

DEPARTMENT OF PARKS, RECREATION AND CULTURAL SERVICES

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PROCEDURE FOR DISPOSTING OF EXCESS PROPERTY

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PURPOSE

To establish a formal written procedure for the disposition of excess City property under the jurisdiction of the Department of Parks, Recreation and Cultural Services Department. Disposition is made for the purpose of returning to other use those lands not contributing to the Parks, Recreation and Cultural Services Department needs.

POLICY

City of Racine Parks, Recreation and Cultural Services property should be disposed of only if at least one of the following criteria is met:

- The property is not required in fulfilling the current and foreseeable future needs of the public and goals of the Parks, Recreation and Cultural Services Department.
- The sale or transfer of property will improve the function of an existing Park through redesign or exchange of land.
- The property was severed from a larger Park parcel, by street or highway construction, and the remnants are not capable of serving useful park or recreation purpose.
- City of Racine park property should be considered for disposition only after an Environmental Assessment Survey is completed by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and reviewed by the Parks, Recreation and Cultural Services Department.

PROCEDURE

I. Environmental Assessment of Property

- A. The Parks, Recreation and Cultural Services Department may request SEWRPC to complete an Environmental Assessment Survey, (Attachment I) when the Director deems it appropriate, including with a recommendation regarding the disposition of the Parks property.
- B. The Parks, Recreation and Cultural Services Department; Including City Attorney, Parks, Recreation, Forestry and other staff as directed, shall review the SEWRPC Survey and recommendation. The Survey shall be an attachment to the Department's recommendation submitted to the Board of Parks, Recreation and Cultural Services.

II. Declaring Excess Park Property

- A. Parks property shall be declared excess by action of the City Council based on a recommendation of the Parks, Recreation and Cultural Services Department, and the Board of the Parks, Recreation and Cultural Services. Prior to recommending that Parks property be declared excess, the Parks, Recreation and Cultural Services department will contact the affected Alderman/City Council member(s) and notify him/her of the pending recommendation and request comment. Additionally, prior to recommending that Parks property be declared excess, the Parks, Recreation and Cultural Services department will conduct a public hearing. The Department will carefully weigh the comments of the affected Alderman and residents in finalizing its declaration recommendation.
- B. The Parks, Recreation and Cultural Services Department shall maintain an ongoing list of undisposed excess properties. A report shall be prepared on a semi-annual basis, to the Plan Commission and Board of Parks, Recreation and Cultural Services, regarding the current status of each property and disposal actions taken by the Department during the previous six-month period.

III. Transfer of Property to Another City Department

- A. After a property has been declared excess, the Department shall notify other property controlling City Department of the availability of the property for public purposes. Notified departments are required to respond to the Parks, Recreation and Cultural Services Department of their interest in the property, if any, within sixty (60) calendar days.
- B. If non-interest is expressed or response is not received within the specified time period, the Parks, Recreation and Cultural Services Department will proceed with the disposition process.

IV. Appraisals

- A. The Department shall obtain written appraisals on buildable parcels, to determine marketing strategy and asking price. Appraisal reports will not be made available for public inspection prior to the property sale, on the basis that the appraisal is a document needed by the City for negotiating the purchase and sale of public property.

- B. Appraisals are not required on unbuildable property. The Department may have an appraisal made but generally shall make an estimate of the relative value of such property, based on factors such as: existing market values and demand; urgency of disposition; and maintenance and administrative disposition costs.

C. Disposition of Excess Park Property to Abutting Property Owners:

1. Shall be offered for sale to abutting owners at the Department's estimated sales price and negotiated with the abutting owner if they express interest in the property.
2. If more than one abutting owner is interested in the property, the Department shall negotiate a division of the property between the interested parties.
3. If two or more of the abutting owners are interested in purchasing the entire property, the Department shall accept sealed bids from the interested parties.
4. If the property cannot be sold in its entirety to an abutting owner(s), the property may be advertised for public sale.

D. Sub marginal Buildable Property (example, less than 40 feet of frontage)

1. The procedure for disposition of this type property should be the same as for Unbuildable Property, with the exception that the property shall be offered for sale at the appraised value.

E. Buildable Property

1. All buildable property shall be offered for sale to the public, via advertisement.
2. The offered sales price shall be at the appraised value.
3. Buildable properties must be sold in their entirety. The sale of a portion of buildable property, resulting in a remnant of unbuildable property is not permitted.

F. Prospective Buyer Inquiries

1. All prospective buyers shall be quoted the same sales price and given the same information about the property.

2. Prospective buyers shall be informed if other offers have been received. The amount of other offers shall not be shared with prospective buyers prior to submittal of a written recommendation to the Parks, Recreation and Cultural Services Department.
3. Parks, Recreation and Cultural Services Department staff may assist prospective buyers in preparing the offer to purchase documents, prior to presentation to the Board of Parks, Recreation and Cultural Services, unless a real estate broker is involved in the sale.
4. All written offers received by the Parks, Recreation and Cultural Services Department whether or not the property has been declared excess, will be submitted to the City Council with a recommendation from the Board of Parks, Recreation and Cultural Services.

G. Advertisements

1. Advertisements are required for the sale of excess properties, in accordance with the procedures outlined in this section.
2. At a minimum, property sales requiring advertisement shall be advertised in two consecutive weekend editions of the Racine Journal Times and other print media when timelines permit.
3. Advertisements shall include the offer price, address, general location, Parks, Recreation and Cultural Services Department contact person, and offer submission deadline date and time.
4. *All the necessary bidders' information must be in the first* newspaper advertisement. If no offers are received during this period, the property shall be re-advertised at least a second time.
5. If an alternative advertising procedure is used by the Department, this information will be included in the Department's report to the Plan Commission.

H. Sale of Property

1. At the termination of an advertisement period, or upon agreement with an abutting owner(s), the Department shall report to the Plan Commission at its next scheduled meeting, regarding the receipt of all formal written offers to purchase.

2. The Department's report shall contain a brief description of the property, a copy of a map identifying the general location of the property, the amount and extraordinary conditions of all offers received, alternative advertising procedures used, a recommendation regarding sale and a draft of a resolution reflecting the recommendation.
3. Prior to submission of the report to the Commission, the affected Alderman/Council member(s) and residents will be informed of the pending recommendation for sale, and request comment(s). Their Department will carefully weight the comments of the affected Alderman/City Council member(s) in finalizing its sale recommendation.

I. Disposition

1. After approval of the sale by the City Council, the City Attorney shall proceed with processing the closing of the sale.
2. The City Council has the authority to dispose of property by means other than those within these procedures.

