ORDINANCE NO. 839

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, EXPRESSING AN INTENT TO SELL REAL PROPERTY PURSUANT TO IDAHO CODE SECTIONS 50-1402, 50-1403, 50-1404 AND 50-1406; PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY TO BE SOLD; PROVIDING FOR COMMENTS OR OBJECTIONS TO BE SUBMITTED; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City owns certain property that it wishes to sell.

WHEREAS, Idaho Code Sections 50-1402, 50-1403, 50-1404 and 50-1406 set out the procedures necessary to sell property by a municipality.

WHEREAS, the property involved in this sale has been appraised.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

SECTION 1. STATEMENT OF INTENT TO SELL REAL PROPERTY.
It is the intent of the City of Ketchum to sell a parcel of land approximately 24,630 square feet whose legal description is Lot 1, Northgate Subdivision within the City of Ketchum, Idaho. This property is owned by the City of Ketchum and this sale is in accordance with and pursuant to Idaho Code Sections 50-1403, 50-1404 and 50-1406.

SECTION 2. APPRAISAL. The City Council further declares that said property, owned by the City of Ketchum, has been appraised under the terms and conditions as set forth in Idaho Code Section 50-1402, and the appraised value of said property is $640,000.

SECTION 3. PETITION AGAINST CONVEYANCE. Residents with objections to the sale must file a petition with Sandy Cady, City Clerk, Post Office Box 2315 or City Hall located at 480 East Avenue North, Ketchum, Idaho 83340 **no later than sixty (60) days after the publication of this Ordinance.** If a petition against the proposed sale containing the names of qualified electors of the city in a number equal to ten percent (10%) of the total votes cast for mayor at the preceding city election, is filed with the City Clerk during said sixty (60) days, the city council shall cause a special election to be held on the question of whether or not the real property shall be sold.

SECTION 4. PUBLIC HEARING TO ENTERTAIN COMMENTS. A public hearing is hereby scheduled at the City Council Meeting on Monday, May 1, 2000, at 6:00 p.m., to allow comment concerning the proposed sale. The hearing will be held at the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho, 83340.

SECTION 5. SALE BY PUBLIC AUCTION. At the conclusion of the public hearing and if no petition has been received expressing dissatisfaction with said sale containing

the names of qualified electors of Ketchum in a number equal to ten percent (10%) of the total votes cast for mayor at the preceding city election, said parcel of property shall be sold at public auction to the highest bidder at the hour of 6:00 o'clock P.M. on May 1, 2000 at Ketchum City Hall.

SECTION 6. TERMS OF SALE. Said parcel of property shall be sold for cash at said time and place of public auction to the highest bidder. No bids shall be accepted for less than the appraised value of the lot. No bids shall be accepted unless accompanied by a One Thousand and NO/100 Dollar ($1,000.00) non-refundable deposit for the lot bid upon. Upon acceptance of a bid by the City Council, the bidder shall within seven (7) days pay to the City ten percent (10%) of the amount of the purchase price as a non-refundable deposit. If the bidder fails to pay the balance of the purchase price within forty-five (45) days after acceptance, the City shall retain the deposit as liquidated damages. The City Council may reject any and all bids. (Furthermore, the City Council may decide between equal bids which shall be accepted as determined in their judgement to be in the best interests of the City.)

SECTION 7. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO and approved by the Mayor this 22nd day of February 2000.

GUY P. COLES, Mayor

ATTEST:

SANDRA E. CADY, CMC City Clerk

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