CA097589

SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee (name) _____

For Commission Action on (date)_____

DESCRIPTION OF ITEM:

RESOLUTION RESCINDING THE SALE OF ONE COUNTY OWNED DELINQUENT TAX PARCEL, ACQUIRED FROM SHELBY COUNTY TRUSTEE TAX SALE NO. 0203 AND SOLD TO FAMILY FARMER'S COOPERATIVE, INTERNATIONAL, PURSUANT TO T.C.A. §67-5-2507, AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO REFUND THE SALE PRICE TO FAMILY FARMER'S COOPERATIVE, INTERNATIONAL THE PURCHASE PRICE OF $10,000.00 PAID FOR SAID PROPERTY; AND AMENDING THE FY 08-09 BUDGET. SPONSORED BY HENNRI BROOKS.

Sponsored by: Commissioner Henri Brooks

CHECK ALL THAT APPLY BELOW:

_____ This Action does NOT require expenditure of funds.

__x__ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: $_____ ; County CIP Funds- $_____

State Grant Funds: $_____; State Gas Tax Funds: $_____

Federal Grant Funds: $_____

Other funds (Specify source and amount): $_____

Other pass-thru funds (Specify source and amount): $ _____

Originating Department: _____

APPROVAL:

Dept. Head: Tom Moss 5454433 | [signature] | 2/12/2009
(Print your name & phone #.) (Initials) (Date)

Elected Official: _____ | _____ | _____
(Print your name & phone #.) (Initials) (Date)

Division Director: E MELVIN BOOTH JR | [signature] | 2/12/2009
(Print your name & phone #.) (Initials) (Date)

CIP – A&F Director: _____ | _____ | _____
(Print your name & phone #.) (Initials) (Date)

Finance Dept. [signature] 2/12/09 | Mike Sift | [signature] | 2/12/09
(Print your name & phone #.) (Initials) (Date)

County Attorney: Lisa L. Kelly | LLK | 2/12/09
(Print your name & phone #.) (Initials) (Date)

CAO/Mayor: James F. Huntzicker | [signature] | 2/12/09
(Print your name & phone #.) (Initials) (Date)

Item #_____

Prepared by: Gloria Kelly
Real Estate Services

Approved by:_____
Assistant County Attorney

RESOLUTION RESCINDING THE SALE OF ONE COUNTY OWNED DELINQUENT TAX PARCEL, ACQUIRED FROM SHELBY COUNTY TRUSTEE TAX SALE NO. 0203 AND SOLD TO FAMILY FARMER'S COOPERATIVE, INTERNATIONAL, PURSUANT TO T.C.A. §67-5-2507, AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO REFUND THE SALE PRICE TO FAMILY FARMER'S COOPERATIVE, INTERNATIONAL THE PURCHASE PRICE OF $10,000.00 PAID FOR SAID PROPERTY; AND AMENDING THE FY 08-09 BUDGET. SPONSORED BY HENNRI BROOKS.

WHEREAS, Shelby County acquired one improved Delinquent Tax Parcel from Shelby County Trustee Tax Sale No. 0203, which parcel being more particularly described in the listing thereof, which is attached hereto as Exhibit "A", and incorporated herein by reference; and

WHEREAS, Pursuant to the sale provisions of T.C.A. §67-5-2507, the Shelby County Land Bank Department took charge of and marketed said Delinquent Tax Parcel to secure the best sale price offer for the same; and

WHEREAS, The sale price offer received for said Delinquent Tax Parcel was publicly advertised for increased offers pursuant to T.C.A. §67-5-2507 in conjunction with establishing the sale price offer received from Family Farmer's Cooperative, International in the amount of $ 10,000.00 as representing its highest and best sale price; and

WHEREAS, The sale of said Delinquent Tax Parcel to Family Farmer's Cooperative, International for $ 10,000.00 was approved by the Board of County Commissioners of Shelby County, Tennessee, by resolution adopted on December 22, 2008 under Item No. 19 and subsequently closed on January 09, 2009; and

WHEREAS, Family Farmer's Cooperative, International purchased said Delinquent Tax Parcel and now has requested that the purchase price be refunded; and

WHEREAS, It is necessary to amend the FY 08-09 budget to account for the cost of this sale price refund.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforementioned sale be rescinded and the purchase price of $10,000.00 be refunded to Family Farmer's Cooperative, International be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor be and is authorized to execute all documents necessary to affect the refund to Family Farmer's Cooperative, International $ 10,000.00 the sale price paid for said property.

BE IT FURTHER RESOLVED, That the FY 2008-09 budget is hereby amended by increasing the revenue account 010-307501-4254 Gain on Sale of Fixed Asset and 010-307501-6401 Administrative Expenses each by $10,000.

BE IT FURTHER RESOLVED, That the funds required to make this sale price refund to Family Farmer's Cooperative, International in the amount of $10,000.00 shall be debited from Account No. 010-307501-6401.

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

_____
A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

_____
Clerk of County Commission

ADOPTED _____

EXHIBIT "A"									
Exhibit #	**Tax Sale**	**WBP**	**Address Lot Size**	**Zoning Code**	**Total Taxes And Fees**	**Purchaser**	**Evaluation**	**Sales Price**	**Planned Use**
15669	0203	08304300000210	1787 Warford St. 3.4 Acres Vacant Lot	C-L	$ 22,272.74	Family Farmer's Cooperative, International	$10,000.00	$ 10,000.00 Vacant Lot	Investment

SUMMARY SHEET

I. Description of Item

This is an unimproved County owned Delinquent Tax Parcel, 3.4 acres in size, located at 1787 Warford St, within the City of Memphis, and further identified as Tax Parcel Number 08304300000210. It was acquired in 2005 by the County from Shelby County Trustee Tax Sale No. 0203 for outstanding taxes, penalties and interest. On October 20, 2008 Family Farmer's Cooperative, International signed an Offer to Purchase Agreement to buy this property for $ 10,000.00. This sale was approved by the Board of County Commissioners of Shelby County, Tennessee by resolution adopted on December 22, 2008 under Item No. 19 and subsequently closed on January 9, 2009. The Family Farmer's Cooperative, International is asking the sale be rescinded and the purchase price of $10,000.00 be refunded.

II. Source and Amount of Funding

FY 2008-09 budget is hereby amended by increasing the revenue account 010-307501-4254 Gain on Sale of Fixed Asset and 010-307501-6401 Administrative Expenses each by $10,000.

The funds required to make this sale price refund to Family Farmer's Cooperative, International in the amount of $10,000.00 shall be debited from Account No. 010-307501-6401 .

III. Contract Items

N/A

IV. Additional Information Relevant to Approval of this Item

1787 Warford St.
083 0430 0 00021 0
3.4 Acres