

RESOLUTION NO. 3151

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY TO AUTHORIZE THE MAYOR TO NEGOTIATE AND ENTER INTO, ON BEHALF OF THE CITY OF SALISBURY, A CONTRACT OF SALE WITH MENTIS CAPITAL PARTNERS, LLC SETTING FORTH THE TERMS AND CONDITIONS GOVERNING THE SALE OF LOT 10.

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Council**”) determined there is surplus real property owned by the City of Salisbury (the “**City**”) that should be sold;

WHEREAS, the City has declared Municipal Parking Lot 10 (“**Lot 10**”) surplus property on November 14, 2016;

WHEREAS, pursuant to § 16-8 *et seq.* of the Salisbury City Charter (the “**Charter**”) and Chapter 2.36 of the Salisbury City Code (the “**City Code**”), the City has to right to offer at public sale property declared surplus and to make awards thereof in the best interest of the City;

WHEREAS, the City has determined that Lot 10 should be developed not only in consideration of the highest bid price but also in consideration of the type of development proposed, and such development should require a commitment from the purchaser to develop the property in a manner that will raise the City’s tax base and be in the best interest of citizens of the City;

WHEREAS, the City sought proposals for the purchase and development of Lot 10 and received three offers, one of which was withdrawn;

WHEREAS, the City has selected Mentis Capital Partners, LLC’s proposal to purchase and develop Lot 10 having determined it to be in the best interest of the citizens of the City;

WHEREAS, Mentis Capital Partners, LLC’s proposal includes constructing a mixed-use residential property in line with the revitalization efforts in Downtown;

WHEREAS, by this Resolution, the Council hereby authorizes the Mayor to negotiate and enter into a contract of sale with Mentis Capital Partners, LLC setting forth the terms and conditions governing the sale of Lot 10; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The Mayor is hereby authorized to negotiate and execute, on behalf of the City of Salisbury, a contract of sale, by and between the City of Salisbury and Mentis Capital Partners, LLC, setting forth the terms and conditions governing the sale of Lot 10.

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

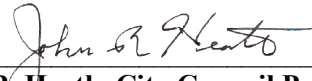
Section 4. The recitals set forth hereinabove are incorporated into this section of the Resolution as if such recitals were specifically set forth at length in this Section 4.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 14th day of February, 2022 and is to become effective immediately upon adoption.

ATTEST:



Kimberly R. Nichols, City Clerk



John R. Heath, City Council President

Approved by me, this 15th day of February, 2022.



Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: City Council

From: Julia Glanz, City Administrator

Subject: Resolution to Authorize the Mayor to Negotiate and Enter into a Contract of Sale with Mentis Capital, LLC for Lot 10

Date: February 9, 2022

On August 10, 2021, KLNBN listed Lot 10, the City owned parking lot at the corner of Church Street and RT. 13, for sale on behalf of the City of Salisbury. The City received three offers for the property: Mentis Capital Partners, LLC; City Works Oz Fund; Undisclosed "Company X". The Selection Committee was made up of Council President Heath, Dave Ryan, SWED Director, and myself.

The Selection Committee met with two offerors, Mentis Capital Partners, LLC, and Company X. On December 16, 2021 Company X withdrew their offer to purchase Lot 10.

After reviewing the initial proposal from Mentis Capital Partners, to construct a mixed use residential property inline with the revitalization efforts in Downtown, and their offer for \$75,000 the Selection Committee is recommending Council approve the Mayor to negotiate and enter into a contract for sale with Mentis Capital Partners, LLC setting forth the terms and conditions governing the sale of Lot 10.

Please let me know if you have any questions.