

RESOLUTION NO. 2019-R-31

A RESOLUTION ACCEPTING THE HIGHEST BID FOR THE SALE OF CARSON CITY PROPERTY KNOWN AS APNs 008-303-15, -16, -21, -36, -37 AND -39, TOTALING APPROXIMATELY 2.78 ACRES, AT PUBLIC AUCTION UNDER NRS 244.281 and 244.282, AND AUTHORIZING THE MAYOR TO EXECUTE A DEED AND TO DELIVER IT UPON PERFORMANCE AND COMPLIANCE BY THE PURCHASER WITH ALL THE TERMS OR CONDITIONS.

WHEREAS, in 2005 the Western Nevada HOME Consortium (WNHC) funded the purchase of properties on Brown Street using federal HOME funds in order to construct 45 units of affordable, for-ownership low-income housing; and

WHEREAS, this project failed to materialize due to the economic downturn and the eventual bankruptcy of the developer and WNHC transferred APNs 008-303-15, -16, -21, -36, -37 and -39 to Carson City on August 29, 2013, via quitclaim deed as recorded by the Carson City Clerk-Recorder as document 439409, as illustrated in Exhibit A hereto; and

WHEREAS, NRS 244.281 and 244.282 allows the City to dispose of real property through public auction for not less than fair market value if the City determines that the sale of the property is in the best interests of the City; and

WHEREAS, On September 19, 2019, the Board of Supervisors adopted a resolution declaring intention to sell Carson City property known as APNs 008-303-15, -16, -21, -36, -37 and -39, totaling approximately 2.78 acres, at public auction under NRS 244.281 and 244.282.

WHEREAS, the resolution included the following terms and conditions:

- (1) The fair market value of the property is \$300,000;
- (2) The minimum price of the auction shall be \$300,000;
- (3) Sealed bids may be submitted to the City Manager until 8:30 am on October 17, 2019, at which time a public meeting of the Board of Supervisors shall be held during which sealed bids will be received and considered;
- (4) The conditions of this sale include:
 - (a) The offer may be all cash, or for 25 percent cash down with financing as the bidder may obtain.
 - (b) A \$15,000 security deposit from the highest and second highest bidder is required. The security deposit must be paid within two days of notification of selection as the highest and second highest bidder, and must be made payable to the Carson City Treasurer. The security deposit will be credited against the purchase price.
 - (c) Payment in full must be received from the highest bidder within 30 days of the date of the resolution approving the highest bidder.

(d) The City will hold the security deposit of the second highest bidder until payment is received from the highest bidder and the City provides a quitclaim deed to the buyer for recording. The City will then refund the security deposit of the second highest bidder.

(e) If the highest bidder fails to submit full payment within 30 days, the security deposit will be forfeited to the City as liquidated damages, not as a penalty, and the property will be offered to second highest bidder.

NOW, THEREFORE, the Carson City Board of Supervisors hereby resolves that:

(1) The bid in the amount of \$300,000 from Dwight and Sandra Millard be accepted for the sale of Carson City property located on Brown Street, known as APN's 008-303-15, -16, -21, -36, -37 and -39, totaling approximately 2.78 acres; and

(2) The Mayor is authorized to execute a deed and to deliver it upon performance and compliance by the bidder with all the terms or conditions listed above.

Upon motion by Supervisor Lori Bagwell seconded by Supervisor Stacey Giomi, the foregoing Resolution was passed and adopted this 17th day of October, 2019 by the following vote.

AYES: Supervisor Lori Bagwell
Supervisor Stacey Giomi
Supervisor Brad Bonkowski
Supervisor John Barrette
Mayor Robert Crowell


NAYS: None

ABSENT: None

ABSTAIN: None


Robert Crowell, Mayor

ATTEST


Aubrey Rowlett, Clerk
Carson City, Nevada