

RESOLUTION NO. 98-013

A RESOLUTION ESTABLISHING A PROCEDURE FOR THE
SALE OF CERTAIN CLASSES OF CITY-OWNED REAL
PROPERTY

WHEREAS, the City Council has established as one of its goals the identification of surplus real property for potential sale; and

WHEREAS, ORS 221.727 provides the City may adopt a procedure for the sale of individual parcels of a class of City-owned real properties, or any interest therein, under a single program established within the City for the sale of that class of properties; and

WHEREAS, the City Council desires to establish such a procedure for certain classes of real property to create a fair and equitable process for potential purchasers and to maximize the City's financial gain from the sale of surplus property; NOW, THEREFORE,

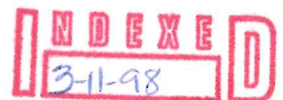
BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. The following procedures shall be adopted for the sale of individual parcels of the following categories of real property.

Vacant Undevelopable Lots

The City owns certain vacant lots which are generally small and irregularly shaped. Typically these lots are adjacent to larger developed lots. These lots are not of sufficient size to be developed, and have minimal market value. The procedure for disposition of these parcels is as follows:

A. The City Council will schedule a public hearing to take public testimony as to whether there is any public use for the property, or whether transfer of the property would benefit



the public interest. If either of these criteria is satisfied, the City Council will adopt a resolution declaring the property to be surplus.

B. The owner of a lot adjacent to the small undevelopable lot will be notified that they can acquire title to the undevelopable lot in exchange for the payment of any required recording, surveying, or mapping fees. Upon completion of any required survey, and verification the property is free of any liens or encumbrances, and payment of the required fees, the City shall execute a deed conveying title to the property to the buyer.

Vacant Developable Lots and Developed Lots

A. The City Council will schedule a public hearing to take public testimony as to whether there is any public use for the property, or whether transfer of the property would benefit the public interest. If either of these criteria is satisfied, the City Council will adopt a resolution declaring the property to be surplus.

B. City staff will request a preliminary title report for the parcel and take steps to establish a market value for the parcel. These steps could include a formal appraisal, or a market analysis conducted with assistance from local real estate agents.

C. Public notice will be provided of the time and place at which the City will accept sealed written bids for purchase of the property. Bidders must complete the bid form supplied by the City and comply with all instructions on that form. In the event of a tie bid, oral bids will be accepted in accordance with the procedure set forth in the instruction to bidders.

D. The City Council shall meet in executive session to consider action on the bids. Following deliberations in executive session, the Council shall return to regular session and vote

to accept the highest bid, reject all bids, or postpone action for a maximum of 45 days. If the Council decides to accept the highest bid, City shall proceed with preparation of necessary documents to complete the sale transaction.

PASSED AND ADOPTED THIS 9TH DAY OF MARCH, 1998.

Voting Yes, Councilmembers: Van Cleave, Barrett, Davis, McFadden

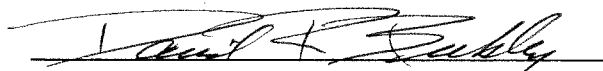
Voting No, Councilmembers: None

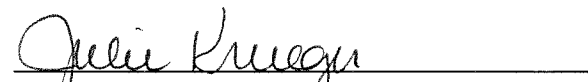
Absent, Councilmembers: Gosiak

Abstaining, Councilmembers: None

AND APPROVED BY THE MAYOR THIS 9TH DAY OF MARCH, 1998.

Attest:


David R. Beckley, Mayor


Julie Krueger, CMC, City Clerk

PROPERTY PURCHASE
INSTRUCTIONS TO BIDDERS

For

All bids submitted for purchase of the subject property must be submitted upon the City's bid form to be considered by the City.

A. PROPERTY TO BE SOLD:

1. General Location:

2. Property Location:

3. Zoning:

4. Property Dimensions:

5. Building: (see attached floor plan)

6. Property Inspection: The property will be shown by the City if desired by a prospective bidder. Appointments can be made by calling (541) 296-5481.

B. BID PROCESS:

1. Written Bids: All bidders need to submit a written sealed bid for not less than \$_____ on the City's bid form by 2:00 PM on the _____ day of _____, _____, in a sealed envelope marked **Bid for Purchase of Property Described as:** _____.
2. Bid Security: Each bidder must submit with their written bid a cashier's check made out to the City of The Dalles in the amount of \$1,000. This bid security will be forfeited should the bidder's final written or oral bid be accepted by the City

and the bidder fails to complete the purchase transaction. All security deposits will be returned to unsuccessful bidders when the final purchase is completed.

3. Bid Opening: At the time designated for the opening of bids all written bids will be opened and the bid amount posted.
4. Oral Bid Procedure in the Event of Tie Bids: All oral bidders will draw lots to determine the rotation in the oral bid process. The City will then proceed to accept oral bids in the rotation designated by numbered lots with #1 proceeding first. The rotation will continue as many times as any bidder wishes to submit a higher bid. During any oral bid turn a bidder may designate that their last oral bid was their final bid amount. When all bidders have designated their final bid amount, the oral bidding will end and the amounts will be reported to the City Council.

C. AWARD OF BIDS:

1. The City Council at its _____, _____, meeting will consider whether or not to accept the highest bid, table the award of all bids for a maximum of 45 days, or reject all bids.

D. COMPLETION OF SALE

Upon acceptance of the highest bid, City staff will proceed with preparation of the documents necessary to complete the sales transaction. In the event the highest bidder fails to submit full payment, or to have removed any contingency required to be satisfied at the time scheduled for closing, the City has the right to retain that bidder's bid security as a penalty for non-performance, and to proceed to complete the transaction with the next highest bidder.

BID FORM

For

I, _____
(Name of individual or organization)

of _____
(Street address, City, State, Zip Code)

submit a sealed written bid of \$_____ DOLLARS.

I agree to abide by all conditions of the bid process, as outlined in the "Instructions to Bidders". I have enclosed a cashier's check of \$1,000, as a bid security. I accept that the bid security is to be forfeited to the City of The Dalles should I be awarded the bid for purchase of _____
and fail to complete the purchase transaction, as outlined in the "Instructions to Bidders".

SIGNED _____

TITLE _____ (If an organization)

DATE _____

BID TABULATION
(For Official Use Only)

WRITTEN BID AMOUNT

\$ _____

BID OPENING

_____ at CITY COUNCIL CHAMBERS

Bidder's Name	Bidder No.	Written Bid	Oral Bids					Final Oral Bid	Final Bid	Position
			#1	#2	#3	#4	#5			
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

Julie Krueger, CMC, City Clerk