

## **TOWN OF BLUFF ORDINANCE No. 2021-30-9**

An ordinance authorizing the approval of an Acquisition and Development Agreement (the Agreement) between the Town of Bluff (Town) and Utah Dine Bikeyah (UDB) for the acquisition and partial reconveyance of the real property commonly known as the old Bluff Elementary School.

The following describes the intent and purpose of this ordinance:

a. The Town is currently under contract to buy the property known as the old Bluff Elementary School (the Property) from the San Juan School District for a total purchase price of \$307,500. The Property is currently vacant and comprises approximately four acres improved with two school buildings and various other improvements in the center of Bluff, and within the incorporated Town limits. The Property is ideally situated for the location of future Town and other governmental services.

b. The Town currently does not have a Town Hall. The Town intends to redevelop the Property as a future Town Hall and a center for community events and activities but lacks the resources to complete the purchase on its own.

c. UDB has approached the Town and expressed interest in using a portion of the Property as headquarters for its organization and using the remainder for community-related activities and non-profit services. UDB is willing to provide to the Town the purchase price for the Property in conjunction with a plan to remodel the building and subsequently divide the Property pursuant to a condominium process to be reviewed by the Town in the future in conformity with Town ordinances and applicable laws.

d. The Town and UDB have negotiated the Agreement, which provides for: i) financial assistance from UDB to allow the Town to acquire the Property; ii) the future configuration of the Property into condominium units as provided by law; iii) the subsequent conveyance of units by the Town to UDB; iv) the retention by the Town of units on the Property; v) jointly managed common elements; and vi) joint cooperation for the purpose of securing funding or financial resources for the redevelopment/remodeling of the Property.

e. This transaction offers mutual benefits to both the Town and UDB, and neither party would be able to complete plans for redevelopment of the Property without the contributions of the other. The Town finds that the Agreement represents a fair exchange of public resources.

f. This transaction constitutes a significant undertaking for the Town and a significant future conveyance of real property. It is therefore appropriate that the public provide comment prior to any decision on the matter. The Town held a public hearing on September 30, 2021, more than 14 days from the date that public notice was given as to this ordinance. Members of the public were invited to participate and the Town has given consideration to those comments.

Therefore, the Town enacts as follows:

1. The recitals above are incorporated by reference. The Town hereby approves the Agreement attached as **Exhibit A** and authorizes the Mayor and Recorder to sign same.
2. The Agreement represents a valid corporate purpose for the Town that will provide for the health, safety, welfare, prosperity, and well being of the residents of the Town of Bluff, and the broader community. The value received by the Town in exchange for the proposed disposition, which in this case is the receipt of the purchase price for the Property from UDB in exchange for the future conveyance of condominium units on the Property pursuant to the Town land use approval process, is fair and reasonable.

Approved and authorized by a majority of the Bluff Town Council this \_\_\_\_ day of \_\_\_\_\_, 2021.

BY THE TOWN OF BLUFF:

\_\_\_\_\_  
Mayor Ann Leppanen

Attest:

\_\_\_\_\_  
Linda Sosa, Recorder

\_\_\_\_\_  
Date

Attachment: **Exhibit A**

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