**CITY OF WHITTIER, ALASKA**
**RESOLUTION # 04-2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, AUTHORIZING THE COMPETITIVE FEE-SIMPLE SALE OF THE PROPERTY DESCRIBED AS UNIT 109, BEGICH TOWERS CONDOMINIUMS, AS SHOWN ON THE FLOOR PLANS FILED IN THE OFFICE OF THE RECORDER OF THE ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, UNDER PLAT NUMBER W74-1, AND AS IDENTIFIED IN THE DELCARATION RECORDED MARCH 26, 1974, BOOK 2, PAGE 571, AND IN ANY AMENDMENTS THERETO, TAX PARCEL ID NO. 110410, FOR THE TOTAL AMOUNT OF $41,200, WHICH IS HIGHER THAN THE ESTABLISHED FAIR MARKET VALUE AS DETERMINED BY A MAY 2019 PROPERTY APPRAISAL, TO WAYNE V. SHEN IN ACCORDANCE WITH WHITTIER MUNICIPAL CODE 3.36.170**

**WHEREAS**, the City of Whittier ("City") through passage of Resolution #36-2019 on November 12, 2019, identified multiple City-owned units at Begich Towers as surplus to the City's needs and no longer required for municipal purposes, and authorized disposal of those units in accordance with Whittier Municipal Code Chapter 3.36 Article II Real Property Sales by the City; and

**WHEREAS**, WMC 3.36.140 requires that the City dispose of any interest in real property through a public bid process, and the City solicited competitive sealed bids by advertising in the Anchorage Daily News, Glacier Gazette and local postings at the harbormaster's office, City Hall, and Begich Towers; and

**WHEREAS**, the City engaged a qualified property appraisal company to determine the estimated fair market value for each unit which formed the basis for minimum bids required in the sale of each property in accordance with WMC 3.36.170; and

**WHEREAS,** the Planning Commission having reviewed the disposal of the subject property, and having made its recommendations to the City Manager, in accordance with WMC 3.36.160(B) and

**WHEREAS**, the City Manager, after reviewing the Planning Commission's recommendation, having made a written recommendation to the City Council as required by WMC 3.36.169(C); and

**WHEREAS**, the administration held a bid opening on January 22, 2020 and received sealed bids accompanied by a bid deposit equal to 10% of the bid amount as required by the bid process; and

**WHEREAS**, the minimum established bid for Unit No. 109 BEGICH TOWERS CONDOMINIUMS, as shown on the Floor Plans filed in the office of the Recorder of the Anchorage Recording District, Third Judicial District, State of Alaska, under Plat Number W74-1, and as identified in the Declaration recorded March 26, 1974, Book 2, Page 571, and in any amendments thereto was $29,000 and Wayne V. Shen ("Purchaser") was the highest bidder offering a qualified and successful bid of $41,200.

**NOW, THEREFORE, BE IT RESOLVED;**

**Section 1.** The Whittier City Council hereby finds it to be in the public interest to dispose of the Real Property, which is deemed surplus to the City's needs, and finds that the sale of the Real Property via competitive bid, at an amount exceeding the appraised value, is in the public interest.

**Section 2.** The City Manager is hereby authorized and directed to convey the Real Property to the Purchaser under the terms of the Purchase and Sale Agreement, in substantially the form annexed hereto, and to convey the Property to Purchaser under the Quitclaim Deed, in substantially the form as attached hereto. The form and content of the Purchase and Sale Agreement and Quitclaim Deed now before this meeting are in all respects authorized, approved and confirmed, and the City Manager is hereby authorized, empowered and directed to execute and deliver such documents on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions and/or deletions therein as the City Manager shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said documents now before this meeting. From and after the execution and delivery of said documents, the City Manager is hereby authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the documents, as executed, and to take all steps necessary to convey the Real Property to the Purchaser.

**Section 3.** The recitals stated above are hereby adopted as findings of the City Council. For these reasons, the City Council authorizes the Fee Simple sale and transfer of the Real Property in its as is, where is, with no warranties for the amount of the bid.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 18th day of February, 2020.

**ATTEST:**

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor

Ayes: 5
Nays: Ø
Absent: 1
Abstain: 1