



City of Grand Island

Tuesday, October 08, 2002

Council Session

Item G34

#2002-325 - Approving Authorization for County Treasurer to Re-sell City Owned Property Acquired Through Sheriff's Deed

In fiscal year 2000-2001 the Code Compliance Office obtained a court order authorizing demolition of a dilapidated, abandoned house at the intersection of Oak and 6th Streets. Subsequently the costs of demolition were taxed to the property and the now vacant lot was sold at Sheriff's sale. Because there was about \$6,000 in property taxes owed on the property, there were no interested buyers and the City ended up with the property for a bid of \$100.00, not enough to pay much more than the advertising costs on the sale. There is a procedure found in Neb. Rev. Stat. Sections 77-2801 et seq for requesting that the County Treasurer offer the property for sale at auction and requiring the taxes, special assessment, and other charges in excess of the sale proceeds to be written off. Because the delinquent taxes far exceed the actual value of the lot in question (approximately \$3,000-4,000), it is recommended that the City follow this procedure in order to get the property back in the hands of a private owner and on the tax rolls. The City, County and other political subdivisions will lose the previously levied taxes, but that is what will occur anyway given the value of the land and the amount of accrued taxes. The principal reason to proceed with this process is to get the land in private ownership now rather than 3-5 years if the property is sold using a tax sale certificate. Approval is recommended.

Staff Contact: Charlie Cuypers

RESOLUTION 2002-325

WHEREAS, the City of Grand Island obtained a court order to demolish a dilapidated and abandoned house at 603 N. Oak Street/404 E. Sixth Street, Grand Island, Hall County, Nebraska, which demolition was accomplished during fiscal year 2000-2001; and

WHEREAS, the Hall County District Court taxed the costs of demolition in the amount of \$8,975.00 and court costs of said action to the real estate at the above location, more particularly described as follows:

Part of Lot Five (5) in Block Three (3) of Nagy's Addition to the City of Grand Island and part of Lot Five (5) in Block Three (3) in the Original Town, now City of Grand Island, Nebraska, described as follows: Commencing at the Southeast Corner of Lot Five (5) in Block Three (3) in Nagy's Addition to the City of Grand Island, thence Northerly along and upon the East line of said Lot Five (5), Nagy's Addition a distance of sixty-six feet (66'), thence Southwesterly parallel to the Southerly line of said Lot Five (5), Nagy's Addition to the easterly line of Oak Street a distance of sixty-six (66'), thence along and upon the Easterly line of Oak Street a distance of a sixty-six feet (66'), to the Northerly line of Sixth Street, thence Easterly along and upon the Northerly line of said Sixth Street a distance of sixty-six feet (66') to the point of beginning, Hall County, Nebraska.

WHEREAS, a Sheriff's Sale was conducted on July 18, 2002 selling the above-described real estate to recover the foregoing costs of demolition, which sale drew no buyers willing to purchase and own the property due to real estate taxes being due, delinquent, unpaid and drawing interest for the years 1987 through 2001 in a principal amount of \$5,604.18; and

WHEREAS, the above-described real estate has a fair and reasonable market value of not more than \$3,000-4,000; and

WHEREAS, the City of Grand Island purchased the above-described real estate at the Sheriff's Sale for \$100 in order to avoid the loss of the costs of sale and to take appropriate steps to have the property resold to a private party and returned to the tax rolls; and

WHEREAS, Neb. Rev. Stat. §77-2801 through 77-2809 provide for certification by the City of said real estate to the Hall County Treasurer for resale, which sale is conducted at auction, the sale proceeds applied to outstanding real estate taxes, interest, special assessments, penalties and other costs and the balance, if any remaining, are stricken from the records of the county; and

WHEREAS, the office of the City Attorney has reviewed the records of the Hall County Treasurer and the real estate in question and recommends that the Mayor and City Council certify the above-described real estate to the Hall County Treasurer for sale at auction in the manner and form provided Neb. Rev. Stat. §77-2801 through 77-2809; and

Approved as to Form ? _____ October 3, 2002 ? City Attorney
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Approved as to Form ? _____
October 3, 2002 ? City Attorney

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska, a municipal corporation owning the above-described real estate located at 603 N. Oak Street/404 E. Sixth Street, Grand Island, Hall County, Nebraska, and reasonably believing the value of said property is less than the total of real estate taxes, interest, special assessments, penalties, and costs levied against such property, desires that said real estate be sold by the Hall County Treasurer in the manner and form provided by Neb. Rev. Stat. §78-2801 through 77-2809, the proceeds from said sale applied toward payment of said charges as provided by law and any unpaid balances, if any, stricken from the records of Hall County.

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Adopted by the City Council of the City of Grand Island, Nebraska on October 8, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
October 3, 2002 ? City Attorney