

COUNCIL RESOLUTION NO. 17-28

1 A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN
2 PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY LOCATED AT 720 S.
3 DAKOTA STREET, BUTTE, MONTANA, LEGALLY DESCRIBED AS LOT 13,
4 BLOCK 6 OF THE WELCOME STRANGER ADDITION TO THE CITY-COUNTY OF
5 BUTTE-SILVER BOW, MONTANA, LOCATED IN SECTION 13, T3N, R8W,
6 BUTTE-SILVER BOW, MONTANA (PARCEL NO. 2016400) TO JOHN A. AND
7 BRENDA M. KOTKA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN
8 ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL
9 CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

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

17 WHEREAS, the Local Government of the City and County of Butte-
18 Silver Bow has previously acquired interest in and
19 title to property located at 720 S. Dakota Street,
20 Butte, Montana, legally described as Lot 13, Block 6
21 of the Welcome Stranger's Addition to the City-County
22 of Butte-Silver Bow, Montana, located in Section 13,
23 T3N, R8W, Butte-Silver Bow, Montana (Parcel No.
24 2016400) and;

1 WHEREAS, the Local Government of the City and County of Butte-
2 Silver Bow prepared a Developer's Packet delineating
3 the Government's requirements for submission of
4 proposals for acquisition of 720 S. Dakota Street,
5 Butte, Montana; and

6 WHEREAS, on or about May 19, 2017, the Butte-Silver Bow
7 Council of Commissioners received a proposal from
8 John and Brenda Kotka for the acquisition of the
9 property located at 720 S. Dakota Street, Butte,
10 Montana; and

11 WHEREAS, the Kotkas' proposal was reviewed and found to be in
12 conformance to the Developer's Packet requirements;
13 and

14 WHEREAS, on May 24, 2017, a public hearing was conducted
15 regarding the development packet proposal(s)
16 submitted for the property located at 720 S. Dakota
17 Street and inviting interested persons to express
18 their opinion regarding any proposals submitted; and

19 WHEREAS, on the 7th day of June, 2017, the Butte-Silver Bow
20 Council of Commissioners found the proposal submitted
21 by John and Brenda Kotka, 718 S. Dakota Street,
22 Butte, Montana to be in accordance with the
23 provisions of Chapter 3.24 of the Butte-Silver Bow
24 Municipal Code and authorized the preparation of a
25 Resolution for the sale of 718 S. Dakota Street,

1 Butte, Montana.

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

4 SECTION 1: That the proposal submitted by John and Brenda
5 Kotka for the acquisition of 720 S. Dakota
6 Street, Butte, Montana, is hereby found to have
7 been done in conformance with the Laws of the
8 State of Montana and the Ordinances of Butte-
9 Silver Bow and this property is hereby sold to
10 John and Brenda Kotka for Two Thousand and
11 00/100 Dollars (\$2,000.00).

12 SECTION 2: That said sale shall be in accordance with the
13 terms and conditions of that Developer's Packet
14 dated April 17, 2017, prepared by the Local
15 Government of the City and County of Butte-
16 Silver Bow for the acquisition of 720 S. Dakota
17 Street, Butte, Montana.

18 SECTION 3: That the proceeds from the conveyance of the
19 described property, Two Thousand and 00/100
20 Dollars (\$2,000.00) are to be deposited to
21 Butte-Silver Bow Fund No. 7080, Tax Deed Land.

22 SECTION 4: That the Council of Commissioners of Butte-
23 Silver Bow, State of Montana, does hereby
24 authorize the Chief Executive and the Clerk and
25 Recorder of Butte-Silver Bow to execute a legal

1 conveyances for aforesaid sale in conformance
2 with the Laws of the State of Montana and the
3 Ordinances of Butte-Silver Bow.

4 SECTION 5: That John and Brenda Kotka, within ninety (90)
5 days of the adoption of this Resolution, shall
6 enter into a Property Redevelopment Agreement,
7 in accordance with the terms and conditions of
8 that Developer's Packet dated April 17, 2017,
9 prepared by the City-County for the acquisition
10 of 720 S. Dakota Street, Butte, Montana, Parcel
11 No. 2016400.

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

14 PASSED this ____ day of _____, 2017.

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17 _____
18 JOHN P. MORGAN
19 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

20
21 APPROVED this ____ day of _____, 2017.

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24 _____
25 DAVE PALMER
26 CHIEF EXECUTIVE

27
28 ATTEST:

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31 _____
32 SALLY J. HOLLIS
33 CLERK AND RECORDER

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1 APPROVED AS TO FORM:

2

3

4 EILEEN JOYCE

5 COUNTY ATTORNEY

6

7

8

9 SHERYL RALPH

10 CHAIRMAN, JUDICIARY COMMITTEE