

**RESOLUTION NO. 2310**

**A RESOLUTION OF THE CITY OF WILSONVILLE ACCEPTING AN OFFER TO PURCHASE CITY-OWNED REAL PROPERTY LOCATED AT 9415 SW WILSONVILLE ROAD**

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to efficiently and economically dispose of real property that is determined by the City to be surplus; and

WHEREAS, the City owns real property, known as the SMART Property, located at 9415 SW Wilsonville Road and further described as tax lot 3S1W14D 01301; and

WHEREAS, on May 2, 2011, the City Council passed Resolution 2289 declaring the SMART Property as surplus and authorizing staff to initiate a process to sale the SMART Property; and

WHEREAS, this process established for sale of the SMART Property by Resolution 2289 stated that the City would accept the submission of offers starting at the appraised value of \$450,000, that all offers had to be submitted by 1 PM on July 14, 2011, that all offers must be made in writing and in addition to the financial offer must include a brief explanation describing the nature of the buyer's interest in the property and proposed use and a statement of pre-qualification for financing or demonstration of cash reserves for closing, that the SMART Property is to be sold "AS IS" on a cash basis, that the City will review any reasonable offer but has the right to accept or reject any and all offers, and that Council has retained the option to consider proposed use in addition to price in making its decision; and

WHEREAS, this process concluded at 1 PM on July 14<sup>th</sup>, 2011, at which time the City had received four written offers to purchase the SMART Property; and

WHEREAS, after discussion and consideration of these offers in Council work session held on July 18, 2011, Council has chosen to accept the offer submitted by John Bullock, DMD in the amount of \$475,111.73.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. City Council accepts an offer from John Bullock, DMD in the amount of \$475,111.73 and rejects all other offers submitted for the purchase of City-owned real property, known as the

SMART Property, located at 9415 SW Wilsonville Road and further described as tax lot 3S1W14D 01301.

2. City Council authorizes staff to prepare a Purchase and Sale Agreement for execution, and authorizes the City Manager to execute all necessary agreements and deeds relating to the transaction and the purchase and sale agreement to provide escrow closing within 90 days of the date of this resolution.

3. In the event buyer fails to meet the terms of the accepted earnest money agreement, all rights of the buyer in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the City, free of any claim or equity in the buyer or those claiming through the buyer, and the City shall retain all payments or deposits as liquidated damages for failure of buyer to complete the agreement.

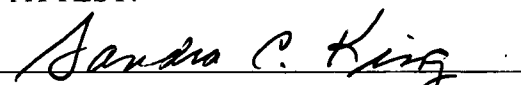
4. Upon closing in escrow the City will convey title to the purchaser and shall convey by bargain and sale deed only such right, title and interest in the SMART Property as is now vested in the City.

5. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of July, 2011 and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, Mayor

ATTEST:

  
Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp	No
Council President Núñez	Abstained
Councilor Hurst	Yes
Councilor Goddard	Yes
Councilor Starr	Yes

Attachments: Bids