

Senate Amendments to House Bill No. 1150

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

1 AMEND by striking lines 243 through 280 in their entirety,
2 inserting in lieu thereof the following:

3 (11) (a) In addition to such authority as is otherwise
4 granted under this section, whenever the governing authority of a
5 municipality finds and determines, by resolution duly and lawfully
6 adopted and spread upon its official minutes, that any municipally
7 owned real property acquired by the municipality by reason of a
8 tax sale or by reason of the property being abandoned or blighted,
9 (i) is not needed for municipal or related purposes and is not to
10 be used in the operation of the municipality, (ii) that the sale
11 of such property in the manner otherwise provided by law is not
12 necessary or desirable for the financial welfare of the
13 municipality, and (iii) that the use of such property for the
14 purpose for which it is to be conveyed will promote and foster the
15 development and improvement of the community in which it is
16 located or the civic, social, educational, cultural, moral,
17 economic or industrial welfare thereof, the governing authority of
18 the municipality, in its discretion, may sell, lease, donate or
19 otherwise convey such property to any person or legal entity
20 without public notice, without having to advertise for and accept
21 competitive bids and without appraisal, with or without
22 consideration, and on such terms and conditions as the parties may
23 agree. All costs associated with the conveyance shall be paid by
24 the person or entity to whom the conveyance is made. Any deed or
25 instrument of conveyance executed pursuant to the authority
26 granted under this subsection shall contain a clause of reverter
27 providing that the person or entity to whom the property is
28 conveyed may hold title to such lands only so long as the property
29 is used for the purposes for which it was conveyed, and that title

30 shall revert to the municipality in the event of the cessation of
31 such use for a period of two (2) years. In any such deed or
32 instrument of conveyance, the municipality shall retain all
33 mineral rights that it owns, together with the right of ingress
34 and egress to remove same.

35 (b) A municipality holding title to any lot measuring
36 twenty-five (25) feet or less along the frontage line may divide
37 that lot in half along a line running generally perpendicular to
38 the frontage line and may convey each one-half (1/2) of that lot
39 to the owners of the parcels laterally adjoining the municipally
40 owned lot, subject to the requirements and conditions of this
41 subsection (11).

42 **FURTHER, amend by renumbering subsequent subsections.**

SS02\HB1150A.J

John O. Gilbert
Secretary of the Senate