

# CITY OF HAMILTON

## NOTICE OF MOTION

Committee: February 14, 2017

MOVED BY COUNCILLOR COLLINS.....

Re: Sale of 312 Beach Boulevard to Hamilton Beach Rescue Unit

**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 June 27, 2000 in adopting Item 5 of Report 13-00 of the Finance and Administration Committee, declared Part of Lot 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740, being part of PIN 17571-0199 (LT) surplus to the needs of the City of Hamilton;

**WHEREAS**, Hamilton Beach Rescue Unit, a non-profit organization, has requested the acquisition of Part of Lot 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740 being part of PIN 17571-0199 (LT), municipally known as 312 Beach Boulevard on an as is, where is basis, 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 \$136,000; and

**WHEREAS**, the proceeds that were to be realized for the sale of Part of Lot 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740 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 BE IT RESOLVED:**

- (a) That the Real Estate Section be directed to dispose of Part of Lot 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740, being part of PIN 17571-0199 (LT), municipally known as 312 Beach Boulevard on an as is, where is basis, 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 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740, being part of PIN 17571-0199 (LT), municipally known as 312 Beach Boulevard to Hamilton Beach Rescue Unit on an as is, where is basis for a nominal fee of \$2;
- (c) That as a condition of sale, a restrictive covenant will be registered on title to prohibit any future conveyance of Part of Lot 13, on Plan 364, in the City of Hamilton, Designated as Part 2 on Plan 62R-17740, being part of PIN 17571-0199 (LT), municipally known as 312 Beach Boulevard, without the prior written consent of the City of Hamilton. In the event that the intended current use is no longer required, and the property is sold, all proceeds of the sale shall be remitted to the City of Hamilton;
- (d) 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;
- (e) That all other expenses associated with this transaction to be charged to Account No. 47702-3561250201 (Beach Property Sales and Maintenance);
- (f) That the net proceeds from this sale be transferred to Account No. 108037 (Beach Park Development Reserve).