

## **CHAPTER 6 PROPERTY**

Last Updated: June 15, 2026

### **6-1 PURCHASE OF MOTOR VEHICLES**

- 1) Consistent with the experience of other governmental entities, it is the objective of the District to purchase vehicles under state contract; to encourage their proper use, care and maintenance by District employees; and to sell the vehicles at the appropriate time to maximize resale value. In order to minimize the difference between purchase price paid by the District and the realized resale value, it may be appropriate where the vehicle is likely to be purchased by a member of the general public upon resale (such as a passenger vehicle, or a light truck without utility equipment) to order optional features such as trim and appearance packages, power accessories, and electronics which may not be necessary for District use, but which enhance resale value.
- 2) Each year, as part of the budget approval process, the Procurement Official shall recommend to the Finance Committee the vehicles to be purchased, including the probable state contract price of each vehicle.

### **6-2 INVENTORY OF PROPERTY**

- 1) Staff shall keep and periodically update an inventory of the District's real and personal property. The Finance Committee shall approve the value threshold(s) for items of personal property to be included in the inventory, and the manner in which the inventory is to be kept and updated.

### **6-3 DISPOSAL OF SURPLUS PROPERTY**

- 1) The Procurement Official shall periodically submit a list of surplus property, together with a recommended method of disposal to the Finance Committee for review. Real property of the District shall be offered and sold only upon approval of the Board.
- 2) Disposal of surplus property other than motor vehicles should be made "as is" and without warranty or representation of any kind or nature, after reasonable public notice.
- 3) The District's disposal of surplus motor vehicles shall be accomplished as follows:
  - a) The Procurement Official shall make a recommendation to the Finance Committee as to an approximate reasonable sales price for each motor vehicle to be sold as surplus property. This recommendation should be made by the Procurement Official based on a review of any applicable information contained in the NADA "Blue Book", the Kelly "Blue Book", and/or interviews with a reasonable number of local auction houses and/or dealerships.

- b) Sale of the vehicle shall be accomplished as approved by the Finance Committee. Methods of sale may include:
  - i) Auction through a local or internet auction;
  - ii) Consignment with a local dealer or broker;
  - iii) Sale advertised via the internet and/or in the classifieds sections of the *Salt Lake Tribune*, *Deseret News* or other appropriate periodical;
  - iv) Dealer trade-in; or
  - v) Sale to an interested employee or employee family member. The District is interested in making surplus District vehicles available to its employees to encourage proper use, care and maintenance of vehicles. No surplus vehicle shall be sold to a District employee or family member of an employee without Board approval.

#### **6-4 REAL PROPERTY AQUISITIONS**

- 1) Intent. This Section is intended to provide guidelines and authorization to staff regarding the acquisition of real property interests. The District's goal is to accomplish necessary acquisitions on a willing-seller basis, if practicable, and at a reasonable cost to the District, in a consistent, fair, open, and equitable manner.
- 2) Title Insurance. Many title companies include a standard title policy with the charge of a title search. The purchase of any additional policies or coverages should be evaluated on a parcel by parcel basis, considering the cost of the additional policy or coverage, the probability of an insured title defect, and the likely costs to the District of clearing up such a title defect without insurance.
- 3) Environmental Assessments. Ordinarily acquisition of fee interests require a Phase I Environmental Assessment. Due diligence investigation of rights of way acquisitions may suggest the District is not likely to encounter hazardous materials and the costs of Environmental Assessments are not warranted. Staff should remain alert to new information which may suggest that particular parcels are appropriate candidates for further investigation and/or a Phase I Environmental Assessment.
- 4) Negotiations. Negotiations shall be conducted in a courteous and forthright manner consistent with the Eminent Domain Statute, Utah Code Ann. Title 78B, Chap. 6, Part 5, and other applicable law. Offers for compensation will be extended in writing as directed by the GM, in line with appraised values, and in a manner consistent with the instructions of the Board. Only those persons authorized by the Board or the GM shall speak for the District. Others should politely refer landowners to the appropriate persons. Reasonably careful contemporaneous

summaries of negotiation discussions should be kept. All landowner complaints should be presented to the GM and the Board. All purchase contracts shall be approved as described in P&P Section 2-642.

- 5) Standard Easement Form. Except as otherwise approved by the Board, easement deeds shall be in form approved by the GM and counsel.

## **6-5 DISPOSAL OF PUBLIC PROPERTY**

- 1) The District is generally obligated to receive fair market value for any disposal of District Lands, unless there is specific legislative authorization to deviate from that standard. *See Sears v. Ogden*, 533 P.2d 118 (Utah 1975).
- 2) As required by Utah Code Ann. § 17B-1-103(8), the District must comply with Utah Code Ann. Title 11, Chapter 1, Part 2 (“Disposal of Public Property”) when disposing of District Lands. Under that Part, prior to disposing of a “significant parcel,” the District must provide notice of the proposed disposal pursuant to the procedures set forth in Utah Code Ann. § 11-1-203. If the proposed disposal does *not* concern a “significant parcel,” only a physical posting on the property soliciting offers is required. Unless the District otherwise defines “significant parcel” by resolution, a “significant parcel” means District Lands with an estimated fair market value of \$500,000 or more (Utah Code Ann. § 11-1-202(3)).

Additionally, the District may dispose of a “significant parcel” only after a majority vote by the Board in a public meeting in which details of the proposed disposal are disclosed, as set forth in Utah Code Ann. § 11-1-204, unless the District otherwise adopts a resolution removing that requirement. Any such resolution must establish a method to inform the public of the disposal and the District must otherwise comply with Utah Code Ann. § 11-1-203.

Utah Code Ann. § 11-1-205 sets forth the circumstances in which the District is exempt from complying with Utah Code Ann. §§ 11-1-202 through -204.