

HISTORIC LANDMARK COMMISSION  
STAFF REPORT

**729 South 500 East Demolition of a  
Contributory Building**  
PLNHLC2012-00046  
September 6, 2012



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Susan Brown, Sandra Beck  
representative

**Staff:**

Ray Milliner (801)535-7645 or  
[ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)

**Zone:**

RMF-30

**Master Plan Designation:**

Low Density Residential

**Council District:**

4, Luke Garrott

**Lot Size:**

.06 acre

**Current Use:**

Residential

**Applicable Land Use  
Regulations:**

- 21A.34.010
- 21A.34.020(K-M)

**Notification**

- Notice mailed on August 24,  
2012
- Agenda posted on the  
Planning Division and Utah  
Public Meeting Notice  
websites August 24, 2012

**Attachments:**

- A. Application
- B. Documentation
- C. Photos
- D. Proposed Plans

***Request***

The applicant, Susan Brown, represented by Sandra Beck, is requesting Historic Landmark Commission approval for a Certificate of Appropriateness for the Demolition of a Contributing Structure at 729 South 500 East. The applicant would like to demolish the building and replace it with a single family home.

***Recommendation***

Staff recommends that the HLC defer a decision on the Certificate of Appropriateness for the demolition of a contributory building for up to one year so the applicant can make a bona fide effort to preserve the structure per Section 21A.34.010 (M) of the Zoning Ordinance, based on the finding that the request substantially complies with four (4) of the six (6) required standards.

***Potential Motions***

**Approval:** Because the petition meets all six standards of approval, I move that the Historic Landmark Commission review the petition, and grant the request for a certificate of appropriateness for the demolition of a contributory building subject to the following condition of approval.

1. Prior to the issue of a demolition permit; the applicant shall receive Historic Landmark Commission approval for the proposed new home on the site.

**Denial:** Because the petition meets two or less of the six standards of approval, I move that the Historic Landmark Commission deny the certificate of appropriateness for the demolition of a contributory building based on the following findings (Commissioner then states findings).

**Deferment:** Because the petition meets 4 of the six standards of approval, I move that the Historic Landmark Commission defer a decision on the Certificate of Appropriateness for the demolition of a contributory building for up to one year so the applicant can make a bona fide effort to preserve the structure per Section 21A.34.010(M) of the Zoning Ordinance.

## Vicinity Map



## Background

According to the 1994 Reconnaissance survey completed for the Central City area, the home was built in 1910 as a single family residence. No information regarding the architect or builder is given. The Structure at the time of the survey was rated as a "B" meaning it is a contributory structure to the Central City Historic District. The building is an example of Folk Victorian architecture with a pyramid roof, four post front porch spanning the entire front façade and a small dormer on the front roof. Detailing on the building is simple with very little ornamentation.

The home was occupied continuously since its construction in 1910 until it was significantly damaged by fire in 2006. The fire caused significant damage to the building, burning a hole in the roof, damaging the structure of the porch, ruining most of the original windows, and causing significant smoke and water damage to the interior and floors. After the fire, the applicant did not repair the building, and as a result, it has remained vacant. The building is currently boarded but is intermittently occupied by trespassers looking for shelter.

The property owner would like to demolish the building and replace it with a new single family home. To support their request, the petitioner has submitted a detailed engineering report that concludes that the building should be removed (see attachment A application for report). If the Commission finds that the building indeed

should be demolished, it would need to review the proposed home plans for compliance with the new construction standards in Section 21A.34.020 of the Zoning Ordinance (see attachment D for proposed plans).

## **Public Comments**

To date, staff has received no public comments regarding this application.

## **Analysis and Findings**

### **Demolition of a Contributing Structure**

The Historic Landmark Commission reviews all requests for Certificate of Appropriateness for demolition of contributing structures. Commission action is based on compliance with six standards featured in Section 21A.34.020(L) of the Zoning Ordinance. The Ordinance provides the Commission with three options when making a decision:

1. If six of the standards are met, the Commission will approve the demolition request.
2. If two or less of the standards are met, the Commission must deny the request.
3. If the Historic Landmark Commission makes findings that three to five of the standards are met, the Commission may defer a decision for up to one year, during which time the applicant must conduct a bona fide effort to preserve the site. The one-year "clock" begins only when a "bona fide" effort has started. Section 21A.34.010(M) lists four actions that define bona fide effort:
  - 1) Marketing the property for sale or lease.
  - 2) Filing an application for alternative funding sources for preservation, such as federal or state preservation tax credits, Utah Heritage Revolving Fund loans, redevelopment agency loans, etc.;
  - 3) Filing an application for alternative uses if available or feasible, such as conditional uses, special exceptions, etc.; and
  - 4) Obtaining written statements from licensed building contractors or architects detailing the actual costs to rehabilitate the property

See the analysis section of this report for staff analysis if the six demolition standards.

If the demolition proposal is not resolved by application of the six standards, the petitioner may initiate an economic hardship process, wherein a panel of three (3) people is selected to determine if denying a request for demolition is an economic hardship. The Panel evaluates economic hardship by applying standards in Section 21A.34.020(K)(2) of the Ordinance. Findings and conclusions are then forwarded to the Historic Landmark Commission, who makes a final decision. The Commission's decision must be consistent with the findings presented by the Economic Review Panel, unless it finds by a three-quarter vote of a quorum that the Economic Review Panel either acted arbitrarily or based its report on an erroneous finding of fact.

### **Contributing Status**

The 1994 reconnaissance level survey identifies this building as a "contributing" structure in the Central City Historic District. Structures are considered to be contributing, according to the definition outlined in Section 21A.34.020(B)(2) of the Zoning Ordinance:

A contributing structure is a structure or site within an H Historic Preservation Overlay District that meets the criteria outlined in subsection C2 of this section and is of moderate importance to the city, state, region or nation because it imparts artistic, historic or cultural values. A contributing structure has its major character-defining features intact and although minor alterations may have occurred they are generally reversible. Historic material may have been covered but evidence indicates they are intact.

## Standards of Review

**Standard I:** The physical integrity of the site as defined in subsection (C)(2)(b) of this section is no longer evident.

**Analysis:** Subsection (C)(2)(b) states, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places”

The terms in Subsection (C)(2)(b) are defined by the National Park Service in National Register Bulletin 15 as follows:

**Location:** Location is the place where the historic property was constructed or the place where the historic event occurred.

**Design:** Design is the combination of elements that create the form, plan, space, structure and style of a property.

**Setting:** Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built setting refers to the character of the place in which the property played its historic role.

**Materials:** Materials are the physical elements that were combined during a particular period of time and in a particular pattern or configuration to form a historic property.

**Workmanship:** Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history.

**Feeling:** Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.

**Association:** Association is the direct line between an important historic event or person and a historic property.

To retain historic integrity a property will always possess several, and usually most of the aspects defined above. Properties must not only retain their essential physical features, but the features must be visible enough to convey their significance.

The building retains much of its historic massing, materials and simple architectural elements that define its historic function and character. Had it not been damaged by fire, there would be no question the physical integrity of the building remains. Nonetheless, repairs to components damaged in the fire will require significant changes, including removal of the fire damaged roof, upgrades to the foundation, shoring up exterior walls, replacement of windows, rebuilding the front porch and the interior. As a result, the materials, workmanship and feeling of the original structure will be significantly altered or lost when the building is renovated.

**Finding:** Staff finds that the physical integrity of this building as established in Section 21A.34.020(C)(2)(b) of the Zoning Ordinance is currently evident, however, changes necessary to

occupy the building will significantly diminish that integrity because the building will need to be extensively altered after damage sustained in a fire. The project **complies** with this standard.

**Standard 2:** The streetscape within the context of the H Historic Preservation Overlay District would not be negatively affected.

**Analysis:** There is a contributory building immediately to the north, followed by a vacant lot and a noncontributory apartment building. To the south is a contributory home. The contributory buildings were constructed during the period of significance of the Central City Historic District and are similar in scale and materials. 729 South 500 East is located mid block, is a utilitarian building with simple design features that are similar to other contributing buildings along the 500 East streetscape. The importance of the building comes from its association, along with many other buildings of similar design and features to the overall integrity of the Central City Historic District.

Because of the loss of physical integrity that will occur as part of the renovation of the building, it is unclear whether the home will continue to contribute to the neighborhood as it did before the fire. There will be significant changes to the roof, walls, windows, and porch that will considerably alter the design, materials and workmanship of the home.

**Finding:** Staff finds that the home was severely damaged in 2006 when it burned and much of the historic integrity of the building was destroyed or will be removed or altered if renovated. Nevertheless, staff finds that the complete loss of the home will have a greater negative effect on the 500 East streetscape, as it would remove a significant element of the surrounding historic fabric that could never be replaced. The project **does not comply** with this standard.

**Standard 3:** The demolition would not adversely affect the H historic preservation overlay district due to the surrounding non-contributing structures.

**Analysis:** Three of the four buildings along the 500 East street frontage are considered contributing with a grade of (“B”), meaning they contribute to the overall historic nature of the Central City Historic District. Because of the relative dearth of non-contributing structures in the area, the removal of this building would have an adverse impact on the Central City Historic District because it would remove a central component to an intact historic neighborhood. Nonetheless, much of the original historic integrity of this home was lost with the fire, and much more will be lost if and when the building is repaired and reoccupied. When the home burned, the adverse affect on the Central City Historic District has already occurred.

