



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Council Meeting Staff Report

August 28, 2018

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**Agenda No.:** C.  
**Indexes (Council Goals):**  
**Presenters:** Joanie Ahlers  
**Legislative File:** OR0830-18b

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### Title

Ordinance No. 686 Authorization the Sale of Certain County-Owned Real Property Located in the Incorporated County of Los Alamos Generally Described as Lot 5C 20th Street to Verdad Real Estate, Inc.

### Recommended Action

**I move to approve, Incorporated County Of Los Alamos Ordinance No. 686; An Ordinance Authorizing The Sale of Certain County-Owned Real Property Located in The Incorporated County of Los Alamos Generally Described as Lot 5C 20th Street to Verbad Real Estate, Inc. and ask staff to assure it is published as provided in the County Charter.**

### County Manager's Recommendation

The County Manager recommends the approval of this Ordinance as presented.

### Body

This Ordinance authorizes the sale of County-owned property identified as Lot 5C located on the southern extension of 20<sup>th</sup> Street. The parcel sits just west of the Century Link tower building, south of Ashley Pond Park and was the site location of Public Works trailers while LAC was constructing the new Municipal Building.

Lot 5C is approximately 20,959 sqft.

The buyer for this site is Verdad Real Estate, Inc., which is a Texas corporation, Jason Keen is the Principal. Verdad Real Estate, Inc. will enter into a Purchase, Sale and Development Agreement with Los Alamos County.

The Purchase, Sale and Development Agreement (attached to the Ordinance) outlines the details of the development of Lot 5C, which will consist of a freestanding Starbucks coffee franchise store with a drive-thru.

Council is authorized to sell county-owned real property and interests in real property through Chapter 14 of the Los Alamos County, New Mexico - Code of Ordinances. An appraisal dated June 29, 2017 estimated the market value of parcel consisting of Lot 5C to be \$355,000. The proposed purchase price for the site is \$500,000 and the proposed terms of the sale are outlined within the Purchase, Sale and Development Agreement attached to the Ordinance. The key terms are:

**Effective Date:** The Effective Date of the Agreement shall be the date the Agreement is fully executed by both the Purchaser and the Seller.

**Purchase Price:** FIVE HUNDERED THOUSAND AND NO 00/100 DOLLARS (\$500,000.00), to be paid in cash at closing, subject to the closing cost allocations and proration set forth herein.

**Earnest Money:** FIFTY THOUSAND AND NO 00/100 DOLLARS (\$50,000.00) to be delivered to the

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Escrow Agent within five (5) business days from the Effective Date.

Due Diligence Period: The Due Diligence Period shall begin on the Effective Date, and continue for no more than ninety (90) days from the Effective Date.

Closing Date: The Closing Date shall be a date within thirty (30) days after the end of the Due Diligence Period.

#### **Fiscal and Staff Impact/Planned Item**

There should be minimal staff impact as a result of the sale of these parcels. The fiscal impact to LAC will be in the form of possible intersection and signal improvements. The current estimate for a signalized intersection will be approximately \$350,000-500,000. The cost of the signal will be covered by the revenue generated by the sale of the land and the additional lots yet to be sold. This intersection has long been requested for pedestrian improvements by residents and businesses that occupy the south side of Trinity. The improvements are a life safety issue with the increased traffic generated by the Atomic City Transit stop, the new Starbucks, and other future commercial expansion the need for pedestrian access to Ashley Pond park is growing.

#### **Alternatives**

Council could choose to not approve the Ordinance and the sale and development would not proceed, or Council could direct staff to amend the proposed ordinance and related agreement.

#### **Attachments**

A - Ordinance No. 686

B - Notice of Publication