

RESOLUTION NO. ____

INTRODUCED BY COUNCIL

A RESOLUTION APPROVING THE SALE BY THE CITY OF SPARKS TO LCG WATERFRONT, LLC OF A PARCEL 446.38 SQUARE FEET IN SIZE AND A PARCEL 1,325.06 SQUARE FEET IN SIZE LOCATED WITHIN THE CITY OF SPARKS.

WHEREAS, The City of Sparks (“CITY”) owns an unimproved parcel 446.38 square feet in size, and an unimproved parcel 1,325.06 square feet in size in the City of Sparks Redevelopment Agency District 2 in the Sparks Marina Path area.

WHEREAS, LCG WATERFRONT, LLC owns three similarly situated parcels, one 16.39 square feet in size, one 92.70 square feet in size, and one 5,293.66 square feet in size (collectively the “LCG WATERFRONT PROPERTIES”).

WHEREAS, Nevada Revised Statute 268.061(e) authorizes the City Council to sell any real property owned by the CITY when the property is a remnant that was separated due to the construction of a public facility or a parcel that as a result of its size is too small to establish economically viable use by anyone other than the adjacent property owner.

WHEREAS, the CITY’s two unimproved parcels (collectively the “CITY PROPERTIES”) are remnants created by construction of the CITY’s bike path around the Marina.

WHEREAS, both CITY PROPERTIES are too small to be of any value to any entity besides the adjacent property owner.

WHEREAS, the CITY PROPERTIES to be sold to LCG WATERFRONT, LLC are adjacent to the property owned by LCG WATERFRONT, LLC.

WHEREAS, the LCG WATERFRONT PROPERTIES, to be sold to the CITY are 5,402.75 square feet in size in the aggregate.

WHEREAS, the CITY’s receipt of the LCG WATERFRONT PROPERTIES will allow the CITY to complete the Sparks Marina Path.

WHEREAS, it has been determined that the sale of the CITY PROPERTIES to LCG WATERFRONT, LLC is in the best interest of the City of Sparks and its citizens.

WHEREAS, as an appraisal of the relevant properties shows that the LCG WATERFRONT PROPERTIES to be received by the CITY is of a greater value than the CITY PROPERTIES being sold to LCG WATERFRONT, LLC.

WHEREAS, the sale of the CITY PROPERTIES must be approved by City Council by resolution.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARKS, NEVADA:

Section 1. Approval of Sale of the City Properties.

After considering the information in the staff report, a map of the relevant area, the location and usefulness of the CITY PROPERTIES and the LCG WATERFRONT PROPERTIES, the appraisal of the CITY PROPERTIES and the LCG WATERFRONT PROPERTIES, and the oral presentation, this Council approves the sale of the CITY PROPERTIES to LCG WATERFRONT, LLC in return for the LCG WATERFRONT PROPERTIES.

Section 2. Repealer and General Provisions.

Any resolution which conflicts with this Resolution is hereby repealed. The officers of the CITY are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The City Clerk is authorized to make editorial changes hereto consistent with the intentions of this Resolution. The provisions of this Resolution shall be liberally construed to effectively carry out its purposes. In the event any provision in this Resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this Resolution and all the remaining provisions (including the repealer provision) shall remain in full force and effect.

PASSED AND APPROVED this ____ day of _____, 2020 by the following vote of the Sparks City Council:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

APPROVED this ____ day of _____, 2020 by:

Ronald E. Smith, Mayor

Attest:

Approved as to form:

Lisa Hunderman
City Clerk

Chester H. Adams
City Attorney