



MEMORANDUM

October 5, 2010

TO: Board of Mayor and Alderman

FROM: Eric Stuckey, City Administrator *ESS*
Vernon Gerth, ACA-Community and Economic Development

SUBJECT: Resolution 2010-77 – Declaring .20 Acre of Vacant Property Surplus Property
Property Located at 200 Downs Blvd.

Purpose

The purpose of this memorandum is to request consideration of Resolution 2010-77 that declares .20 acre of land that is part of the property located at 200 Downs Boulevard surplus property and authorizes the Mayor and City Administrator to execute the required documents necessary to sell and transfer ownership of the property.

Background

On August 8, 2006, the City of Franklin Board of Mayor and Aldermen declared 0.58 acre of the 200 Downs Boulevard property surplus and later approved its sale on February 13, 2007. The City retained title to the remaining .20 acre of vacant property.

On September 27, 2010, City Administrator Eric Stuckey received an Offer to Purchase the .20 acre of vacant property from Mr. Paul Lankford. Mr. Lankford has tendered an offer to purchase the property for Fourteen Thousand (\$14,000) Dollars. This purchase price is consistent with the amount paid for the .58 acre parcel that was purchased in 2007.

The City of Franklin Municipal Code provides authorization for the Mayor and City Administrator, with the prior approval of the BOMA through a resolution to sell, lease, or abandon any real property owned by the city, or any interests or rights therein, when such property is determined to be of no further feasible use to the city. Furthermore, Section 5-802(3) of the City of Franklin Municipal Code provides that upon a reasonable determination that a parcel of property does not exceed \$25,000 in value, or that there are other unique circumstances making a public advertisement and bid procedure impossible or impracticable, then the Board of Mayor and Alderman, by resolution, may waive the requirements of public notice, and sealed bidding, and may sell or dispose of the property by negotiated contract, or by other means that will adequately protect the public interest.

Staff has determined this .20 acre of property has a value of less than \$25,000.

Financial Impact

If Resolution 2010-77 is approved by the BOMA, this .20 acre will be declared surplus property and the Mayor and City Administrator will be authorized to execute its sale. Upon closing and transferring of ownership of the property, the City will receive Fourteen Thousand (\$14,000) Dollars.

Recommendation

Staff recommends approval of Resolution 2010-77.

RESOLUTION 2010-77

A RESOLUTION DECLARING 0.20 ACRE OF 200 DOWNS BOULEVARD BELONGING TO THE CITY OF FRANKLIN, TENNESSEE, AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF THE PROPERTY BY NEGOTIATED CONTRACT

WHEREAS, as provided in Section 5-802 *et seq.* of the City of Franklin Municipal Code, the Mayor and City Administrator, with the prior approval of the Board of Mayor and Aldermen, by resolution may sell, lease, or abandon any real property owned by the city, or any interests or rights therein, when such property is determined to be of no further feasible use to the city; and

WHEREAS, the City of Franklin Board of Mayor and Aldermen has determined that 0.20 acre of land which is part of the property located at 200 Downs Boulevard, Franklin, Tennessee, and further described in Exhibit A is owned by the City of Franklin, Tennessee has no further feasible use to the City; and

WHEREAS, on August 8, 2006 the City of Franklin Board of Mayor and Aldermen declared 0.58 acre of the 200 Downs Boulevard property surplus, and maintained ownership of the said remaining 0.20 acre; and

WHEREAS, on February 13, 2007 the City of Franklin Board of Mayor and Aldermen approved the sale and transferred the ownership of said 0.58 acre; and

WHEREAS, as provided in Section 5-802(3) of the City of Franklin Municipal Code, upon a reasonable determination that a parcel of property does not exceed \$25,000.00 in value, or that there are other unique circumstances making a public advertisement and bid procedure impossible or impracticable, then the Board of Mayor and Alderman, by resolution, may waive the requirements of public notice, and sealed bidding, and may sell or dispose of the property by negotiated contract, or by other means that will adequately protect the public interest; and

WHEREAS, the City of Franklin Board of Mayor and Aldermen has determined that said 0.20 acre of land has an appraised value of less than \$25,000 and may be donated or sold through a negotiated contract in accordance with Section 5-802(3) of the City of Franklin Municipal Code; and

WHEREAS, an Offer to Purchase said 0.20 acre in the amount of Fourteen Thousand (\$14,000) Dollars has been tendered to the City Administrator by Mr. Paul Lankford.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen:

1. That the 0.20 acre of vacant land known to be a portion of 200 Downs Boulevard, Franklin, Tennessee and further described in Exhibit A is owned by the City of Franklin, Tennessee has no further feasible use to the City.

2. That the value of the property is reasonably determined to be less than \$25,000 in value; therefore the requirements of public notice, sealed bidding as provided in Section 5-802 (3) of the City of Franklin Municipal Code, are hereby waived.
3. That the City Administrator and City of Franklin Mayor are authorized to execute a negotiated contract for the sale of the property provided the amount remains below \$25,000.

IT IS SO RESOLVED AND DONE on this the _____ day of November, 2010.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
JOHN C. SCHROER
Mayor

