

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 25-006

A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE PROPERTY OWNED BY NPMC, INC.

Whereas, the City of West Jordan, Utah, a municipal corporation and political subdivision of the State of Utah (the “City”), is authorized to acquire private property for public use through the exercise of eminent domain; and

Whereas, the City has adopted Master Plans identifying 1300 West Street as a necessary and significant public street, wherein master planned utilities such as water, sanitary sewer, and storm drain are also located; and

Whereas, a section of 1300 West Street is the subject of a current City Council approved project necessary to promote health, safety, and welfare of the public (the “Project”); and

Whereas, the Project’s significance is highlighted by the fact that it is largely being funded by State and Federal aid; and

Whereas, the Project will affect real property owned by NPMC, Inc., which property is located at approximately 8393 South Temple Drive, West Jordan, Utah, which is more particularly described in Attachment “A”, attached hereto and by this reference incorporated herein (the “Property”); and

Whereas, on approximately May 13, 2024, City staff received an appraisal of the Property from BBG Real Estate Services, which is attached hereto and by this reference incorporated herein as Attachment “B” (the “Appraisal”); and

Whereas, a written offer was provided to the property owner in May 2024, in the amount of the appraised value for the Property to be acquired; and

Whereas, after several attempted negotiations the parties have reached an impasse in their ability to negotiate a reasonable purchase and sale of the Property; and

Whereas, the City Council finds and determines that it is of public interest and necessity to finalize the City’s acquisition of the Property for construction of the Project in accordance with its Capital Facilities Plan.

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

Section 1. The West Jordan City Council finds and determines that the public interest and necessity require the City's final acquisition the Property, for construction of a public facility and for other lawful and legitimate public purposes.

Section 2. The Property affected by the action taken herein is owned by NPMC, Inc., where the Property is located at approximately 8393 South Temple Drive, West Jordan, Utah, and is more particularly described under Salt Lake County Assessor's Tax Parcel Numbers 21-35-301-005-0000, 21-35-301-006-0000, and 21-35-301-007-0000.

Section 3. The proposed location of the public improvements is planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 4. The City Administrative Officer and the City Attorney are directed, on behalf of the City:

1. To acquire title to the Property as set forth herein, by purchase if a reasonable final purchase price can be negotiated, or by eminent domain proceedings in accordance with Utah law.
2. To prepare and prosecute such proceedings in the proper court having jurisdiction thereof as is necessary for such acquisition.

Section 5. This resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah this 28th day of January 2025.

(Continued on the following pages)

CITY OF WEST JORDAN

By: _____
Chad Lamb
Council Chair

ATTEST:

Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

Chair Chad Lamb
Vice Chair Kayleen Whitelock
Council Member Bob Bedore
Council Member Pamela Bloom
Council Member Kelvin Green
Council Member Zach Jacob
Council Member Kent Shelton

"YES"

"NO"

[illegible]

Attachment “A”
(the “Property”)

Attachment “B”
(the “Appraisal”)