**Finding:** Staff finds that the home is in close proximity to other historic buildings both along 500 East and within the Central City Historic District as a whole. Its removal would weaken the architectural unity in the district as well as on the streetscape. Staff further finds that because of the damage caused by the 2006 fire, much of the physical integrity of the building was destroyed or will need to be removed or altered in order to make the building livable. Therefore, staff finds that the project **complies** with this standard.

**Standard 4:** The base zoning of the site is incompatible with the reuse of the structure.

**Analysis:** The property is zoned RMF-30, Low Density Multi-Family Residential. The future reuse of the building would be as a single family home, which is a permitted use in the RMF-30 zone.

**Finding:** Staff finds that any reuse of the building would be as a single family home, which is a compatible use with the RMF-30 zone. Therefore, staff finds that the project **does not** comply with this standard.

**Standard 5:** The reuse plan appears to be consistent with the standards outlined in subsection H of this section.

**Analysis:** The petitioner has submitted a re-use plan for a new single family home. Prior to the issue of a building permit, the structure will be reviewed by the HLC for compliance with the standards of review in the Zoning Ordinance as well as the Salt Lake City Historic District Design Guidelines.

**Finding:** The proposed project **will substantially comply** with this standard.

**Standard 6:** The site has not suffered from willful neglect, as evidenced by the following:

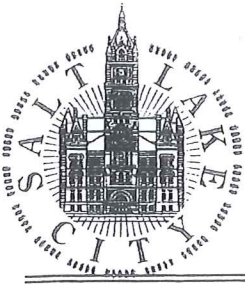
- i. Willful or negligent acts by the owner that deteriorates the structure.
- ii. Failure to perform normal maintenance and repairs.
- iii. Failure to diligently solicit and retain tenants, and
- iv. Failure to secure and board the structure if vacant.

**Analysis and Finding:** The building was damaged by fire in 2006 and has not been legally occupied since that time. Although the building has suffered damage because of this, the applicant has secured and boarded the building as required by City Ordinance and therefore, the proposal **complies** with this standard.

## Summary

Staff finds that the proposed request for a certificate of appropriateness for the demolition of a contributory structure substantially complies with four (4) of the six (6) required standards, and therefore recommends that the HLC defer a decision on the Certificate of Appropriateness for the demolition of a contributory building for up to one year so the applicant can make a bona fide effort to preserve the structure per Section 21A.34.010(M) of the Zoning Ordinance.

**Attachment A**  
Application



# HLC: Demolition or Economic Hardship

Use for demolition of a contributing or non-contributing structure and economic hardship. Please use application for minor alterations for demolition of accessory structure.

OFFICE USE ONLY  
Petition No. PLP/ALC2012-00046  
Date Received: 1-23-12  
Reviewed By: [Signature]

SALT LAKE CITY PLANNING

Address of Subject Property: 729 S. 500 E., SLC, UT 84102

Project Name:

Name of Applicant: Susan Brown - represented by Sandra Beck Phone: \_\_\_\_\_  
Principal Broker, Windsor Real Estate

Address of Applicant: 8947 S. 3820 W, Wg

E-mail Address of Applicant: stbeckre@gmail.com Cell/Fax: 801-635-0422

Applicant's Interest in Subject Property: owner

Name of Property Owner: Susan Brown Phone: \_\_\_\_\_

E-mail Address of Property Owner: \_\_\_\_\_ Cell/Fax: \_\_\_\_\_

County Tax ("Sidwell #"): 16-07-229-009 Zoning: Rm30

Legal Description (if different than tax parcel number): NA

Existing Property Use \_\_\_\_\_ Proposed Property Use \_\_\_\_\_

Please Check Type of Application and submit associate fee

Type	Application Fee	Additional Fee
Demolition (non-contributing)	\$27.69	Plus cost of first class postage
Demolition (contributing structure)	\$442.96	Plus cost of first class postage
Economic Hardship (Conditional Use Process)	\$221.48	Plus cost of first class postage
Economic Hardship (Demolition Process)	\$221.48	Plus cost of first class postage

**Notice:** Additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

**File the complete application at:**  
SLC Planning Division  
451 S State, Room 215  
PO Box 145471  
Salt Lake City, UT 84114-5480  
Telephone: (801) 535-7700

Signature of Property Owner Sandra Beck for Susan Brown  
Or authorized agent



# ECONOMIC HARDSHIP WORKSHEET

The following information is requested by the applicant in order for the Economic Review Panel to make a fair determination of economic hardship. This information is outlined in the *Salt Lake City Code, 21A.34.020.K*

1. Application for Determination of Economic Hardship : *please include the application.*
- 2 Standards for Determination of Economic Hardship. The Historic Landmark Commission shall apply following standards and make findings concerning economic hardship.

a. The applicant's knowledge of the landmark designation at the time of acquisition, or whether property was designated subsequent to acquisition.

family home since 1954

b. The current level of economic return on the property as considered in relation to the following :

i. Amount paid for the property : \$ property was inherited by  
 Date of Purchase : the seller in '2000' when  
 Party from whom purchased : her family passed away  
 Relationship (if any) between owner/applicant and seller : \_\_\_\_\_

ii. Annual gross income from property : ~~199 \$ No income - house~~  
~~previous three years 199 \$ is a burn out &~~  
~~199 \$ uninhabitable~~

Annual net income from property : 199 \$ \_\_\_\_\_  
 previous three years 199 \$ \_\_\_\_\_  
 199 \$ \_\_\_\_\_

Itemized operating and maintenance expenses; depreciation deduction; annual cash flow before and after debt service : *for the previous three years*

Year : ~~199~~ 2010  
 utilities : \$ ~~0~~ NA  
 maintenance : \$ NA  
 other : \$ NA  
 depreciation deduction : \$ \_\_\_\_\_  
 annual cash flow before debt service : \$ NA  
 annual cash flow after debt service : \$ \_\_\_\_\_

Year : ~~199~~ 2011  
 utilities : \$ \_\_\_\_\_  
 maintenance : \$ weed control from city  
 other : \$ security from city approx \$3,000  
 depreciation deduction : \$ \_\_\_\_\_ annually

Year : 199

annual cash flow before debt service : \$ \_\_\_\_\_  
 annual cash flow after debt service : \$ \_\_\_\_\_  
 utilities : \$ \_\_\_\_\_  
 maintenance : \$ \_\_\_\_\_  
 other : \$ \_\_\_\_\_  
 depreciation deduction : \$ \_\_\_\_\_  
 annual cash flow before debt service : \$ \_\_\_\_\_  
 annual cash flow after debt service : \$ \_\_\_\_\_

*house is uninhabitable*

iii. Remaining balance on any mortgage or other financing : \$16,153<sup>00</sup> approx.  
 Annual debt service : 199 \$ 5400<sup>00</sup> (+) interest  
 previous three years 199 \$ same  
 199 \$ same

iv. Real estate taxes : 199 2011 \$ 1311<sup>00</sup>  
 previous four years 199 2010 \$  
 199 2009 \$

Assessed value of the property according to the Salt Lake County Assessor:  
 previous two years 199 2011 \$ 45,700<sup>00</sup> pulled from  
199 2010 \$ 49,700<sup>00</sup> assessors page  
*please attach copies of the valuation/tax notices*

v. All appraisals obtained within the past two years. *Please attach to worksheet*

vi. The fair market value of the property immediately prior to its designation as a Landmark Site : \$ not available  
 The fair market value of the property as a Landmark Site at the time of this application : \$ 25,000<sup>00</sup>

vii. Form of ownership of property : Sole proprietorship  
 \_\_\_\_\_  
*i.e. sole proprietorship; for profit or non-profit corporation; limited partnership; joint venture, etc.*

viii. Any State or Federal income tax returns on or relating to the property for the previous two (2) years. *please attach copies*

c. The marketability of the property for sale or lease, the price asked and offers received, if any, within the previous two years.

Date listed : 2-12-2011 Realtor/Agency : Sandra Beck Windsor Real Estate

Price Asked : \$ 49,700<sup>00</sup>  
 Offer received : \$ 42,000<sup>00</sup> Date : 2-13-2011 - Withdrawn  
 Offer received : \$ 27,000<sup>00</sup> Date : 2-15-2011 - Withdrawn  
 Offer received : \$ 25,000<sup>00</sup> Date : 2-15-2011 - Backup/Withdrawn  
 Date listed : \_\_\_\_\_ Realtor/ Agency : \_\_\_\_\_  
 Price Asked : \$ \_\_\_\_\_  
 Offer received : \$ 25,000<sup>00</sup> Date : 3-30-2011 current contract  
 Offer received : \$ \_\_\_\_\_ Date : \_\_\_\_\_  
 Offer received : \$ \_\_\_\_\_ Date : \_\_\_\_\_

This determination can also include testimony and relevant documents regarding:

- i. Any real estate broker or firm engaged to sell or lease the property;
- ii. Reasonableness of the price or rent sought by the applicant;
- iii. Any advertisements placed for the sale or rent of the property.  
*please attach any relevant documents*

d. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:

- i. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;  
*please attach any reports. reports should be as specific as possible.*

- ii. Estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the decision of the Historic Landmark Commission concerning the appropriateness of proposed alterations;  
*please attach any estimates. estimates should be as specific as possible.*

- iii. Estimated market value of the property in the current condition after completion of the demolition and proposed new construction; and after renovation of the existing property for continued use;

Estimated market value of the property in current condition : \$ 25,000<sup>00</sup> *Based on offers to date*  
 Estimated market value after demolition and new construction : \$ 270,000<sup>00</sup> *Based on buyers*  
 Estimated market value after renovation of existing historic building : \$ 189,000<sup>00</sup> *cost Breakdown*

*please attach information on which estimates are based*  
*please see attached comparable sales.*

*attached*

- iv. The testimony of an architect, developer, real estate consultant, appraiser, or other professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property. *please attach copies of written testimonies*
- e. The applicant will review the economic incentives and/or funding programs available through federal, state, city, or private programs.

