

A RESOLUTION ESTABLISHING A
COMPREHENSIVE LAND DISPOSITION POLICY

RESOLUTION 1074

WHEREAS, a public purpose is served by the sale or grant of public lands to other parties; and

WHEREAS, such sale or grant requires a fair and impartial process;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that the following Land Disposition Policy be adopted:

LAND DISPOSITION POLICY

APPLICABILITY: This policy applies to all lands owned by the City.

Inventory Required.

The City shall maintain an inventory of all lands. The inventory will be in the following format:

Description of property, location, and map

Date of purchase or donation

Purchase price or estimated value at time of original grant

Reason for purchase, or purpose of donation

Restrictions imposed upon future use by seller or grantor

Reservations on future use imposed by Council, including any restrictive covenants recorded.

Current zoning

Costs, types and dates of improvement to parcel

History of inquiries, offers, proposals and any follow-up or actions taken. [This section to be continuously updated]

FINANCE COMMITTEE TO DETERMINE LAND DISPOSTION PARAMETERS

* In consultation with the Plan Commission, the Finance Committee will determine what land is for sale, and the acceptable uses for which that land is to be sold.

- * The Plan Commission should review current zoning to determine its appropriateness for the designated future use and consider current uses of contiguous properties which may conflict with the designated future use. The Plan Commission will then recommend to the Council appropriate zoning.
- * In the event that the intended use is more restrictive than zoning may control, the Finance Committee will forward a request to the Council that the land may only be sold for specific purposes. Such a restriction must then be removed by the Council prior to the land's sale for any other purpose. Such restrictions shall be made a part of the land's inventory record.
- * At the time a determination is made that the land will be offered for sale, the Assessor shall advise the Finance Committee of his opinion of the Fair Market Value of this land.
- * The Finance Committee shall then set a price for this land.

PROCEDURES FOR THE EVALUATION OF OFFERS TO
PURCHASE OR DONATION REQUESTS

- * Periodically, the Assessor should revise and inform the Finance Committee of his opinion of the Fair Market Value of lands for sale.
- * All inquires regarding the land should be made known to the Finance Committee and referenced in the land inventory.
- * To be recognized by the City a signed Offer to Purchase document (recognized as such by this State) must be conveyed to the City.
- * Any proposed agreements regarding this land, with the proposed purchaser or for third party users of this land, must contain reference to covenants, contain anticipated construction dates, penalties for lack of performance, reversion clauses and other criteria as appropriate to the situation.
- * Any request by a party seeking the donation of land shall spell out:
 - *The public purpose for which the land may be donated.
 - *The reason why a donation is requested

- *The intended use for the donated land including anticipated construction dates, the types of services to be offered, the expected number of users of the service, the anticipated neighborhood impact.
- *Staff should annotate such donation requests with an estimate of lost tax revenue.
- *The City Attorney must review all agreements, offers, donation requests, etc. prior to Finance Committee referral to the Council for action.
- * A Certified Survey Map for any parcel sold or donated must be done prior to closing.

Adopted this 9th day of October, 2001

BY _____
Wayne Toltzman, Mayor

ATTEST _____
James R. Villiesse, City Clerk