

ORDINANCE 15-08

AN ORDINANCE ESTABLISHING PROCEDURES FOR THE SALE OF REAL PROPERTY BY NIBLEY CITY

WHEREAS, Nibley City owns certain parcels of real property in Cache County, Utah; and

WHEREAS, from time to time, it may become necessary for Nibley City to sell real property which it owns; and

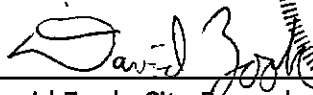
WHEREAS, Nibley City wishes to establish procedures guiding the sale of real property by Nibley City.

NOW THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL LOCATED AT NIBLEY, UTAH, THAT:

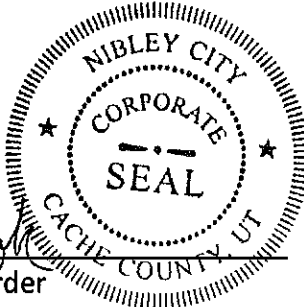
The attached ordinance is hereby adopted, by fact and by reference, as Title 1, Chapter 11, Section 6, "Disposal of Significant Parcel(s) of Real Property" of the Nibley City Code.

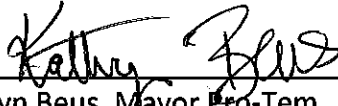
1. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.
2. Should any provision, clause or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
3. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this 3rd day of September, 2015.



David Zook, City Recorder

The seal is circular with a double-line border. The outer ring contains the text "NIBLEY CITY" at the top and "CACHE COUNTY UT" at the bottom, separated by two stars. The inner circle contains the text "CORPORATE SEAL" in the center.



Kathryn Beus, Mayor Pro-Tem

- A. Any transfer of real property, significant or not, as defined herein, under this section may be executed by a property transfer agreement, only after such agreement is approved by the City Council. The property transfer agreement may define the future restrictions or intended uses of any property that the City gifts, leases, or sells to a new owner.
- B. Pursuant to UCA 10-8-2(4), the City defines a significant parcel of real property as a parcel of real property which is eligible for residential or commercial development, based on the requirements of said parcel's underlying zone, and having such value to the City that the City would not dispose of the real property without selling or trading it for its full fair market value as determined by a current appraisal or by another reliable method for determining the value of real property, subject to reasonable adjustment within the discretion of the City Council.
- C. Before disposing of a significant parcel of real property, the City shall hold a public hearing, for the purpose of receiving public comment on the proposed disposition. Reasonable notice of the public hearing shall be given at least fourteen (14) days prior to the date of the public hearing and shall include notice of the date, time and place of the public hearing, and the purpose for which the public hearing is being held. "Reasonable Notice" shall be considered as having the notice published once in a newspaper of general circulation in the City, publishing the notice on the Utah Public Notice Website, posting the notice on the real property proposed for disposition, and posting the notice on the City's official website.