



The City of Eastport hereby ordains that:

Section 1. Title

This Ordinance shall be known and cited as the "Sale of City Property Ordinance" of Eastport Maine (hereinafter referred to as the "ordinance") and it shall amend the Sale of City Property Ordinance enacted on July 8, 2015 in its entirety.

Section 2. Purpose

The purpose of this ordinance is to establish clear procedures for the sale and disposition of property owned by the City of Eastport that are accountable, efficient, and equal in their application.

Section 3. Sale of City Property Acquired Through Sewer or Tax Delinquency

It is recognized that following statutory foreclosure of a tax or sewer lien mortgage pursuant to 36 MRSA 942 & 943 and 38 MRSA 1208, title to the real property automatically passes to the City and the City is the legal owner of the real property. Once the statutory period for redemption of the property by the previous owner has expired, the City must follow the procedures herein in disposing of the real property.

- I. Property Subject to 36 MRSA Section 943-C If real property is subject to 36 MRSA Section 943-C, or a successor section, the real property will be disposed of in the matter required by that section if an agreement pursuant to Section 3, Subsection II of this ordinance cannot be reached or if said agreement is breached.
- II. Owner Occupied Real Property If real property is occupied year round by the owner whose name appears on the lien certificate that results in municipal foreclosure of the property, said occupancy status to be determined solely in the discretion of the City Manager of the City of Eastport with the right of appeal to the Eastport City Council, said owner shall be given an opportunity to enter into a repurchase agreement with the City at terms and conditions suitable to the City. Said repurchase agreement shall account for payment in full within three years

and it may in no instance negatively amortize. If the prior owner defaults on this agreement, the property shall be disposed of pursuant to Section III below.

- III. All Other Tax or Sewer Lien Acquired Property. All other property acquired by the City through tax or sewer foreclosure shall be retained, sold or disposed of according to procedures detailed in Section 4 of this Ordinance. No previous owner shall have any particularized right of redemption or be offered a repurchase agreement on any terms outside of the procedures set forth in Section 4 of this ordinance.

Section 4. Sale of City Property.

City owned property not covered by Section 3 of this ordinance shall be disposed of, if the City so chooses to dispose of said property, as follows:

Any sale or disposition of property must be preceded by a public hearing before the property is disposed of. If the City chooses to sell the property, then the City must either advertise for sealed bids on the property in an area newspaper of general circulation or list the property with a real estate broker or brokerage firm. If the property is listed in such a manner, advertisement for the property must appear in an area newspaper of general circulation. The City reserves the right to accept and reject all bids or offers on City property. If a bid or offer is accepted, the City may require a performance bond from the purchaser or transferee.

Section 5. Plan for Use/Other Matters Affecting Real Property

The City shall maintain a current inventory of City-owned property along with a plan, if any for its use. Said plan shall reflect the best interests of the City of Eastport.

Section 6. Saving Provision

If any terms or provisions of this ordinance are found to be unenforceable, the rest of the ordinance remains in full force and effect.

Section 7. Ratification of Past Sales

The City Council hereby ratifies and affirms all previous sales of City Owned Property.

Approved
Amendment
6-12-2019

Attest: Dea C Kewal
City Clerk
6-13-2019