

# CITY OF HAMILTON MOTION

Committee Date: December 6, 2011

MOVED BY COUNCILLOR COLLINS .....

SECONDED BY COUNCILLOR .....

## 9.1 Hamilton Habitat for Humanity

WHEREAS the Municipal Act requires municipalities to enact a by-law pursuant to and in accordance with the requirements of the Act, to establish procedures for the sale of real property owned by the municipality;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall, by by-law or resolution, declare the lands to be surplus;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall obtain at least one appraisal of the fair market value of the land;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall give notice to the public of the intended sale of the real property.

AND WHEREAS City Council on March 6, 2002 in adopting Item 21 of Report 02-008 of the Committee of the Whole, declared Part of Lot 62, on Registered Plan 487, in the City of Hamilton, subject to an Easement over Part 2, on Plan (RC-H-748) together with an Easement over Part 3, on Plan (RC-H-748) on an as is, where is basis, being all of PIN 17569-0049(LT) surplus to the needs of the City of Hamilton;

AND WHEREAS Hamilton Habitat for Humanity, a non-profit organization, has requested the acquisition of Part of Lot 62, on Registered Plan 487, in the City of Hamilton, subject to an Easement over Part 2, on Plan (RC-H-748) together with an Easement over Part 3, on Plan (RC-H-748) on an as is, where is basis,being all of PIN 17569-0049(LT), municipally known as 2 Comet Avenue for a nominal fee of \$2;

## 9.1

AND WHEREAS the deemed offer price of \$2 for the subject property is below the range of the fair market value as determined through an in-house appraisal of the subject's fair market value estimated at \$55,000;

AND WHEREAS the proceeds that were to be realized for the sale of Part of Lot 62, on Registered Plan 487, in the City of Hamilton, subject to an Easement over Part 2, on Plan (RC-H-748) together with an Easement over Part 3, on Plan (RC-H-748) on an as is, where is basis, being all of PIN 17569-0049(LT) were to be credited to the City's Reserve-Hamilton Beach account and that the monetary loss from the sale be reflected within the City's Reserve-Hamilton Beach account.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

- a) That the Real Estate Section be directed to dispose of Part of Lot 62, on Registered Plan 487, in the City of Hamilton, subject to an Easement over Part 2, on Plan (RC-H-748) together with an Easement over Part 3, on Plan (RC-H-748) on an as is, where is basis, being all of PIN 17569-0049(LT), municipally known as 2 Comet Avenue for a nominal fee of \$2;
- b) That the Real Estate Section be directed to prepare an Offer to Purchase for the sale of Part of Lot 62, on Registered Plan 487, in the City of Hamilton, subject to an Easement over Part 2, on Plan (RC-H-748) together with an Easement over Part 3, on Plan (RC-H-748) on an as is, where is basis, being all of PIN 17569-0049(LT), municipally known as 2 Comet Avenue for a nominal fee of \$2;
- c) That the City Solicitor be directed to complete this real estate transaction on the terms and conditions set out herein.