

CITY OF ALBION ORDINANCE 2018-07

AN ORDINANCE TO PROVIDE A PROCESS FOR THE SALE OF SURPLUS REAL PROPERTY AND TO CREATE SECTION 1-27 OF THE ALBION CODE OF ORDINANCES

FINDINGS AND PURPOSE: The City of Albion has recently had several citizens interested in various parcels of city owned property which the city has held for several years and which have remained vacant during that time. It has been determined that a uniform process is necessary for the sale of said property and to avoid an elongated process and bidding wars, the following process is recommended. This process is intended to be consistent with Section 10-22 of the City Charter governing the sale of property acquired by tax reversion.

THAT THE CODE OF ORDINANCES, CITY OF ALBION, MICHIGAN, IS HEREBY AMENDED BY ADDING SECTION 1-27, WHICH READS AS FOLLOWS:

Section 1:

CHAPTER 1, SECTION 1-27: PROCESS FOR THE SALE OF SURPLUS REAL PROPERTY

1-27:

- A. It shall be the duty of the City Manager to recommend to the city council, on an annual basis, that those parcels of property which the City has determined are not essential to the city be offered for sale. Said property shall be termed "surplus real property";
- B. It shall be the duty of the City Manager to obtain an estimate of the fair market value of such surplus real property from the City Assessor prior to providing the recommendation described in subsection (A) to the city council.
- C. No sale of surplus real property may occur until at least ninety (90) days after the City acquires title to said property;
- D. Surplus real property may not be sold for an amount less than the fair market value, as determined by the City Assessor, until a public hearing regarding the sale has been held;
- E. The city council, after approving the estimated fair market value of surplus real property, shall authorize that the property be advertised for sale, with a minimum bid price of at least ten (10%) percent of the fair market value as determined by the City Assessor. Sealed bids shall be required for the sale of

any surplus real property. Bids received shall be opened at a stated time and place and must be accompanied by a five (5%) percent deposit;

- F. The city council may impose any conditions or restrictions on the sale of surplus real property it deems necessary and appropriate, as long as said conditions are consistent with the laws of the State of Michigan and federal law. All sales of surplus real property shall be in accordance with the provision of the City of Albion Charter;
- G. Whenever surplus real property is offered for sale and bids equal to or in excess of the minimum bid price are not received, the City Manager and City Attorney shall recommend procedures for the disposition of such surplus real property to the city council for approval;
- H. All bids on surplus real property shall be submitted to the city council for approval or rejection. The city council reserves the right to reject all bids;
- I. Whenever a parcel of surplus real property is so limited in size or shape, or is of such a nature that it could only be put to its best use by an adjoining owner, public advertisement and the taking of bids may be waived and such real property may be sold to the adjoining owner at a price approved by the city council;
- J. Whenever it is deemed in the best interests of the city, surplus real property may be sold without public advertisement or the taking of bids, with the approval of the city council;

Section 2: Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

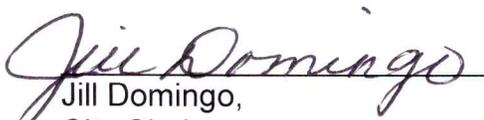
This Ordinance shall take effect September 20, 2018 after publication.

First Reading:
August 6, 2018

Ayes 7
Nays 0
Absent 0

Second Reading & Adoption:
August 20, 2018

Ayes 6
Nays 0
Absent 1 (French)


Jill Domingo,
City Clerk


Garrett Brown,
Mayor