

CITY OF VALDEZ, ALASKA

RESOLUTION #19-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING THE NEGOTIATED SALE OF 2,946.51 SQUARE FEET OF LAND WITHIN LOT 25A, FIREWEED HILL SUBDIVISION, TO MARY HELEN STEPHENS.

WHEREAS, the City of Valdez is the owner of the real property described as Lot 25A, Fireweed Hill Subdivision (plat #2014-14); and

WHEREAS, Chapter 4.04.070 of the Valdez Municipal Code provides that the City Council may authorize the negotiated the sale of City owned real property; and

WHEREAS, A driveway on the subject parcel, which provides access to Mary Helen Stephens' house on neighboring Lot 24, has existed for at least 30 years; and

WHEREAS Mary Helen Stephens desires to purchase the real property owned by the City over which the driveway runs; and

WHEREAS, the director of the Public Works Department for the City of Valdez has issued a statement of non-objection to this land sale, which will reduce the size of lot 25A, which is currently designated as a snow storage lot; and

WHEREAS, Mary Helen Stephens is willing to pay the fair market value of the property; and

WHEREAS, at the regular public meeting on September 11, 2019, the Planning and Zoning Commission approved a recommendation to City Council to sell by negotiation the portion of Lot 25A over which the driveway runs; and

WHEREAS, the City Council has determined it is not in the public interest to offer the property for sale at a public sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that

Section 1. The City Manager of the City of Valdez, Alaska, or his designee is authorized to negotiate and enter into an agreement for the sale of 2,946.51 square feet of land within lot 25A, Fireweed Hill Subdivision ("Property"), to Mary Helen Stephens, at the fair market value which will be determined by an independent appraisal.

Section 2. Within fifteen (15) days of approval of this Resolution by City Council, the purchaser shall submit a deposit of \$5000, which will be used to pay for the

appraisal and survey of the Property. Any unused funds from this deposit are to be applied to the purchase price.

Section 3. Within fifteen (15) business days of receipt of the appraisal of the Property, the purchaser shall sign a purchase agreement with the City of Valdez, and submit an earnest money deposit toward the purchase price in an amount equal to ten percent (10%) of the fair market value as determined by the appraisal.

Section 4. The balance due on the transaction shall be paid to the City of Valdez within one hundred twenty (120) days from payment of the earnest money.

Section 5. Following the receipt of the ten percent (10%) deposit, the Planning Department will arrange for a survey and re-plat of the involved properties, and bring the plat before the Planning and Zoning Commission for approval.

Section 6. Failure of purchaser to comply with (2) through (4) above will constitute the purchaser exercising their option to terminate this agreement. Should purchaser terminate this agreement, purchaser will remain responsible for all costs incurred pursuant to this agreement.

Section 7. A plat note stating that no uses incompatible with a public water system shall exist on the property, is required to be included on the resulting plat formally recording the newly formed parcels.

Section 8: This sale shall become final after the approved resolution has been published and on file in the office of the City Clerk for thirty days.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2019

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor Pro Temp

ATTEST:

Sheri L. Pierce, MMC, City Clerk