, 41 & 42)
49.50' PLATTED
ROADWAY
N89°06'57"W
557.15'
(1689.30' TO AREA 4 P.O.B.)
SOUTH
24.75'
P.O.B.
"AREA 4"
P.O.B.
"AREA 3"
(REVISED)
N52°31'35"W
313.94'
S04°20'00"W
187.47'
PARCEL "A"
SUBJECT
PROPERTY
0.007 AC
GARY PHILLIPS AND NANCY BUSH
TAX PARCEL #I-SB-52-B
DOC. NO. 20110011939
NORTH LINE OF OLD HIGHWAY 91
OLD HIGHWAY 91

EXHIBIT B

PARCEL "A":

BEGINNING AT A POINT NORTH 89°06'57" WEST, 1276.99 FEET ALONG THE CENTER SECTION LINE AND NORTH 24.75.FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'20" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), RUNNING THENCE NORTH 89°06'57" WEST 36.19 FEET, THENCE NORTH 0°46'22" EAST, 17.90 FEET TO A POINT ON A 743.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIUS POINT BEARS NORTH 28°44'09" EAST; THENCE SOUTHEASTERLY 40.41 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°06'51" TO THE POINT OF BEGINNING

CONTAINING 0.007 ACRES