

COUNCIL RESOLUTION NO. 17-63

1 A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN
2 PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY LOCATED AT 103
3 SUTTER STREET, BUTTE, MONTANA, LEGALLY DESCRIBED AS LOT 3, BALM
4 LODGE, SECTION 21, T3N, R8W TO THE CITY-COUNTY OF BUTTE-SILVER
5 BOW, MONTANA, (PARCEL NO. 000185000) TO SUTTER STREET LLC FOR THE
6 PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE
7 PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR
8 AN EFFECTIVE DATE HEREIN.

9 WHEREAS, Chapter 3.24 of the Butte-Silver Bow Municipal Code
10 provides that the Local Government of the City and
11 County of Butte-Silver Bow may sell, lease, or
12 otherwise transfer real property or any interest
13 therein acquired for the purpose of economic or
14 community development within the community of Butte-
15 Silver Bow; and

16 WHEREAS, the Local Government of the City and County of Butte-
17 Silver Bow has previously acquired interest in and
18 title to property located at 103 Sutter Street, Butte,
19 Montana, legally described as Lot 3, Balm Lodge,
20 Section 21, T3N, R8W Butte-Silver Bow, Montana, and;

21 WHEREAS, the Local Government of the City and County of Butte-
22 Silver Bow prepared a Developer's Packet delineating
23 the Government's requirements for submission of
24 proposals for acquisition of 103 Sutter Street, Butte,

1 Montana; and

2 WHEREAS, on or about October 6, 2017, the Butte-Silver Bow
3 Council of Commissioners received a proposal from
4 Sutter Street LLC for the acquisition of the property
5 located at 103 Sutter Street, Butte, Montana; and

6 WHEREAS, the Sutter Street LLC's proposal was reviewed and
7 found to be in conformance to the Developer's Packet
8 requirements; and

9 WHEREAS, on October 11, 2017, a public hearing was conducted
10 regarding the development packet proposal(s) submitted
11 for the property located at 103 Sutter Street and
12 inviting interested persons to express their opinion
13 regarding any proposals submitted; and

14 WHEREAS, on the 18th day of October, 2017, the Butte-Silver Bow
15 Council of Commissioners found the proposal submitted
16 by Sutter Street LLC, 1555 Milwaukee Way, #111,
17 Missoula, Montana to be in accordance with the
18 provisions of Chapter 3.24 of the Butte-Silver Bow
19 Municipal Code and authorized the preparation of a
20 Resolution for the sale of 103 Sutter Street, Butte,
21 Montana.

22 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COMMISSIONERS OF
23 THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA:

24 SECTION 1: That the proposal submitted by Sutter Street LLC
25 for the acquisition of 103 Sutter Street, Butte,

1 Montana, is hereby found to have been done in
2 conformance with the Laws of the State of Montana
3 and the Ordinances of Butte-Silver Bow and this
4 property is hereby sold to Sutter Street LLC for
5 Five Hundred Dollars and 00/100(\$500.00).

6 SECTION 2: That said sale shall be in accordance with the
7 terms and conditions of that Developer's Packet
8 dated October 6, 2017, prepared by the Local
9 Government of the City and County of Butte-Silver
10 Bow for the acquisition of 103 Sutter Street,
11 Butte, Montana.

12 SECTION 3: That the proceeds from the conveyance of the
13 described property, Five Hundred Dollars and
14 00/100 (\$500.00) are to be deposited to Butte-
15 Silver Bow Fund No. 7080, Tax Deed Land.

16 SECTION 4: That the Council of Commissioners of Butte-Silver
17 Bow, State of Montana, does hereby authorize the
18 Chief Executive and the Clerk and Recorder of
19 Butte-Silver Bow to execute a legal conveyance
20 for aforesaid sale in conformance with the Laws
21 of the State of Montana and the Ordinances of
22 Butte-Silver Bow.

23 SECTION 5: That Sutter Street LLC, within ninety (90) days
24 of the adoption of this Resolution, shall enter
25 into a Property Redevelopment Agreement, in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

accordance with the terms and conditions of that Developer's Packet dated October 6, 2017, prepared by the City-County for the acquisition of 103 Sutter Street, Butte, Montana, Parcel No. 000185000.

SECTION 6: This Resolution shall be in full force and effect from and after its passage and approval.

PASSED this ___ day of _____, 2017.

JOHN P. MORGAN
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this ___ day of _____, 2017.

DAVE PALMER
CHIEF EXECUTIVE

ATTEST:

SALLY J. HOLLIS
CLERK AND RECORDER

APPROVED AS TO FORM:

EILEEN JOYCE
COUNTY ATTORNEY

- 1 SHERYL RALPH
- 2 CHAIRMAN, JUDICIARY COMMITTEE