

RESOLUTION NO. 1781

**RESOLUTION AUTHORIZING PUBLIC SALE OF REAL PROPERTY
SITUATED IN AND OWNED BY THE CITY OF GRAFTON, NORTH DAKOTA**

WHEREAS, it appears to be in the best interest of the City of Grafton, North Dakota, to offer for public sale real property with the following requirements:

The following parcels, with a value of less than \$2,500 (Section 2-153(b) Grafton Code of Ordinances) will be sold by written offer to the City Auditor, for \$1 each contingent upon commencing construction or moving an approved house to the site within 12 months of filing the City's quit claim deed.

The City will provide a quit claim deed to the buyer. The buyer will also provide a quit claim deed to the City. Both quit claim deeds will be prepared by the City. The Buyer's quit claim deed will be held by the City until the house has been placed on the property or the deadline has passed. If the deadline is not met by the buyer, the City will file the quit claim deed from the buyer and retrieve ownership of the parcel. If the house is in place by the deadline, the buyer's quit claim deed will be destroyed.

Buyer will not receive an abstract of title.

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|--------------------------|--|--------------------------|
| Parcel 8946 | 52 E. 10 th Street
Legal description: E 70' of Lots 1-4, Block 65, First Addition | (lot size 70' x 100') |
| Parcel 10241 | 830 Prospect Avenue
Legal description: Lots 16-17, Block 21, Askelsons Addition
(structure will be demolished by City prior to deed being filed) | (lot size 50 x 140) |
| Parcel 10262-010 | part of 520 LaHaise Drive
Legal description: 50x64' of Lot 2, Block 25, Askelsons Addition,
and (10262-010 and 10269 combined for one parcel) | (lot size 50' x 64') |
| Parcel 10269 | 520 LaHaise Drive
Legal description: Lot 3, Block A, Replat of Pt Block 25, and Pt
Lot 1, Block 26, Askelsons Addition | (lot size 75' x 90.25') |
| Parcel 10428-030 | 417 West 6 th Street
Legal description: Lot 3, Block 1, McHugh's First Addition | (lot size 72.5' x 140') |
| Parcel 11320 SOLD | 917 Noben Avenue
Legal description: Lot 7, Replat of Block 1, Johnsons Addition | (lot size 76.65' x 140') |

The following parcels, with a value greater than \$2,500 (Section 2-153(b) Grafton Code of Ordinances) will be sold on public sale as follows.

The minimum bid for each parcel is \$5,000. Bids for 1 ½ parcels would be considered.

Parcel 11250-320 544 Northstar Drive (lot size 80 x 133.33)
Legal description: Lot 4, Block 4, 4th Replat Vocational Addition

Parcel 11250-325 536 Northstar Drive (lot size 80 x 133.33)
Legal description: Lot 5, Block 4, 4th Replat Vocational Addition

Parcel 11250-330 501/509 Northstar Drive (lot size 80 x 133.33)
Legal description: Lot 6, Block 4, 4th Replat Vocational Addition

Parcel 11250-465 523 Northstar Drive (lot size 60 x 133.96)
Legal description: N 60' of Lot 13, Block 5, 4th Replat Vocational
Addition

Parcel 11250-470 531 Northstar Drive (lot size 80 x 133.96)
Legal description: Lot 14, Block 5, 4th Replat Vocational Addition

Parcel 11250-475 539 Northstar Drive (lot size 80 x 133.96)
Legal description: Lot 15, Block 5, 4th Replat Vocational Addition

Parcel 11250-480 547 Northstar Drive (lot size 80 x 133.96)
Legal description: Lot 16, Block 5, 4th Replat Vocational Addition

Parcel 11250-485 555 Northstar Drive (11,277 sq. ft.)
Legal description: Lot 17, Block 5, 4th Replat Vocational Addition

Parcel 8947 **SOLD** 40 East 10th Street (lot size 70 x 100)
Legal description: W 70' of Lots 1-4, Block 65, First Addition
(includes house with repair order – Appendix A)

WHEREAS, in accordance with Chapter 2 Article VI of the Code of Ordinances of the City of Grafton, the City Council of the City of Grafton must authorize the public sale of such real

property by resolution of the City Council with a notice stating that a listing of properties for sale is available from the office of the City Auditor-Treasurer, and designating the place where and the day and hour when the sale will be held, to be published in the official county newspaper once each week for two consecutive weeks;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grafton, North Dakota, that the following call for bids be published as a legal ad in the February 22 and March 1, 2023 issues of the Walsh County Record:

**"CALL FOR BIDS FOR
SALE OF COMMERCIAL, INDUSTRIAL
AND RESIDENTIAL LOTS**

The City of Grafton is offering for sale certain real property situated within the City. Sealed, written bids will be accepted until 5:00 p.m. on Monday, April 3, 2023 and the first Monday of each month thereafter throughout 2023 until a reasonable bid is accepted and each property is sold. Bidder must personally attend bid opening; representatives will not fulfill requirement.

