

December 5, 2013

RESOLUTION 2013-07

Authorizing the purchase of 4501, 4503 and 4505 Hamilton Street by the City.

A Resolution of the City Council of Hyattsville, Maryland wherein the Mayor and City Council authorize the purchase of 4501, 4503 and 4505 Hamilton Street by the City for a purchase price of \$765,000.00, as well as certain other conditions and payments pursuant to a Real Estate Sales Agreement.

WHEREAS, between January and June 2012, the City Council in closed session after consulting with the City Attorney, authorized the City Attorney to negotiate the purchase of two properties, one known as 4508 Hamilton Street and the other known as 4501, 4503 and 4505 Hamilton Street (hereinafter these three last name addresses referenced to as the “premises”) all in Hyattsville for the purpose of affording additional parking at or near the new retail establishments on Route 1 in the immediate vicinity of Hamilton Street; and

WHEREAS, such negotiations were unsuccessful; and

WHEREAS, on October 18, 2012, after authorization of the City Council, the City Attorney filed suit in eminent domain to acquire the premises; and

WHEREAS, on or about October 2, 2013, the owners of 4501, 4503 and 4505 Hamilton Street entered into a contract to sell the property to the City for a purchase price of \$765,000.00, with settlement to take place on or before December 31, 2013 provided that the title was merchantable and that the tenant and all the tenant’s equipment on the property were removed prior to settlement,

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hyattsville that the City Council in regular session assembled, hereby ratifies the contract for the sale to the City of 4501, 4503 and 4505 Hamilton Street and hereby authorizes the Assistant City Administrator, James Chandler, to sign all settlement documents to purchase the premises according to the contract dated October 2, 2013 and any further amendments or negotiations as done by the City Attorney, and

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BE IT FURTHER RESOLVED, that the City Staff shall prepare all necessary bond funds and City resources to go to settlement on the premises; and

BE IT FURTHER RESOLVED, that the City Attorney is authorized:

1. To extend the settlement date pursuant to the contract until the property is cleared of the tenant and the tenant's equipment;
2. To negotiate at the City Attorney's reasonable discretion such additional terms to effectuate settlement as the City Attorney deems necessary to protect the City's interest in purchasing the property; and
3. If necessary, to reinstate the eminent domain case regarding the premises to protect the City's interest in purchasing the property; and
4. To take such further actions as the City Attorney reasonably deems necessary to protect the City's interest in purchasing the premises; and

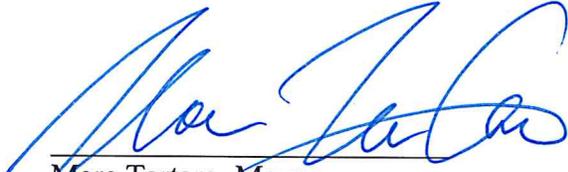
BE IT FURTHER RESOLVED, that this Resolution is adopted in regular session and will take effect immediately upon adoption.

Adopted: 12/16/13

ATTEST:



Laura Reams, City Clerk



Marc Tartaro, Mayor

12/16/13
Date

12/16/13
Date