Utah Heritage Foundation Low Interest Revolving Fund Loan Program.

Contact person : \_\_\_\_\_

Date : \_\_\_\_\_

Notes : \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Utah State Historic Preservation Office. State and Federal Investment Tax Credits.

Contact person : \_\_\_\_\_

Date : \_\_\_\_\_

Notes : \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that all of the information presented in this worksheet is correct and accurate to the best of my knowledge.

*Sandra Beck for Susan Brown*

Signature of applicant

*(see listing agreement for authorization)*

January 20, 2012

To Whom it May Concern:

After approximately a full year of work, with much help from city employees, we are very excited to present to you our plan for the property located at 729 South 500 East, SLC, UT 84102.

In addition to the Economic Hardship package we have submitted, we would also like to make a note that since the fire several years ago, this house has been inhabited by the homeless community despite all efforts by the city, property owner, and the police to keep it secure. We feel this is especially important to note because photos do not address the strong possibility of methamphetamine and other illegal drugs that would further contaminate this structure. There are needles etc, that suggest such drug use, as well as human waste currently there.

We feel we meet the Standards for Demolition Of a Contributing Structure as outlined almost completely and hope that our presentation supplies all the information you will need to render a decision.

Please call Mr. Ben Scribner for any further information you may need regarding the future plan, or Mrs. Sandra Beck for information on the current owner, or Economic Hardship information.

Thank you for your consideration in this matter.

Sincerely,

*Sandra Beck*  
*Representing*  
*Susan Brown*

Sandra Beck, Principal Broker, Windsor Real Estate, 801-635-0422

Ben Scribner, Century 21, Everest Realty Group, 801-381-3595

**Attachment B**  
Documentation

ORION GOFF  
BUILDING OFFICIAL

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
BUILDING SERVICES DIVISION

FRANK B. GRAY  
DIRECTOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

December 30, 2009



*L135*  
*1/14/2010*  
*JAK*

Larry Richardson  
Salt Lake County Treasurer  
2001 South State Street, N1200  
Salt Lake City, UT 84115

Attention: John Nelson

Dear Mr. Nelson:

RE: Boarding and/or Permit to Board fees of property located at 729 South 500 East,  
Salt Lake City, Utah  
Sidwell Number: 16-07-229-009

To certify a lien under Salt Lake City Code 9.16 and Title 10-11-1 Utah Code Annotated, for the placement upon the tax rolls.

Upon placement on said rolls the lien and all accrued interest shall be collected and subject to the same provisions governing general property tax.

Lien in the amount of \$1,375.00.

Sincerely,

Phillip Booth  
Housing/Zoning Officer

*See*  
*VTDI*  
*UTFD*  
*CT-18*

ORION GOFF  
BUILDING OFFICIAL

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
BUILDING SERVICES DIVISION

FRANK B. GRAY  
DIRECTOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

Date Issued: December 30, 2009  
Certified Mail: 7005 0390 0000 0378 6400

Susan A. Brown  
PO Box 18488  
Salt Lake City, UT 84118

Dear Property Owner:

Re: Property located at 729 South 500 East, Salt Lake City, Utah  
Sidwell Number: 16-07-229-009

On or about May 20, 2008, the property at the above referenced address was boarded. Salt Lake City Ordinance Title 18.48 requires a Permit To Board be obtained before a property may be boarded. The following charges reflect yearly fees for failure to obtain a Permit To Board, after you failed to comply with the Notice and Order dated December 17, 2009.

In accordance with the law, you are being sent this itemized statement of all costs.

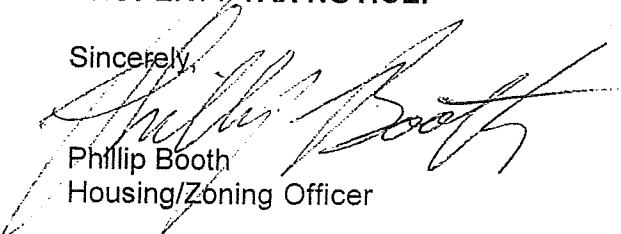
Building and Housing administrative expenses	\$ 100.00
Cost of boarding	\$1,200.00
Late fees	\$ 75.00
<b>Total Due</b>	<b>\$1,375.00</b>

You are to reimburse Salt Lake City Corporation for these costs by sending payment to:

COMMUNITY & ECONOMIC DEVELOPMENT  
Housing & Zoning Enforcement  
City and County Building Room 406  
451 South State Street,  
PO Box 145481  
Salt Lake City, UT 84114

**IF PAYMENT IS NOT RECEIVED WITHIN TWENTY (20) DAYS FROM THE DATE OF THIS LETTER, A LIEN FOR THE TOTAL AMOUNT WILL BE ATTACHED TO YOUR NEXT PROPERTY TAX NOTICE.**

Sincerely,

  
Phillip Booth  
Housing/Zoning Officer



06032 11-24  
Office AU # 1210(8)

# OFFICIAL CHECK

0603212254

Operator I.D.: utah2064 utah2808

March 19, 2010

PAY TO THE ORDER OF \*\*\*SALT LAKE COUNTY TREASURER \*\*\*  
\*\*\*RE: #16-07-229-009-0000202\*\*\*

\*\*\*Six thousand seventy-two dollars and 08 cents\*\*\*

\*\*\$6,072.08\*\*

WELLS FARGO & COMPANY ISSUER  
420 MONTGOMERY STREET  
SAN FRANCISCO, CA 94163  
PAYABLE AT WELLS FARGO BANK, N.A.  
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 6,072.08

*Richard Levy*  
CONTROLLER

⑈0603212254⑈ ⑆121000248⑆4861 505626⑈

MPP Form 3 (12/03)  
A036

Make Checks Payable To:



SALT LAKE COUNTY TREASURER  
P. O. Box 410418  
SLC, UT 84141-0418

2010 TAX SALE

16-07-229-009-0000  
202

DELINQUENT PAYMENT
6,072.08
AMOUNT ENCLOSED

IMPORTANT! PLEASE READ!

- CASH MAILED AT TAXPAYER'S RISK, COUPON MUST ACCOMPANY PAYMENT
- PLEASE PRINT PARCEL NUMBER(S) ON YOUR CHECK
- YOUR CANCELLED CHECK IS YOUR RECEIPT.



BROWN, SUSAN A  
PO BOX 18488  
SALT LAKE CITY UT 84118-0488

REQUEST FOR CHANGE OF MAILING ADDRESS

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY & STATE \_\_\_\_\_  
ZIP CODE \_\_\_\_\_ PHONE # \_\_\_\_\_

I certify that I am entitled to receive the property tax notice on this parcel.  
Any false statements or omissions are punishable under Utah law by a fine  
and/or imprisonment.

Name or Corporate Title, Please print or type

*Susan A Brown*  
Authorized Signature

Date

1329 2010 0020 0202 160722900900000000 00000607208 2

*Susan A Brown*  
*P.O. Box 18488*  
*Glenville UT, 84118*

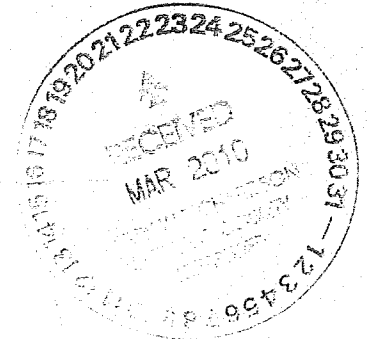
SALT LAKE CITY UT 84118-0488

19 MAR 2010 PM 3 T

*post mark after*  
*3-15-2010*



SALT LAKE COUNTY TREASURER  
2001 S STATE ST #N1200  
SALT LAKE CITY UT 84190-1250



Security Features Included. Details on Back.

March 24, 2010



**SALT LAKE  
COUNTY**

Susan A Brown  
PO Box 18488  
Salt Lake City UT 84118-0488

**SALT LAKE COUNTY  
TREASURER**

**LARRY W. RICHARDSON**  
*SALT LAKE COUNTY TREASURER*

**ANNA F. GALLAGHER**  
*DEPUTY COUNTY TREASURER*

**BENJAMIN I. UMEADI**  
*ACCOUNTING DIRECTOR*

**JOHN N. NELSON**  
*COLLECTIONS DIRECTOR*

Re: Statement of Delinquent Taxes Due  
Parcel Number 16-07-229-009-0000

Dear Ms. Brown:

We have received your payment in the amount of \$7,312.83 for the above referenced parcel. However, the payment was \$353.21 short.

Since this property has delinquencies dating back to 2005 or prior it has been certified to the upcoming Tax Sale scheduled for May 27, 2010. Attached is a Statement of Delinquent Taxes Due computed to May 27, 2010 for your convenience. **Please be advised the balance owing must be paid in full by cash or by official ("certified") bank check before May 27, 2010 to avoid the Tax Sale.**

Should you require further assistance, please contact the Collections Division at 801-468-3404.

Sincerely,

Bonnie  
Salt Lake County Treasurer's Office

lh:C29tsshort  
Enclosure

*SALT LAKE COUNTY  
GOVERNMENT CENTER  
2001 SOUTH STATE STREET  
SUITE N-1200  
SALT LAKE CITY  
UTAH 84190-1250  
PHONE (801) 468-3400  
FAX (801) 468-3156*

06032 11-24  
Office AU # 1210(8)

# OFFICIAL CHECK

0603212255

Operator I.D.: utah2064 utah2808

March 19, 2010

PAY TO THE ORDER OF \*\*\*SALT LAKE COUNTY TREASURER\*\*\*  
\*\*\*RE: #16-07-229-009-0000235\*\*\*

\*\*\*\$1,240.75\*\*\*

\*\*\*One thousand two hundred forty dollars and 75 cents\*\*\*

WELLS FARGO & COMPANY ISSUER  
420 MONTGOMERY STREET  
SAN FRANCISCO, CA 94163  
PAYABLE AT WELLS FARGO BANK, N.A.  
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 1,240.75  
*Richard Levy*  
CONTROLLER

⑈0603212255⑈ 12100024814861 505626⑈

APP Form 3 (12/03)  
.058

Make Checks Payable To:

DELINQUENT PAYMENT  
1,240.75



SALT LAKE COUNTY TREASURER  
P. O. Box 410418  
SLC, UT 84141-0418

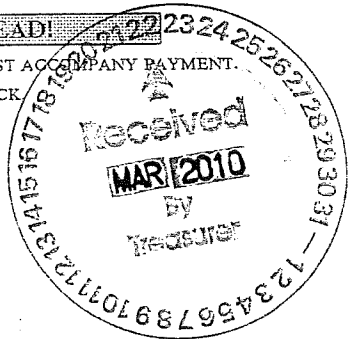
2010 TAX SALE

16-07-229-009-0000  
235

AMOUNT ENCLOSED

IMPORTANT PLEASE READ!

- CASH MAILED AT TAXPAYER'S RISK, COUPON MUST ACCOMPANY PAYMENT.
- PLEASE PRINT PARCEL NUMBER(S) ON YOUR CHECK
- YOUR CANCELLED CHECK IS YOUR RECEIPT.



REQUEST FOR CHANGE OF MAILING ADDRESS

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY & STATE \_\_\_\_\_  
ZIP CODE \_\_\_\_\_ PHONE # \_\_\_\_\_

I certify that I am entitled to receive the property tax notice on this parcel.  
Any false statements or omissions are punishable under Utah law by a fine  
and/or imprisonment.

BROWN, SUSAN A  
PO BOX 18488  
SALT LAKE CITY UT 84118-0488

Name or Corporate Title, Please print or type  
*Susan A Brown*  
Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

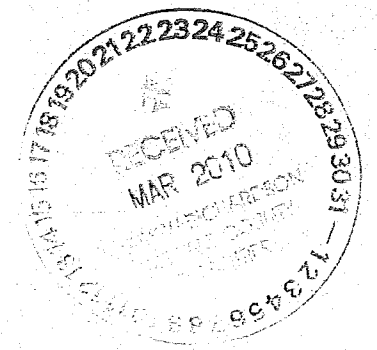
1329 2010 0020 0235 1607229009000000 00000124075 9

*Susan A Brown*  
*P.O. Box 18488*  
*glouville ut, 84118*

SALT LAKE CITY UT 84118  
19 MAR 2010 PM 3 T

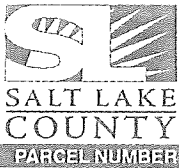


SALT LAKE COUNTY TREASURER  
2001 S STATE ST #N1200  
SALT LAKE CITY UT 84190-1250



24 0603212255 ⑈0603212255⑈

Details on Back. Security Features Included.



**K. WAYNE CUSHING  
SALT LAKE COUNTY TREASURER**

THE SALT LAKE COUNTY TREASURER'S OFFICE IS LOCATED  
IN ROOM N 1200, IN THE NORTH BUILDING OF THE COUNTY  
GOVERNMENT CENTER AT 2001 SOUTH STATE STREET.  
OFFICE HOURS ARE 8:00 A.M. TO 5:00 P.M.  
OUR TELEPHONE NUMBER IS 801-468-3400.

**CERTIFICATION  
BILLING**

**IMPORTANT NOTICE**

THIS CERTIFICATION BILLING  
IS FOR UNPAID MUNICIPAL-TYPE  
SERVICES WHICH HAVE BEEN  
CERTIFIED TO THE COUNTY  
TREASURER BY THE  
SERVICE PROVIDERS LISTED  
BELOW. UNPAID CERTIFICATIONS  
ARE A LIEN ON THE PROPERTY ON  
A PARITY WITH GENERAL TAXES.

16-07-229-009-0000

**ADDRESS OF PROPERTY**

729 S 500 E

**MAIL TO**

\*\*\*\*\*AUTO\*\*5-DIGIT 84118 AA 3916-13-9  
#BWNBNKS#  
#160722900900001#



SUSAN A BROWN  
PO BOX 18488  
SALT LAKE CITY UT 84118-0488

DISTRICT	CAT CODE	DESCRIPTION	DATE CERTIFIED	TAX	REVALUITY	OTHER REVALUITY AND INTEREST	SUBTOTAL
13	135	SLC WEED/DEBRIS	12/06/2010	1,534.80	0.00	0.00	1,534.80
TOTAL CERTIFIED AMOUNT							1,534.80
ADDITIONAL CHARGES		RETURNED CHECK FEE				0.00	
		ADMINISTRATIVE FEE				0.00	
TOTAL DUE							1,534.80

**OFFICIAL NOTICES CONCERNING THIS PROPERTY**

AMOUNTS CERTIFIED BY SPECIAL DISTRICTS MAY BE APPEALED ONLY TO THE DISTRICTS.  
REFER TO THE LIST OF CERTIFYING DISTRICTS ON THE BACK OF THIS BILLING.



16-07-229-009-0000

K. WAYNE CUSHING  
SALT LAKE COUNTY TREASURER  
SALT LAKE COUNTY GOVERNMENT CENTER  
2001 SOUTH STATE STREET #N1200  
P.O. BOX 410418  
SALT LAKE CITY, UTAH 84141-0418  
OFFICE HOURS ARE 8:00 A.M. TO 5:00 P.M.  
TELEPHONE: (801) 468-3400  
EMAIL: SLCOTREASURER@SLCO.ORG

DELINQUENT TAX STATEMENT

THIS DELINQUENT TAX STATEMENT IS FOR

**ALL DELINQUENT TAXES**

TOGETHER WITH RELATED PENALTIES,  
FEES, AND INTEREST ACCRUED THROUGH

**MARCH 31, 2011**

PAYMENTS MADE OR POSTMARKED  
AFTER THE ABOVE DATE ARE SUBJECT  
TO ADDITIONAL PENALTY AND INTEREST  
CHARGES.

729 S 500 E

\*\*\*\*\*AUTO\*\*5-DIGIT 84118

AA 11294\_P53 T32

#BWNBNKS#

#160722900900001#



SUSAN A BROWN

PO BOX 18488

SALT LAKE CITY UT 84118-0488

ACCOUNT NO	PROPERTY CLASS	PROPERTY DESCRIPTION	TAX	SALES TAX	ADDITIONAL CHARGES	SUBTOTAL
13	202	GENERAL PROPERTY	1,311.66	32.79	22.95	1,367.40
13	235	SLC WEED/DEBRIS	1,629.00	40.73	28.50	1,698.23

PAY TAXES ONLINE AT: <a href="http://WWW.TREASURER.SLCO.ORG">WWW.TREASURER.SLCO.ORG</a> YOUR PIN IS: <b>YYBESIU</b> SEE PAYMENT OPTIONS ON BACK	TOTAL TAX, PENALTIES AND INTEREST		3,065.63
	ADDITIONAL CHARGES	RETURNED CHECK FEE	0.00
		ADMINISTRATIVE FEE	0.00
TOTAL DUE ON OR BEFORE 03/31/2011			<b>3,065.63</b>

ADDITIONAL NOTICES CONCERNING THIS PROPERTY

PAY BY 03/31/11 TO AVOID ADDITIONAL INTEREST CHARGES.

PLEASE REVIEW THE IMPORTANT INFORMATION ON THE BACK OF THIS STATEMENT



LARRY W. RICHARDS ON  
 SALT LAKE COUNTY TREASURER  
 SALT LAKE COUNTY GOVERNMENT CENTER  
 2001 SOUTH STATE STREET #N1200  
 OFFICE HOURS ARE 8:00 A.M. TO 5:00 P.M.

TELEPHONE (801) 468-3400  
 EMAIL: SLCO.TREASURER@SLCO.ORG  
 WWW.TREASURER.SLCO.ORG

16-07-229-009-0000

PROPERTY ADDRESS

729 S 500 E

VALUATION

\*\*\*\*\*AUTO\*\*5-DIGIT 84118

AA 8225\_P45 T25

#BWNBNKS#  
 #160722900900001#



Susan A Brown  
 PO Box 18488  
 Salt Lake City UT 84118-0488

DELINQUENT TAX STATEMENT

IMPORTANT NOTICE

THIS DELINQUENT TAX STATEMENT IS FOR:

**ALL DELINQUENT BALANCES**

TOGETHER WITH RELATED PENALTIES,  
 FEES, AND INTEREST ACCRUED THROUGH

**AUGUST 31, 2009**

PAYMENTS MADE OR POSTMARKED  
 AFTER THE ABOVE DATE ARE SUBJECT  
 TO ADDITIONAL INTEREST CHARGES.

