

## Ordinance 18-14

### **ORDINANCE OF SOUTH OGDEN CITY DECLARING CERTAIN REAL PROPERTY SURPLUS TO CITY NEEDS AND AUTHORIZING SALE OF SAID PROPERTY AS PROVIDED BY THE CITY'S PROPERTY DISPOSAL POLICY ON TERMS OTHERWISE CONSISTENT WITH STATE LAW; AND, PROVIDING AN EFFECTIVE DATE. .**

#### **SECTION I - RECITALS**

**WHEREAS**, the City Council finds that the City of South Ogden (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

**WHEREAS**, the City Council finds that in conformance with the provisions of UCA § 10-3-701 the governing body of the city may exercise all legislative and administrative powers by Ordinance including, but not limited to regulating the use and operation of municipal property and programs; and,

**WHEREAS**, the City Council finds that there is an ongoing need for the implementation of techniques, tools and abilities in support of the city's Ongoing municipal operations; and,

**WHEREAS**, the City Council finds that City now desires to further those ends by declaring certain real property surplus to city needs; and,

**WHEREAS**, the City Council finds that the public convenience and necessity requires the actions herein contemplated,

**WHEREAS**, the City Council finds that Utah Code provides, among other things, that a city council may purchase, receive, hold, sell, lease, convey, and dispose of real and personal property for the benefit of the city. . . ; and do any other thing in relation to this property that an individual could do; and,

**WHEREAS**, the City Council finds that the public convenience and necessity no longer requires that the City continue to own certain real property and that said property, as listed below, should be declared surplus to City needs; and,

**WHEREAS**, the City Council finds that the real property herein declared to be surplus to City needs should be sold under terms and conditions of the City's property disposal policies, consistent with applicable state law; now,

**THEREFORE, BE IT RESOLVED** by the City of SOUTH OGDEN,

#### **SECTION II – PROPERTY DECLARED SURPLUS**

That the real property is hereby described as "**Old City Hall**" and the "**Senior Citizen Center**" are declared to be surplus to city needs; and, further that the City Manager is directed and authorized to dispose of said property in accordance with the terms and

conditions of the City's property disposal policies, consistent with applicable state law: and, that the City Recorder is authorized to certify the Manager's authority so to do.

The foregoing recitals are incorporated herein.

### **SECTION III - PRIOR ORDINANCES AND ORDINANCES**

The body and substance of any and all prior Ordinances, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

### **SECTION IV - REPEALER OF CONFLICTING ENACTMENTS**

All orders, and Ordinances with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or Ordinance, or part thereof, heretofore repealed.

### **SECTION V - SAVINGS CLAUSE**

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of South Ogden City.

### **SECTION VI - DATE OF EFFECT**

This Ordinance shall be effective on the 20<sup>th</sup> day of November, 2018, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY,  
STATE OF UTAH, on this 20<sup>th</sup> day of November, 2018,**

**SOUTH OGDEN CITY**

\_\_\_\_\_  
Russell Porter  
Mayor

**ATTEST:**

\_\_\_\_\_  
Leesa Kapetanov, CMC  
City Recorder