

Mapleton City Council Staff Report

Meeting Date: June 4, 2013

Prepared by: Cory Branch

Applicant: Mesquite Presidio LLC

ACTION ITEM:

Consideration to ratify the approval of the Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes for property owned by Mesquite Presidio LLC (Parcel #'s 27:036:0004; 0006; 0009; 0010; 0013; 0014; 0015).

FINDINGS OF FACT:

1. In July of 2008 Mapleton City recorded a lien against Mesquite Presidio, LLC for \$1,374,640.14 relating to the share of the Crowd Canyon water tank costs.
2. Jack Evans (the "Developer") for Mesquite Presidio, LLC is currently working with Utah County to pay off the delinquent taxes on the subject property in the amount of \$93,000.
3. The County has agreed to work with the Developer on a payment plan in which these taxes will be paid off in one (1) year, however in order to do so the County is requiring that Mapleton City sign an agreement which cites that we as a lien holder have been notified that there are delinquent taxes on the property and we recognize that a deferral of the taxes has been requested and that we have no objection to this application (*see Attachment - Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes*).
4. Mapleton City Attorney, Eric Johnson, recommended that in order to protect the City's interest we sign the agreement, thus allowing the Developer to enter into a payment plan with Utah County to pay off the delinquent taxes within one (1) year.
5. The County required that this agreement be signed by May 21st. On May 17th I contacted the Mayor and City Council via email requesting their approval for me to sign the agreement.

STAFF ANALYSIS:

On May 17th the Mayor and Council authorized me via email to sign the agreement. The purpose of this agenda item is to ratify the approval of the agreement.

ATTACHMENT:

Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes

AGREEMENT OF LIEN HOLDER FOR DEFERRAL OR SETTLEMENT OF DELINQUENT TAXES	UCA §59-2-1347, 1953 as amended Form PT-33A
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General Information	
Lien Holder (company or individual) MAPLETON CITY	
Contact Person <i>Cory Branch</i>	Daytime Phone Number <i>801-806-9104</i>
Property Owner/Borrower Name MESQUITE PRESIDIO LLC	Amount of Lien \$1,374,640.14
Real Property Parcel No. or Personal Property Account No. ***SEE BELOW	Type of Property (e.g. commercial, primary residential, etc.) REAL
Property Location or Address UTAH COUNTY, UTAH	

We, as lien holder, have been notified that there are delinquent taxes on this property that will cause this property to be sold for taxes unless all delinquent taxes, penalties, and interest are paid by the date of the final tax sale. We have been notified by the property owner/borrower that he/she is applying for a settlement or deferral of the delinquent property taxes under UCA §59-2-1347, and we have no objections to the application.

Signature	
I give consent to allow a deferral to be granted at the discretion of the county legislative body.	
Name of holder of any mortgage or trust deed outstanding on the property MAPLETON CITY	
Authorized Signature X <i>Cory Branch</i>	<i>Mapleton City Administrator</i>

- *** 27:036:0004
- 27:036:0006
- 27:036:0009
- 27:036:0010
- 27:036:0013
- 27:036:0014
- 27:036:0015