DISTRICT	DISTRICT CODE	DESCRIPTION	TAX	FEES	OTHER FEES (TAXES) (PENALTIES)	SUBTOTAL
13	202	GENERAL PROPERTY	3,732.96	74.66	850.22	4,657.84

PAY TAXES ONLINE AT: <a href="http://WWW.TREASURER.SLCO.ORG">WWW.TREASURER.SLCO.ORG</a> YOUR PIN IS: <b>YYBESIK</b> SEE PAYMENT OPTIONS ON BACK	TOTAL TAX, PENALTIES AND INTEREST		4,657.84
	ADDITIONAL CHARGES	RETURNED CHECK FEE	0.00
		ADMINISTRATIVE FEE	0.00
TOTAL DUE ON OR BEFORE 08/31/2009			4,657.84

OFFICIAL NOTICES CONCERNING THIS PROPERTY

IF ANY DELINQUENT BALANCE REMAINS ON 03/15/10 THIS PARCEL WILL BE SUBJECT TO FINAL TAX SALE ON 05/27/10. ALSO AN ADMINISTRATIVE FEE OF \$250 AND ADDITIONAL INTEREST WILL BE CHARGED. PAY BY 08/31/09 TO AVOID ADDITIONAL INTEREST CHARGES.

PLEASE REVIEW THE IMPORTANT INFORMATION ON THE BACK OF THIS STATEMENT.



16-07-229-009-0000

GARY W. MICHAELSON  
SALT LAKE COUNTY TREASURER  
SALT LAKE COUNTY GOVERNMENT CENTER  
2001 SOUTH STATE STREET #N1200  
OFFICE HOURS ARE 8:00 A.M. TO 5:00 P.M.

TELEPHONE (801) 468-3400  
EMAIL: SLCOTREASURER@SLCO.ORG  
WWW.TREASURER.SLCO.ORG

729 S 500 E

DELINQUENT TAX STATEMENT

THIS DELINQUENT TAX STATEMENT IS FOR:

**ALL DELINQUENT BALANCES**

TOGETHER WITH RELATED PENALTIES,  
FEES, AND INTEREST ACCRUED THROUGH

**JANUARY 15, 2009**

PAYMENTS MADE ON POSTMARKED  
AFTER THE ABOVE DATE ARE SUBJECT  
TO ADDITIONAL INTEREST CHARGES.

\*\*\*\*\*AUTO 5-DIGIT 84118 AC 17103-GRP 1-TRAY, 56

#BNNBKS#  
#160722900900001#



SUSAN A BROWN  
PO BOX 18488  
SALT LAKE CITY UT 84118-0488

*250*  
*Need 16*  
*8096*  
*Nov 27*

PROPERTY ID	DESCRIPTION	TAX	PENALTY	OTHER PENALTIES AND INTEREST	SUBTOTAL
13 102	GENERAL PROPERTY	885.37	17.71	0.00	903.08

PAY TAXES ONLINE AT: <a href="http://WWW.TREASURER.SLCO.ORG">WWW.TREASURER.SLCO.ORG</a> YOUR PIN IS: <b>YYBESIK</b> SEE PAYMENT OPTIONS ON BACK	TOTAL TAX, PENALTIES AND INTEREST		903.08
	ADDITIONAL CHARGES	RETURNED CHECK FEE	0.00
		ADMINISTRATIVE FEE	
TOTAL DUE ON OR BEFORE 01/15/2009			903.08

OFFICIAL NOTICE CONCERNING THIS PROPERTY

THE TOTAL DUE IS FOR 2008 ONLY. PAY ON OR BEFORE 01/15/2009 TO AVOID ADDITIONAL CHARGES.  
UNPAID PRIOR YEAR CHARGES ON THIS PARCEL AS OF 01/15/2009 = \$3,525.12.



LARRY W. RICHARDSON  
 SALT LAKE COUNTY TREASURER  
 SALT LAKE COUNTY GOVERNMENT CENTER  
 2001 SOUTH STATE STREET #N1200  
 OFFICE HOURS ARE 8:00 A.M. TO 5:00 P.M.  
 TELEPHONE: (801) 468-3400  
 EMAIL: SLCOTREASURER@SLCO.ORG  
 WWW.TREASURER.SLCO.ORG

**DELINQUENT TAX STATEMENT**

**IMPORTANT NOTICE**  
 THIS DELINQUENT TAX STATEMENT IS FOR:  
**ALL DELINQUENT BALANCES**  
 TOGETHER WITH RELATED PENALTIES,  
 FEES, AND INTEREST ACCRUED THROUGH  
**JUNE 30, 2008**  
 PAYMENTS MADE OR POSTMARKED  
 AFTER THE ABOVE DATE ARE SUBJECT  
 TO ADDITIONAL INTEREST CHARGES.

**PARCEL NUMBER**  
 16-07-229-009-0000

**ADDRESS OF PROPERTY**  
 729 S 500 E

**MAIL TO**  
 \*\*\*\*\*AUTO 5-DIGIT 84118 AC 6865-GRP 1-TRAY 26  
 #BWNBNKS#  
 #160722900900001#  
  
 BROWN, SUSAN A  
 PO BOX 18488  
 SALT LAKE CITY UT 84118-0488

DISTRICT	CITY CODE	DESCRIPTION	TAX	PENALTY	OTHER PENALTIES AND INTEREST	SUBTOTAL
13	202	GENERAL PROPERTY	2,847.59	56.95	452.80	3,357.34

PAY TAXES ONLINE AT:  
[WWW.TREASURER.SLCO.ORG](http://WWW.TREASURER.SLCO.ORG)  
 YOUR PIN IS:  
**YYBESIC**  
 SEE **ONLINE PAYMENT OPTION** ON BACK.  
 CREDIT CARD PAYMENTS CAN BE  
 MADE ONLY ONLINE OR BY TELEPHONE.  
 SEE **CREDIT CARD PAYMENT  
 OPTION** ON BACK.  
 2.5% CONVENIENCE FEE CHARGED ON  
 ALL CREDIT CARD PAYMENTS.  
 CREDIT CARDS ARE NOT ACCEPTED AT  
 THE TREASURER'S OFFICE.

TOTAL TAX, PENALTIES AND INTEREST		3,357.34
ADDITIONAL CHARGES	RETURNED CHECK FEE	0.00
	ADMINISTRATIVE FEE	0.00
<b>TOTAL DUE ON OR BEFORE 06/30/2008</b>		<b>3,357.34</b>

**OFFICIAL NOTICES CONCERNING THIS PROPERTY**

PAY BY 06/30/08 TO AVOID ADDITIONAL INTEREST CHARGES.



Treasurer of Salt Lake County, Utah  
Statement of Delinquent Taxes Due

*Paid*

BROWN, SUSAN A  
PO BOX 18488  
SALT LAKE CITY UT 84118-0488

CERTIFIED FOR TAX SALE  
CASH OR CERTIFIED FUNDS  
REQUIRED

Yr./Parcel # 09/16-07-229-009-0000  
Type 235 SALT LAKE CITY WEED & DEBRIS

Property Location: 729 S 500 E

Delinquent taxes due: Payoff Date: May 27, 2010

YR	TD	Taxes	Penalty	Fee	Rate	Interest Period	Interest	Subtotal
09	13	1,201.40	24.03		.0625	010110-052610	30.64	1,256.07
TOTAL DUE								1,256.07

Make checks payable to: SALT LAKE COUNTY TREASURER  
2001 S. State St. N1200  
Salt Lake City, UT 84190-1250

Be sure to indicate parcel number(s) on check(s). Please return this notice or a copy of this notice with your payment.

A Redemption Certificate will not be issued until all taxes, penalties, interest, and costs have been paid in full. A parcel having a delinquent tax outstanding for more than five years may be certified for TAX SALE. Properties certified for Tax Sale are charged an Administrative Fee and accrue additional interest through the day of the Tax Sale. Properties may be redeemed by paying the total amount due at any time prior to actual sale for delinquent taxes. All redemptions are accepted as paid by or on behalf of the owner of record. Another party redeeming property obtains no rights in or to the property by virtue of making the payment.

Total due is good only through the interest date shown. Interest accrues daily on the unpaid balances at the rate(s) indicated above.

Payments applied as directed may not be transferred or refunded. Payment by other than cash or certified funds and receipts or redemption certificates based thereon are conditional pending final collection of funds.

Mail statement to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Letter # C29 tscept

Prepared by: thm Date: 3/20

Susan A. Brown  
4787 Meadow Wood Way  
Taylorsville, UT 84118

May, 2011

To Whom It May Concern:

Considering the property at 729 So. 5<sup>th</sup> E

I moved into that house in 1954. I was 4 years old. My parents, brother, grandmother and I lived in that house until the last one died, except I, in 2000.

My father wanted me to keep the property in case any of the grandchildren needed a place to live. Indeed that was what I tried to do. My son and wife and 3 sons moved in and lived there for 7 years.