Following the bid opening, those offering a reasonable written bid will be allowed to participate in oral bidding. The high oral bid obtained at the auction for each property will be submitted to the Council for their acceptance or rejection in accordance with the City ordinances. Such action will be taken by the Council within 30 days of the auction.

If bids are not received on all properties or if any of the high bids received on such properties are unacceptable to the Council for any reason as set out in the ordinance, then those properties may in the alternative be put up for sale by licensed real estate brokers under nonexclusive listing agreements. Said listing agreements shall provide for a maximum sales commission of (6%) for each property sold. In accordance with Section 2-153 of the Code of Ordinances, the City would reserve the right to reject any and all offers determined to be insufficient under this provision of the Resolution.

A listing of properties for sale is available from the office of the City Auditor-Treasurer.

Each bidder will be required to submit the bid on forms furnished by the City and available at the office of the City Auditor, City Hall, 5 East 4th Street, P.O. Box 578, Grafton, North Dakota, 58237, telephone (701) 352-1561. Each bidder must show the exact amount bid on each individual lot and/or parcel if the bid is for more than one (1) lot and/or parcel, as listed.

Each bid must be accompanied by a certified/cashiers check or money order made payable to the City of Grafton in the amount of Five Hundred Dollars (\$500.00) per parcel. Each certified/cashiers check or money order is considered as a bid security and will also be held as a non-refundable earnest money deposit for each successful bid that is accepted.

The bid security will be returned to all unsuccessful bidders within ten (10) days after the City Council has acted upon the bids.

City property of any nature shall not be sold to an individual or entity the governing body deems responsible for delinquent real estate taxes or assessments, unpaid utility accounts or other obligations of any nature payable to the City.

The successful bidder or bidders will be given thirty (30) days to make payment in full on the remaining balance of the purchase price or otherwise furnish evidence to the City of Grafton of a satisfactory financing commitment from a commercial lending institution or an established state or federal agency for such purpose, which will guarantee payment no later than one hundred twenty (120) days from the bid acceptance.

Upon receipt of payment for the full amount of the accepted bid, each successful bidder will be furnished with a quit claim deed to the property purchased. No abstract will be furnished. It shall be the buyer's responsibility to survey and provide a legal description for all unplatted properties.

All bids are to be submitted in sealed envelopes clearly marked "BID ON LOTS - GRAFTON, NORTH DAKOTA" and must be filed with the City Auditor, City Hall, 5 East 4th Street, P.O. Box 578, Grafton, North Dakota, 58237, prior to 5:00 p.m. on Monday, April 3, 2023 and the first Monday of each month thereafter throughout 2023 until a reasonable bid is accepted and each property is sold. Oral bidding, if necessary will take place at time of bid opening.

The City reserves the right to reject any or all bids or parts thereof, to hold any and/or all bids for a period of thirty (30) days, and to waive any irregularities.

CITY OF GRAFTON
CONNIE A. JOHNSON
City Auditor-Treasurer"

BE IT FURTHER RESOLVED, That the said property shall be sold to the highest bidder if the bid is deemed sufficient by a majority of the members of the City Council.

* * * * *

ADOPTED: February 13, 2023.

APPROVED: _____ DATE: February 13, 2023.
CHRIS WEST, Mayor

FILED: _____ DATE: February 13, 2023.
CONNIE A. JOHNSON, City Auditor-Treasurer

APPENDIX A

Repair list for 40 E 10th Street

Remove the damaged chimney

Reside the entire structure

Repair and finish damaged or unfinished gypsum in the living room (ne corner and above window), kitchen (wall and ceiling) and bedroom ceilings

Repair missing gypsum in bathroom

Install interior window and door trim where missing

Remove junk and clutter throughout the structure

Remove moisture damage construction materials from the basement

Remove moisture damaged ceiling and wall finishes and mitigate any associated mold in the basement

Remove old cast iron boiler from the basement

Remove overgrowth of trees and shrubs from the south and west sides of the structure

Remove junk from the yard

Scrape and paint the garage

Deadline to complete repairs is 120 days from the date of the recorded deed.