

City of Laconia, NH
Tuesday, April 6, 2021

Chapter 183. Real Property, Sale of

Article II. Sale of Property Obtained by Means Other Than Tax Deed

§ 183-7. Sale of surplus real property.

- A. The City Manager may at any time, with respect to any tract or parcel of real property that the City owns and has acquired by means other than a tax deed, make a written certification to the City Council that the City has no present or reasonably foreseeable use for the property and that it is surplus.
- B. Following the determination that a certain property owned by the City is surplus and available for sale, the City Council shall hold a public hearing in accordance with § 183-6B(1).
- (1) Following a determination that a certain property is surplus, the City Council shall hold a public hearing to obtain citizen comment. The advertisement for public hearing shall, at a minimum, list the street address, Tax Map-street-lot number, a brief description of the property and shall be advertised for a period of no less than seven days prior to the public hearing.
- C. Following a public hearing and unless the City Council votes to remove a parcel from consideration for sale, the City may proceed with the sale of this property according to the following procedure:
- (1) Except for property sold according to Article I of this chapter, all property shall be sold through sealed competitive bids.
- (2) In every case, the advertising required by this section shall, at a minimum, consist of the publication of all the following information in a newspaper of general circulation in the City of Laconia at least 10 calendar days in advance of the deadline for the City's receipt of sealed bids:
- (a) The nature and location of each property to be sold.
- (b) The deadline for the City's receipt of sealed bids, the place where the bids shall be mailed or delivered and the date, time and place of the bid opening.
- (c) The terms, conditions, rules and procedures that will govern the bidding and sale of each property.
- (d) The map, street and lot number shall be listed for each property, as will the actual street address and type of property (single-family dwelling, land, industrial land and square footage of any building, etc.), as well as the Registry of Deeds book and page number.
- (3) The city shall determine the form, time, date and conduct of any sale, except that all sales must be by sealed competitive bidding.
- D. The City Council shall retain the right to reject any and all offers made on such property.

§ 183-8. Sale of surplus property through a written offer from a private party.

- A. The City Manager may at any time, with respect to any tract or parcel of real property that the City owns and has acquired by means other than tax deed, receive a written offer to purchase the property from any private party. Upon receipt of any such offer, the City Manager shall provide a copy of the offer to the Mayor and City Council and evidence that the property is eligible for sale according to § **183-7** of this chapter.
- B. Once the City Council has received a proposal and determines it is eligible for sale, the City Manager may be authorized to obtain an appraisal on the subject property from a State of New Hampshire licensed/approved and qualified appraiser.
- C. Following receipt of the appraisal, the Mayor and Council may, at their option, either control the negotiations with the offeror acting through the City Manager or authorize the City Manager to finalize the negotiations, subject to the approval of the Mayor and City Council.
- D. Any Council vote authorizing the sale of City-owned real estate according to this section shall be by a margin of two-thirds vote.
- E. The City Council retains the right to reject any and all offers made on such property.