

CITY OF HAMILTON

M O T I O N

General Issues Committee Date: December 7, 2016

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY COUNCILLOR

Disposition of Land - Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton

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 of the real property owned by the municipality;

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

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;

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;

WHEREAS, City Council on March 6, 2002 in adopting Item 21 of Committee of the Whole Report 02-008, declared Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT) surplus to the needs of the City of Hamilton;

WHEREAS, Hamilton Habitat for Humanity, a non-profit organization, has requested the acquisition of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue for a nominal fee of \$2;

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 \$110,000; and,

WHEREAS, the proceeds that were to be realized for the sale of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 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;

THEREFORE BE IT RESOLVED:

- (a) That the Real Estate Section be directed to dispose of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton 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 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton on an as is, where is basis for a nominal fee of \$2;
- (c) That \$1,500 to be charged to Account No. 47702-3561250201 (Beach Property Sales and Maintenance) and to be deposited to Account No. 45408-3560150200 (Property Purchases and Sales) for Legal and Real Estate fees associated with the disposition of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton;
- (d) That all other expenses, associated with the disposition of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton, be charged to Account No. 47702-3561250201 (Beach Property Sales and Maintenance); and,
- (e) That the net proceeds from the sale of Part of Lot 6, on Registered Plan 418, in the City of Hamilton, Designated as Part 1 on Plan 62R-19846 on an as is, where is basis, being part of PIN 17569-0577(LT), municipally known as 12 Wickham Avenue, Hamilton be transferred to Account No. 108037 (Beach Park Development Reserve).