

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20549

### A RESOLUTION OF INTENTION TO DECLARE THE KCAP PARK OWNED BY THE CITY OF HELENA SURPLUS REAL PROPERTY AND AUTHORIZING DISPOSAL BY SOLICITING REQUESTS FOR PROPOSALS FOR ITS REDEVELOPMENT

**WHEREAS**, Section 1-4-17 of the Helena City Code governs the sale, disposal, or lease of real property owned by the City;

**WHEREAS**, the City of Helena owns a 2,809 square foot parcel of real property generally located at the north-west corner of Broadway Street and Cruse Avenue, known as KCAP Park, which is legally described as follows:

Parcel 68 in the Third Subdivision of the Last Chance Revision of a Portion of the Original Townsite of Helena, Montana, in the City of Helena, as shown on the Certificate of Survey No. 263163, which is attached hereto as Exhibit "A."

**WHEREAS**, the KCAP Park has been maintained as open space by the City's Parks, Recreation, and Open Lands Department since 1975 when the City acquired the property;

**WHEREAS**, the small size of the property has limited current and future recreational potential;

**WHEREAS**, pursuant to Resolution No. 20508, KCAP Park was declared surplus real property with the authorized method of disposal being sale to the highest bidder;

**WHEREAS**, the City held a public auction on February 28,

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2019, and the City entered into an Agreement to Sell and to Purchase with the highest bidder for \$30,500;

**WHEREAS**, the buyer was unable to timely complete closing;

**WHEREAS**, it appears to be in the best interests of the City of Helena and the inhabitants thereof that the above-described property be declared surplus and disposed of through a request for proposals process rather than auction to the highest bidder; and

**WHEREAS**, a request for proposals process for disposal of the KCAP Park will assure that any redevelopment will be consistent with the goals and vision of the Downtown Neighborhood Plan contained within the City's Growth Policy and the Downtown Urban Renewal District Plan.

**NOW, THEREFORE, BE IT NOW RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** Pursuant to Section 1-4-17 of the Helena City Code, the public shall be given an opportunity to be heard concerning the issue of whether KCAP Park, which is more specifically described above, should be declared surplus real property and disposed of through a request for proposals

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process.

**Section 2.** The Clerk of the Commission is hereby directed to publish notice of this Resolution of Intention twice as required by section 1-4-17(A)(1) of the Helena City Code, and notices shall be mailed to all property owners of property located within three hundred feet (300') of the exterior boundaries of the above-described real property, as required by Section 1-4-17(A)(2) of the Helena City Code.

**Section 3.** A public hearing will be held on this matter on **August 26, 2019**, at 6:00 p.m. in the City Commission Chambers at 316 North Park Avenue, Helena, Montana so that all interested parties may appear and express their opinions of approval or disapproval.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 29<sup>th</sup> DAY OF JULY, 2019.**

/S/ WILMOT COLLINS  
MAYOR

**ATTEST:**

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION