

**RESOLUTION NO. 13-52**

**A RESOLUTION OF THE DRAPER CITY COUNCIL DECLARING AS SURPLUS THE PROPERTIES AT 1514 E. PIONEER ROAD AND 13177 SOUTH FORT STREET (AKA THE RENAE BALLARD PROPERTY), AND AUTHORIZING THEIR SALE, TRADE OR DISPOSAL**

**WHEREAS**, Draper City needs to widen the intersection of 13200 South and Fort streets to accommodate increased auto and pedestrian use, and has identified the Renae P. Ballard Trust property at 13177 South Fort as a property the City must own to allow for the widening and construction of those roads; and

**WHEREAS**, Ms. Ballard agreed to deed her property to the City if the City could find her a suitable property for which she could trade; and

**WHEREAS**, such a residential property was found at 1514 E. Pioneer Road, which the City purchased in 2013 with the intention of trading it for the Renae P. Ballard Trust property; and

**WHEREAS**, Wayne Ballard and Melvin Ballard, who each own properties abutting the Renae Ballard house, have requested the City deed excess portions of the Renae P. Ballard Trust property to them in partial consideration of the acquisitions the City must obtain from them to widen the streets; and

**WHEREAS**, Draper City Municipal Code Section 3-3-140 describes the procedures to be followed to dispose of property having a value of more than ten thousand dollars (\$10,000.00) in value; and

**WHEREAS**, the City has complied with Section 3-3-140 to properly authorize the sale, trade or other disposal of such properties including mailing notice to each owner of property located within 300 feet of the subject parcels; providing reasonable notice of the proposed disposition at least 14 days prior to the meeting; setting the matter for public comment; and receiving and considering the public comment; and

**WHEREAS**, Draper City desires to declare the properties as surplus and to authorize their sale, trade, or other disposition to best serve the interests of City residents; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Declaration of Surplus Property.** Having held a public hearing thereon and finding good cause therefor, the properties known as 1514 E. Pioneer Road and 13177 South Fort Street are hereby declared to be surplus property and their sale, trade, or other disposition is authorized.

Resolution No. 13-52, Declaring Properties at 1514 E. Pioneer Rd and 13177 South Fort Street as Surplus and Authorizing Their Disposition

**Section 2. Authorization to Sign Real Estate Agreement.** The mayor is hereby authorized to sign deeds and all other real estate agreements necessary to consummate a trade of the Renae P. Ballard Trust property and the 1514 E. Pioneer Road property, and also to convey such excess portions of the Ballard property to abutting neighbors under the best terms, conditions and agreements possible as will allow the City to acquire the right-of-way from such neighbors necessary to widen the intersection at 13200 South Street and Fort Street.

**Section 3. Severability.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

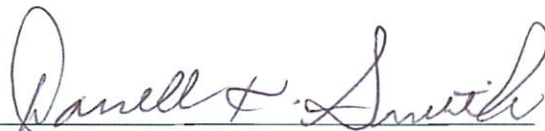
**Section 4. Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE 15<sup>th</sup> DAY OF OCTOBER, 2013.**

ATTEST:

DRAPER CITY

  
Rachelle Conner, City Recorder

  
Mayor Darrell H. Smith

