

VILLAGE OF BERRIEN SPRINGS

Berrien Springs, Michigan

ORDINANCE NUMBER 393

An Ordinance to Add Chapter 13 to Village of Berrien Springs Code of Ordinances

THE VILLAGE OF BERRIEN SPRINGS ORDAINS:

A new Chapter 13 entitled “**Procedures for Sale of Real Property**” is added to the Code of Ordinances for the Village as follows:

Title

This Chapter 13 shall be known and may be recited as the “**Village of Berrien Springs Ordinance**”.

Pursuant to MCL 67.4, the Village hereby authorizes the sale of real property owned by the Village.

- (a) Any real property owned by the Village, excluding any part of a public park, may be sold by public sale. The sale may be by sealed bids or a public auction, as determined by the Village Council. The notice of sale by sealed bids or public auction shall be done in a commercially reasonable manner as determined by the Village President. By resolution authorizing the sale of such real property, the Village Council shall establish an amount to be deposited with the Village Clerk and such other evidence that the bidder can close the transaction, as the Village Council may determine. The Village Council may sell any real property, excluding land designated as a public park, by private sale.

- (b) When determined to be in the best interest of the Village, the Council may sell any real property, excluding land designated as public park, by private sale. The Village Council may sell the property and establish the terms and conditions, including the asking price for the property, in a commercially reasonable manner. In determining a proposed selling price, the Village Council is hereby authorized to rely upon the opinion of its assessor, a licensed real estate broker, or some other person the Council believes has sufficient expertise to provide an unbiased and knowledgeable opinion as to the fair market value of the property being sold by the Village.

Sec. - Severability and Repealer.

If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. - Effective Date.

This ordinance shall take effect immediately upon publication.

Sec. - Publication.

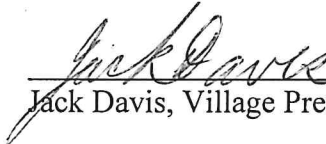
The Village Clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law.

AYES: Mark Vandevere, Kristin von Maur, Lonna Johnson, Sheila Snyder, Zach Fedoruk, and President Pro-Tem Jack Davis.

NAYS: None.

ABSENT: President Barry Gravitt.

Dated: October 16, 2023



Jack Davis, Village President Pro-Tem

Ordinance declared adopted:



Rachael Kuzda, Village Clerk

I hereby certify that the above and foregoing Ordinance was duly adopted by the Village Council of Berrien Springs and published in the *Journal Era*, a weekly newspaper published in the Village of Berrien Springs, in the issue of said newspaper dated and published on the 18th day of October 2023.



Rachael Kuzda, Village Clerk