Due to the fact the house was not insured (the insurance companies did not want to insure the house because the wiring was ancient). Indeed that was what caused the fire. On April 28, 2008 there was a fire that rendered the house unfit to live in. The fire department said it was 50% destroyed. It didn't help they had to take a hatchet to the roof.

My earnest desire was to rebuild the house for my family. Two years ago my son-in-law (Eddie Allgier) visited the historical society and talked to some of

their representatives concerning what their expectations were. He also visited the zoning department about their expectations -

We came to the conclusion that considering every move would have to be approved by an building inspector the cost would make it impossible.

Also due to the fact that the zoning department sent building inspectors to inspect the property and they said the foundation had popped, under pinning would be needed the cost would be 80-90 thousand dollars.

Anyway you look at it now the property has to be destroyed and rebuilt.

Before the house fire in 2002 I obtained a Home Equity Loan from Beneficial Finance. I began to make home repairs to try and keep the house in good condition. We put on a new roof, and plumbing repairs, ceiling repairs ect. Than the house fire in 2008 caused that the house could not be occupied.

Currently I owe \$16,153.03 to Beneficial for the Home Equity Loan, that I secured to fix up the property.

Since 2008 we haven't been able to keep caught up on all the expenses on the house. House taxes, fines and penalties for failure to

repair the house.

We have boarded up the house numerous times. The City of Salt Lake has boarded up the house numerous times, and has fined me approx. 1,375.00 a year for failure to repair the house. Exact terms were for failure to maintain, clean, or secure property.

The homeless population continually removes the boarding and enters in. We have even called the police about this problem but it is too big for them to control.

The fines and taxes continue. We paid \$6,072.08 on March 19, 2010 and \$1,240.00 on March 19, 2010.

Currently I owe \$1,629 to SLC Weed/Debris. As well as \$1,311.66 to General Property for a total of \$3,065.63.

My home equity loan to Beneficial - I defaulted on - I simply could not keep up.

My husband is 76. And I am a teacher's aid.

I currently owe Beneficial 16,153.03. The daily interest is \$4.09.

After a 10-day summons from Cannon Law Associates I made arrangements to pay 450.00 a month for the Beneficial Home Loan. I made the 1<sup>st</sup> payment on April 29, 11.

I made the second <sup>4</sup> payment on May 11, 2011.

So concerning the house financially I AM BURRIED. I owe over \$20,000 dollars to stay even

I also have a grandson we raised on a mission in Halifax Canada. That cost is 400.00 a month.

I desperately need the permit to take down the house.

Summary

1. It is a disgrace to the neighborhood on 5<sup>th</sup> East.

2. Homeless people continually enter in and out of the house, discarding garbage in and out.

3. - Myself and the city continually board it up only to have it torn down so the homeless people can enter it again.

4. Due to fire damages and the house's foundation popping the cost would be well over a \$100,000.00 to rebuilt.

5. My bill to Beneficial is \$16,153.03

6. My current bill to JLC is \$3,065.65

7. In March of 2010 I paid \$712.08.

\*8. We have already had two buyers extend earnest money to buy property; but pulled out at the last moment due to difficulties with the city. We currently have a buyer who will tear down and rebuilt according to exact plans.

Suzanne B. Sweet

Concerning Home Equity  
Loan for 729 So. S East

Stephen W Whiting  
Cannon Law Associates

March 31, 2011

Susan A Brown,  
4767 Meadow Wood Way  
Taylorsville UT P.O. Box  
18488  
Taylorsville  
84118

In regard to your complaint about the default of the loan, I have had the property up for sale for about 3 months. One of the main reasons is to pay off my loan to Beneficial.

On two different occasions I have had buyers who made offers to buy the property. Ernest money was offered, contracts signed. And my realtor has called your office twice to get a pay off amount.

Twice the city of Salt Lake (The Zoning Permit Dept) has made it impossible for the buyers to continue with the sale and they have withdrawn their offers.

The problem is that the property is in the historical district (on the East side of 5<sup>th</sup> E and 7<sup>th</sup> S - 729 S SE).

App. 5 years ago the house suffered a fire that the SLC Fire Department said destroyed 50% of the property. We were unable to get insurance for the property due to the fact the wiring was old and indeed that is what caused the fire.

During one of the offers to purchase the property - officials from the zoning department sent building inspectors to inspect the property and they said the foundation had popped, underpinning that would cost 80-90 thousand dollars would be needed to

prop up the foundation. Anyway you look at it buyers could not rebuild they would have to destroy the property and then rebuild.

But the SLC zoning Committee said even if someone purchased the property they will have to wait a year before they can apply for a permit to tear down the existing house.

The second buyer—who was a general contractor—officially withdrew his offer. But is still interested.

We have a 3<sup>rd</sup> buyer who has offered an intention to purchase and put down earnest money and signed contracts and is waiting—

I have a Realtor who wants to talk with you. Who can give you more detailed information.

Her name is Sam — phone no# 801-635-0422.

A year ago my husband and I paid \$8,000.00 in fines and property taxes to try and keep the house and restore it. We realize that isn't going to work.

My realtor feels that I stand the best chance to obtain a permit to tear down the property because I have owned the property since my father died.

My realtor is preparing a case to present to the zoning committee (there are 10 factors they use to consider whether or not to grant the permit. One is that it is a hardship to the owner.)

Please give us some time to do this. They make it very difficult.

\*If I can make payments to show intent, I will

\*Att: Lawyers accepted my

payment request. I have made 2

payments. April 29, 2011 and May 11, 2011 total \$900.00

Susan A Brown  
April 10, 2011

BENEFICIAL



P.O. BOX 8873  
VIRGINIA BEACH, VA 23450-8873

Home Equity Loan

SUSAN BROWN  
4787 MEADOW WOOD WAY,  
KEARNS, UT 84118-2844

02/20/11

*call*  
1-800-395-5323  
Nicole Moon  
Ext. 5796



Account #: 91170500613946

Dear SUSAN BROWN:

This letter is to inform you that the above referenced account is being serviced by our Recovery Processing Center. You may contact us at the following address:

BENEFICIAL  
PO Box 8873  
Virginia Beach, VA 23450

Due to the delinquency of your loan, we have accelerated the entire balance due upon your loan dated 20010625. The balance due is \$16,153.03

If you have questions, please contact us at 1-800-477-7095 during normal business hours.

Sincerely,

BENEFICIAL  
Recovery Processing Center

THIS IS AN ATTEMPT TO COLLECT A DEBT BY A DEBT COLLECTOR AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

PLEASE NOTE THIS STATEMENT DOES NOT APPLY TO YOU IF YOU FILED A BANKRUPTCY PETITION AND RECEIVED A DISCHARGE OF YOUR PERSONAL LIABILITY FOR THE OBLIGATION IDENTIFIED IN THIS LETTER OR THERE IS AN AUTOMATIC STAY CURRENTLY IN EFFECT. IN EITHER CASE WE MAY NOT AND DO NOT INTEND TO PURSUE COLLECTION OF THE OBLIGATION FROM YOU PERSONALLY AND THIS LETTER IS NOT INTENDED AS A DEMAND FROM YOU PERSONALLY. UNLESS THE BANKRUPTCY COURT HAS ORDERED OTHERWISE, HOWEVER, PLEASE ALSO NOTE THAT DESPITE ANY SUCH BANKRUPTCY, BENEFICIAL RETAINS A SECURITY INTEREST IN THE PROPERTY IDENTIFIED IN THIS LETTER, WHICH BENEFICIAL MAY PURSUE AND ENFORCE.

Esta carta contiene informacion importante sobre su cuenta y podria requerir su atencion. Si tiene alguna pregunta y desea hablar en Espanol con un empleado, sirvase comunicarse con nosotros al 1-800-477-7095, marque el numero 2, durante nuestras horas de oficina normales.

*Susan*  
80-205-2890

91170500613946



Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Residence/Business: \_\_\_\_\_  
Server Name: \_\_\_\_\_  
Served Upon: \_\_\_\_\_

***THIS IS A TEN-DAY SUMMONS, PLEASE RETURN IMMEDIATELY UPON SERVING***

STEPHEN W. WHITING #11828  
CANNON LAW ASSOCIATES  
Attorney for Creditor  
8619 S. Sandy Pkwy., Ste. 111  
Sandy, UT 84070  
Telephone: (801) 255-7475  
Facsimile: (801) 255-7526  
File Reference No. 2110118

DATE 10 April TIME 1:47  
BY 4787 Meadow Wood Way  
UPON Bryan Cannon PERSON  
CONSTABLE REITZ, SALT LAKE COUNTY, UTAH  
DEPUTY \_\_\_\_\_ 253-5468

**THIRD DISTRICT COURT, STATE OF UTAH**

**SALT LAKE COUNTY, WEST JORDAN DEPARTMENT**

BENEFICIAL MORTGAGE CO. OF UTAH	<b>SUMMONS</b>	
Plaintiff,		Civil No. Judge
vs.		
SUSAN BROWN		
Defendant.		

THE STATE OF UTAH TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and required to file with the clerk of the above entitled court at **8080 S REDWOOD RD., WEST JORDAN UT 84088** an answer in writing to Plaintiff's Complaint, and to serve upon, or mail to Bryan W. Cannon, Plaintiff's attorney, at 8619 South Sandy Parkway, Suite 111, Sandy, Utah 84070, a copy of said answer within **TWENTY (20)** days after the service of this summons. If you fail to do so, judgment by default will be taken against you for the relief demanded in said Complaint. Said Complaint will be on file with the Court within ten (10) days after service of this summons. Should the Complaint not be filed within ten days after service of this summons, you need not answer the Complaint. You may contact the Clerk of the Court at least thirteen (13) days after service of this summons at **801/233-9700 -3** to determine if the Complaint has been filed with the Court.

