



Submission and Processing Procedures for An Unsolicited Offer to Purchase Surplus City-Owned Property

The following are the submission requirements and guidelines for an Unsolicited Offer to purchase surplus, City-owned real estate. All initial submissions shall include:

- Offeror's name, company description, and contact information (*address, email address, and telephone number*);
- Address of the property;
- Proposed/planned use of the property (*please be as detailed as possible, and include any conceptual drawings*);
- Proposed/planned improvement costs to the property;
- Anticipated economic benefit to the City including but not limited to: the overall projected investment value, projected tax revenue, and projected job creation, if any;
- Proposed purchase price; and
- A preapproval letter or proof of funds from a lender or financial institution showing Offeror's ability to cover the Good Faith Deposit (*as per City Code, the deposit shall be 10% of the purchase price*), the remaining balance of the purchase price, and the initial proposed/planned improvement costs.

All Unsolicited Offers must be submitted by email, certified mail, or by hand delivery to the below address and made attention to:

Yvette Preston
Real Estate Analyst
900 East Broad Street
City Hall, Suite 1603
Richmond, VA 23219
804-646-7737 (office)
Yvette.Preston@rva.gov

General Procedural Guidelines (*following an Unsolicited Offer submission*):

- Within 30 days after the City receives your complete Unsolicited Offer, you will receive a written notice and will be informed if any additional information is required.
- Within the same 30-day time frame, the City's staff will provide written notification to the City's Chief Administrative Officer and to the Mayor of such an offer.
- The Chief Administrative Officer or his/her designee will then notify City Council in writing of the offer.

- Unsolicited Offer(s) will be evaluated by City staff based on the following criteria:
 - ✓ The financial ability of the Offeror to provide for the proposed use of the real estate;
 - ✓ The past experience of the Offeror in the development and use of properties similar to the proposed use;
 - ✓ The effect of the proposed use of the real estate on other properties;
 - ✓ The compatibility of the proposed use of the real estate with the City's Master Plan;
 - ✓ The price the Offeror offers to pay for the real estate; and
 - ✓ Such other evaluation factors as the Chief Administrative Officer may deem appropriate.
- Within 120 days after the City receives a complete Unsolicited Offer, City staff will notify in writing to the Offeror whether the City's Administration intends to move forward with the Unsolicited Offer or to reject the Unsolicited Offer.
- Should City staff notify the Offeror that it intends to move forward and recommend to City Council acceptance of the Unsolicited Offer, then the Offeror must provide the City with a Good Faith Deposit in an amount equal to ten percent (10%) of the proposed purchase price either by:
 - ✓ Furnishing the Chief Administrative Officer with such deposit in the form of a Certified or Cashier's Check; or
 - ✓ Placing the deposit in escrow pursuant to a legally enforceable escrow agreement approved as to form by the Office of the City Attorney.

Note: The City may retain the proceeds of the deposit if the Offeror withdraws its offer to purchase the real estate before the final action of City Council on the ordinance to direct the sale of the real estate to the Offeror. However, the City shall not forfeit or waive any other remedies or rights the City may have otherwise by retaining the proceeds of the deposit.

- In addition to the ten percent (10%) deposit, the Offeror shall also be required to agree to executing a Purchase and Sale Agreement (PSA). Terms & Conditions to be determined.
- Within 180 days after the City receives a complete Unsolicited Offer, the Chief Administrative Officer shall recommend to the City Council whether the City should accept or reject the offer.
- If City Council adopts an ordinance directing the sale of the surplus City-owned real estate to the Offeror, then the deposit shall be applied to the purchase price upon closing the sale of such City-owned real estate.

NOTE: Please refer to the following link for the City's municipal code. This will provide, in more detail, the provisions and all City Code requirements related to the sale of City-owned property as set forth in the Chapter 8, Article III, Sale of Real Estate.

<https://library.municode.com/va/richmond/codes/codeofordinances>