

ORDINANCE NO. 7,326–N.S.

AUTHORIZING THE SALE OF CITY PROPERTY AT 2013 2<sup>ND</sup> STREET

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. Findings

- a. The property located at 2013 2<sup>nd</sup> Street was formerly used as the Municipal Animal Shelter.
- b. A new animal shelter was constructed at 1 Bolivar Drive and has been in operation since November 2012 and the property at 2013 2<sup>nd</sup> Street is no longer needed.
- c. The City engaged Tri Commercial Real Estate to market the property in May 2013 and the City has received an offer in the amount of \$1.2 million from Evans Property Company #2.
- d. City Charter Article VII, Section 44(7) requires that the sale of public property shall be by City Ordinance.
- e. Staff recommends sale of 2013 2<sup>nd</sup> Street to Evans Property Company #2, based on receiving from it the best offer in the amount of \$1,200,000 (\$1.2 Million) and the proposed buyer has deposited earnest money in the amount of \$50,000 into escrow at Placer Title Company.

Section 2. The sale of 2013 2<sup>nd</sup> Street as set forth in the attached Purchase and Sale Agreement is hereby approved, and the City Manager is hereby authorized to execute all necessary documents to complete that sale and transfer the property.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on February 11, 2014 this Ordinance was passed to print and ordered published by posting by the following vote:

- Ayes: Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington, Wozniak and Bates.
- Noes: None.
- Absent: None.