DATED this 1th day of April, 2011.



STEPHEN W. WHITING  
Attorney for Plaintiff

**SERVE DEFENDANT AT:**  
4787 Meadow Wood Way  
Salt Lake City UT 84118



14712 So. Heritage Crest Way  
Bluffdale, UT 84065  
p: 801-495-1830  
f: 801-495-1833

12 July 2011  
Mr. Sam Beck  
Windsor Real Estate

Re: 729 South 500 East

Sam,

Thank you for the inquiry about this home. I have inspected this home in the past for probable investors. I will give you the same advice I gave them.

Homes built at the time this one was *do not* have a strong enough foundation for stabilization or lifting repair. They usually have a very small footing. The foundation wall is commonly no more than 6" thick. The foundation walls are not reinforced with rebar as required by current building codes. A compounding problem with homes of this age is; after they were built a "shelf" basement was created by removing soil from under the existing structure. This practice allowed the foundation walls to "move in" at the bottom and "rotate out" at the top. This made the foundation appear to spread apart causing movement and fracturing of the un-reinforced concrete foundation.

The building at 729 South 500 East has all of these issues. In addition the water used to fight the house fire will have further softened the soil around the poor foundation compounding repair problems. The narrow lot also restricts access to the exterior side of the foundation walls (south side).

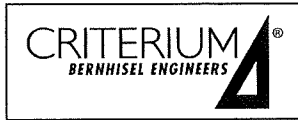
My recommendation is to demolish the entire structure.

Please keep in mind I am not an engineer. This opinion is based on my experience in settlement and foundation repair. Call me if you have any questions (801.420.4385).

Sincerely,

A handwritten signature in blue ink that reads "William (Bill) Boulter" followed by the date "12 July 11".

William (Bill) Boulter  
Estimator/Project Manager



August 1, 2011

Ben Scribner  
1866 Beaumont Cr.  
Salt Lake City, UT 84121

Subject: Structural Inspection of 791 S. 500 E; Salt Lake City, UT.

Dear Ben:

At your request, an inspection of the above property was performed on August 1, 2011. The report that follows has been prepared based on this inspection. This inspection was performed by and report written by Scott Bernhisel, P.E. For you information, a copy of Scott Bernhisel's resume is included.

- The house has been devastated by fire. The purpose of this inspection and report is to evaluate the condition of the structure and to determine what rehabilitation efforts, repairs, and/or replacement will be needed in its reconstruction.

This inspection report is limited to observations made from visual evidence. No destructive or invasive testing was performed. The report is not to be considered a guarantee of condition and no warranty is implied.

Based on our review of the property, we do advise against any attempt to restore, rebuild or refurbish the house. Though it is "quaint" and originally constructed with somewhat of the character of its era, it departs too significantly from what will be required during a remodeling of this magnitude. Also, should remodeling be done, there may be lasting and latent defects related to its decomposing condition that can not be economically removed.

There are serious problems with structural systems of this building that make repairs financially unwise. Much of the structure has been lost, and portions that do remain do not meet the requirements of modern building codes, to which the building will be held.

## **DESCRIPTION**

The basic construction of this home is a bungalow style, single story building with narrow basement and an upstairs loft area. The exterior walls are constructed with unreinforced brick. For purposes of this report, the building is assumed to face west. Additional directions (left, right, rear, etc.) are taken from the view point of an observer standing in front of the building and facing it. It is presumed to be about 90 years old.

# STRUCTURAL

## Observations and Recommendations

The basic construction of this building consists of a concrete slab on grade basement floor with perimeter concrete foundation walls extending up to support the main floor framing. The foundation walls are approximately 7' high around the perimeter.

- The height of the basement is too low for modern clearances of 6' 8".
- Windows from the basement do not provide egress requirements and will need to be cut to six square feet of net opening.
- The foundation has cracked and moved outward. Excavation around the foundation will be needed to repair the damage, seal the wall against water seepage, and cable tie it together.
- Such movement in the foundation implies that the concrete is NOT reinforced.
- Toward the front south corner, there is no foundation.

The perimeter walls consist of two wythes of brick. In this case, the brick is not a veneer, but is the primary load carrying member. Experience with buildings of this type (unreinforced masonry) and period generally imply that the building is not tied together to resist large dynamic lateral forces, such as those created by a high magnitude, long duration earthquake.

- There is no connectivity of the floor joists to the wall. They are simply inserted between masonry pockets.
- Floor joists were burned in several areas. Exposure to moisture will likely cause long term rot conditions in the open end grain of the joists.
- The south wall has rotated outward as it is supported on the foundation which has also rotated outward. This is no longer plumb, and its condition is compromised.

The roof structure consists of 2x4 stick framed rafters. Rafters spanning over the front porch are cracked and failing.

- Similar to the floor joists, the roof rafters lack any positive connection between the rafters and ceiling joists, and also to the wall.
- Without positive anchoring to the rafters, the unreinforced wall is at risk of failing during an earthquake.
- The wall can not be reinforced as there are no voids in which to install steel and concrete. The brick is solid masonry without any voids.

- Code requirements for reconstruction should insist on installing a new interior wood frame wall to support the roof. This will reduce the overall interior of the house dimensions.
- There is no insulation for the walls. Model energy codes, which will be required during this reconstruction, need R13, which corresponds to 3½ wall framing.

The upstairs roof is vaulted with interior ceiling finishes are secured directly to the underside of the roof rafters.

- This does not allow for insulation. Model energy standards require R38 insulation in the attic. This will require a 2x10 sized rafter to provide the sufficient depth to insulate. The present rafters are only 2x4.

The stairs to/from both upstairs and the "basement" are excessively steep and narrow. Any remodeling will require the stairs meet modern safety standards, with a width not less than 36 inches; continuous head room a minimum of 80 inches; and stair riser heights 7 inch maximum with tread depths of 11 inches minimum.

- The stair requirements alone will require major renovation and reduction of interior usable space.

#### Environmental Concerns.

- Conditions inside the house raise obvious concerns that illegal activities have been engaged in. These could include but not limited to; use or manufacture of illegal substances or presence of substances banned or controlled by federal, state or local law.

Based on visible evidence, we consider the **structural condition** of this building to be forfeit and not a candidate for remodeling. There are too many concerns that can not be engineered to meet modern safety standards.

Many things have been discussed in this report. However, we realize that there may still be other things of interest to you that have not been discussed. Therefore, we encourage you to call with any additional questions you may have. Thank you for the opportunity to be of assistance to you.

Sincerely,  
Criterium-Bernhisel Engineers, Inc.

Scott Bernhisel, P.E.

# SCOTT M. BERNHISEL, P.E.

## EDUCATION and LICENSURE:

*Master of Business Administration*, 1991, University of Utah

*Civil Engineering; Bachelor of Science*, 1986, University of Utah

*Professional Engineer*, State of Utah, Reference number 173662

*Associate of Arts - Architecture*, 1981, Utah Technical College

## EXPERIENCE:

**Criterion - Bernhisel Engineers:** 93 - Present  
Owner & managing engineer for residential and commercial building inspections, seismic & structural upgrade, project management services, scheduling, estimating.

**Kennecott Corporation:** Plant Projects Group 7/93 - 6/95  
Project / structural engineer for environmental remediation and major project facilities improvement; regulatory compliance, underground reclamation.

**Kennecott / Flambeau Mining Co.** Ladysmith, WI 8/92 - 7/93  
Project Engineer for construction of open pit mining facilities including a contaminated water collection system and treatment plant, administration building and laboratory, and railroad spur.

**Kennecott Corporation:** Tailings Modernization 3/90 - 8/92  
Project Engineer / Analyst for long-range planning of mine tailings disposal alternatives.

**Buehner Corporation** Salt Lake City, UT 3/86 - 1/90  
Technical Sales / Marketing and engineering of precast concrete building products.

**Conesco Inc.** Salt Lake City, UT 1980 - 1986  
Designer / Engineer of concrete forming and shoring system for residential, industrial and mining projects.

## AFFILIATION

- National Academy of Building Inspection Engineers; NABIE
- American Society of Civil Engineers; ASCE
- International Conference of Building Officials; ICBO

## SKILLS & INTERESTS

- Well versed in all phases of Engineering, Construction, and Building Technology.
- Familiar with electrical, instrumentation, mechanical, geotechnical, hydraulics, piping, and hydrology.

Ben Scribner  
7525 Prospector Drive  
Salt Lake City, UT 84121  
801.381.3595

October 7, 2011

Re: 729 South 500 East

To whom it may concern:

I am writing this letter to recommend that the City of Salt Lake, the Historical Society, and any other agencies involved in planning and zoning for the above referenced property allow this home to be demolished and a new home be built on the lot in its place. It is not economically feasible to repair or restore the home that is standing.

As you may be aware, the structure currently occupying this space is in a horrible state of disrepair. It is a haven to squatters, and I can only imagine is a threat to the safety and health of the neighborhood. While at first I examined this property to rebuild and restore the existing structure, after careful analysis by engineers and other professionals, the only remedy that makes sense is a complete tear down. I am recommending that a new single family home be built, of a modern, contemporary design, reflecting the demand of the evolving urban style. Furthermore, as it stands there is no parking on the property which limits the marketing potential and value. The new construction would allow for off-street parking incorporated in such a way that it will not compromise the curb appeal or take away from the overall design.

