

**Resolution 2017-20**

**A Resolution declaring 513 West 9th Street Surplus Property  
and Authorizing the Sale of Same,  
Parcel # 21-014.00-157**

**WHEREAS**, the Council of the City of New Castle has determined that expeditiously disposing of real property deemed surplus by Council is in the best interests of the City so as to return such real property to the tax rolls of the City and to encourage productive use of such property by private citizens; and

**WHEREAS**, Chapter 64 of the Code of the City of New Castle provides for the disposal of surplus real property owned by the City; and

**WHEREAS**, pursuant to Chapter 64 the Council President has recommended that fire damaged property located at 513 West 9<sup>th</sup> Street, Tax Parcel 21-014.00-157 (the "Property") recently acquired by the City at Sheriff sale due to delinquent taxes be deemed surplus and be disposed of by sale; and

**WHEREAS**, notice of the potential sale of the Property by the City has been posted on the Property; and

**WHEREAS**, a fair market value appraisal of the fire damaged Property from an appraiser duly licensed or certified by the Council on Real Estate Appraisers pursuant to 24 Del. C. Ch. 40 has been secured valuing the Property at \$\_\_\_\_\_; and

**WHEREAS**, the City Engineer has inspected the property and determined that the cost to stabilize the party wall on the Property and to reconstruct the roof and other framing members alone could cost in excess of \$30,000.00; and

**WHEREAS**, the Property has been offered to the Trustees of New Castle Common and the Municipal Services Corporation and neither party has elected to purchase same; and

**WHEREAS**, Chapter 64 of the Code authorizes Council to dispose of and sell the property via public or private sale either with the assistance of a duly licensed real estate agent or not, at Council's election, and upon such terms and conditions as Council may approve by resolution after notice duly published pursuant to the Delaware Freedom of Information Act, 29 Del. C. Ch. 100; and

**WHEREAS**, the City has received a \$3,500.00 offer to purchase the Property from A Frame Properties, LLC, a contractor prepared to expeditiously settle and commence reconstruction of the Property to restore it to habitable condition; and

**WHEREAS**, such prompt reconstruction will further assist the adjacent property owners at 515 West 9<sup>th</sup> Street commence repairs to their property that was also severely damaged in the same fire;

**NOW THEREFORE, BE IT RESOLVED**, that the Council hereby determines and declares that the property located at **513 West 9<sup>th</sup> Street, Tax Parcel # 21-014.00-157** title to which is held by the City of New Castle, is surplus property no longer needed for City purposes; and

**BE IT FURTHER RESOLVED**, that the City Administrator is authorized and directed to sell the Property at a price of \$3,500.00 to A-Frame Properties, LLC and to execute a suitable contract of sale, deed of conveyance as well as any other suitable and customary settlement documentation approved by the City Solicitor.

**PASSED** this 13th day of June, 2017.

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Linda Ratchford, City Council President

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John A. Di Mondì, Councilperson

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Michael J. Quaranta, Councilperson

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Valerie W. Leary, Councilperson

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Michael M. Platt, Councilperson

Attest:

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Brian Whittaker, City Clerk