



City of Grand Island

Tuesday, April 14, 2020

Council Session

Item F-1

#9765 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: April 14, 2020

Subject: Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Presenter(s): John Collins PE, Public Works Director

Background

On April 9, 2019, via Resolution No. 2019-127, City Council approved an agreement with Berkshire Hathaway Home Services Da-Ly Realty of Grand Island, Nebraska for real estate services at 3231 West Schimmer Drive (Parcel No. 400401746). With no City use for this parcel the sale of such will eliminate maintenance costs and liability for the City.

Two (2) offers have been received on the subject property, which requires City Council approval. Below are the offers submitted to the Public Works Administration office.

<i>Offeror</i>	<i>Purchase Price</i>	<i>Conditions</i>
3 Diamonds, Inc.	\$125,000.00	None
Midwest Waste Trucks, LLC	\$100,000.00	None

Discussion

The Proposed Real Estate Purchase Agreement (the “Agreement”) would, if approved by City Council through adoption of an ordinance, authorize the execution of the Agreement and direct the sale of the above-mentioned property to 3 Diamonds, Inc., which submitted the high bid.

As provided by law, notice of the sale and the terms of sale are required to be published for three (3) consecutive weeks in a newspaper published for general circulation in the City of Grand Island. The City Clerk is directed and instructed to prepare and publish said notice. The electors of the City of Grand Island may file a remonstrance against the sale of the real estate. If a remonstrance petition against the sale is signed by registered voters of the City of Grand Island equal in number to thirty percent (30%) of the registered voters of the City of Grand Island voting at the last regular city election held in

the City and filed with the City Council within thirty (30) days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council adopt the Ordinance approving the Purchase Sale Agreement with 3 Diamonds, Inc. and directing the sale subject to public remonstrance.

Sample Motion

Move to approve the ordinance.

ORDINANCE NO. 9765

An ordinance directing and authorizing the sale of Parcel No. 400401746, addressed as 3231 West Schimmer Drive, City of Grand Island, Hall County, Nebraska to 3 Diamonds, Inc.; providing for the giving of notice of such conveyance and the terms thereof; providing for the right to file a remonstrance against such conveyance; providing for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The conveyance by warranty deed to 3 Diamonds, Inc., a Nebraska Limited Liability Company (“Buyer”), of the City’s interests in and to Parcel No. 400401746, address as 3231 West Schimemr Drive, Grand Island, Hall County, Nebraska is hereby approved and authorized.

SECTION 2. Consideration for such conveyance shall be One Hundred Twenty Five Thousand Dollars and 00/100 (\$125,000.00) and other valuable considerations.

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three (3) consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish said notice.

SECTION 4. Authority if hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by registered voters of the City of Grand Island equal in number to thirty percent (30%) of the registered voters of the City of Grand Island

Approved as to Form	▣ _____
April 10, 2020	▣ City Attorney

ORDINANCE NO. 9765 (Cont.)

voting at the last regular municipal election held in such City be filed with the City Council within thirty (30) days of passage and publication of such ordinance, said property shall not then, nor within one (1) year thereafter, be conveyed.

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor shall make, execute and deliver to Buyer, a warranty deed for said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: April 14, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