I have attached multiple reports from the engineers and others who have determined the property is a hazard, who have also concluded it is not conducive to repair and restoration. While I would have loved to restore the property in a way that would retain the style of the classic bungalow, as that is impossible I have spent hours researching and designing a new home that would be a solid improvement to the community.

Please feel free to call me should you have any questions or need anything further.

Respectfully,

A handwritten signature in black ink that reads "Ben Scribner". The signature is written in a cursive, flowing style.

Ben Scribner



Sam Beck &lt;stbeckre@gmail.com&gt;

**FW: 729 s 500 e**

1 message

**ben scribner** <3813595@gmail.com>  
To: "stbeckre@gmail.com" <stbeckre@gmail.com>

Wed, Oct 26, 2011 at 5:14 PM

Sent from my Windows Phone

**From:** Jeremy Bitner  
**Sent:** Wednesday, October 26, 2011 1:20 PM  
**To:** [3813595@gmail.com](mailto:3813595@gmail.com)  
**Subject:** RE: 729 s 500 e

To Whom it May Concern:

In my professional opinion the home located at 729 S. 500 E. is a hazard and should be torn down. I have inspected the property and have many concerns about the financial implications to try and rebuild the structure. The entire roof structure is gone from the fire damage. The porch has settled so much that it cannot be repaired without removing it. The exterior walls are bowed. The foundation needs to be shored up. The floor joists are insufficient to carry the required load. The attic living space cannot be recreated without new stairs that pass code, new exterior bearing walls, and new roof trusses. All of the electrical, HVAC, and plumbing have been destroyed or would not pass inspection. If we follow the current building codes and engineering guidelines, it will be much, much cheaper to tear down and rebuild another more attractive house than it would be to try and salvage the damaged "shell" that is there now.

In summary, the structure is by far more of a liability than an asset to the homeowner and the city. Someone is going to get hurt if the house is not torn down and left in its' current state.

Best Regards,

**Jeremy Bitner**  
**Bitner Excavating LLC**  
**Ivy League Homes, Inc.**  
Equity Real Estate - Professionals  
cell [\(801\) 792-9292](tel:8017929292)  
fax [\(801\) 571-6376](tel:8015716376)

Date: Tue, 25 Oct 2011 17:02:39 -0600  
Subject: 729 s 500 e  
From: [3813595@gmail.com](mailto:3813595@gmail.com)  
To: [jeremybitner@hotmail.com](mailto:jeremybitner@hotmail.com)

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**Spencer Passey <passpe@wfrmls.com>**  
To: Sam Beck <stbeckre@gmail.com>

**Thu, Oct 27, 2011 at 2:46 PM**

Sam,

I am so disappointed that your listing on 500 E has not sold. My client is still interested in the property, but only as a tear down. They had Helical Pier engineering give them an estimate of over \$40,000 just to sure up the foundation. Due to these extreme costs of preservation which would add no value, the buyer had looked seriously at a tear down situation. After a visit to the City of Salt Lake and being told it would be nearly impossible to get a tear down permit the buyer decided it wasn't worth the effort especially since the home is on a busy street with no off street parking. My client may still be interested at \$20,000 if your seller can get a tear down permit. We are headed into winter and the costs and duration of the project will cost extra.

Best of Luck,

Spencer Passey, ABR  
RE/MAX Associates  
6629 S 1300 E  
SLC, UT 84121  
[801-566-4411](tel:801-566-4411) o  
[801-566-0530](tel:801-566-0530) f  
[801-580-7170](tel:801-580-7170) m  
[passpe@wfrmls.com](mailto:passpe@wfrmls.com)

[Quoted text hidden]

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**Sam Beck <stbeckre@gmail.com>**  
To: Darrell.scharman@gmail.com

**Tue, Nov 1, 2011 at 4:18 PM**

Hi Darrell

Here is the email from the other agent.

Thanks soooo much!

Sam

[Quoted text hidden]

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<https://mail.google.com/mail/?ui=2&ik=86a3ee19b4&view=pt&cat=Susan%20Brown&s...> 11/15/2011

Greg Cleverly <greg@myutahhomeguide.com>  
To: Sam Beck <stbeckre@gmail.com>

Tue, Nov 1, 2011 at 5:24 PM

Sam,

I am glad to give feed back on this property and the circumstances around a purchase. Having dealt with close to 200 rehab properties over the last 10 years, I have a lot of experience. First with how my buyer was treated by the city, and I am sure other potential buyers have faced as well. Investors are willing to put their money at risk only when they can determine the actual risk. City employees did not help eliminate risk during due diligence but instead increased it. So the uncertainty from the city increases risk and therefore must be reflected in the price. My buyer backed away at \$45,000 because at that price, the risk was still too great. He was willing to pay that price if he could keep the structure in place and pull permits and do most of the work himself as the owner. For some one to purchase and tear down the structure and build a new structure, the value would depend on what could be built in its place, given the set backs, parking requirements etc. Again, lots of uncertainty and therefore a much much lower price - I am estimating in the mid \$20s

Good luck!

Greg Cleverly  
Century 21 - Everest Realty Group  
[Quoted text hidden]

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<https://mail.google.com/mail/?ui=2&ik=86a3ee19b4&view=pt&cat=Susan%20Brown&sear...> 1/5/2012

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**Attachment C**  
Photos



























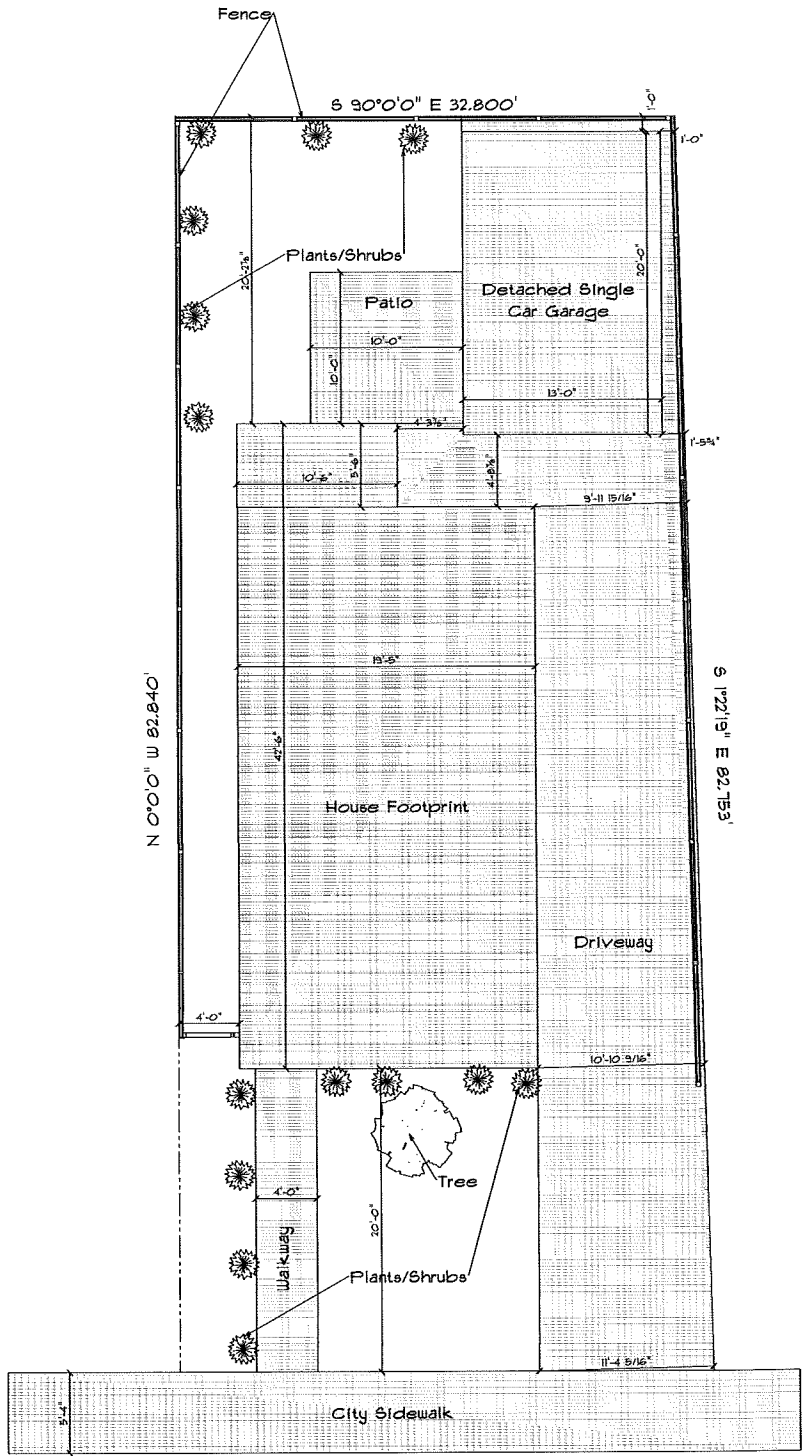








**Attachment D**  
Elevations for Proposed Building



Scale 1/8" = 1' on 11" X 17"

