

SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 821

AN ACT

To repeal section 140.190, RSMo, and to enact in lieu thereof eighteen new sections relating to land banks, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Section 140.190, RSMo, is repealed and eighteen
2 new sections enacted in lieu thereof, to be known as sections
3 140.190, 140.980, 140.981, 140.982, 140.983, 140.984, 140.985,
4 140.986, 140.987, 140.988, 140.991, 140.997, 140.1000, 140.1003,
5 140.1006, 140.1009, 140.1012, and 140.1015, to read as follows:

6 140.190. 1. On the day mentioned in the notice, the county
7 collector shall commence the sale of such lands, and shall
8 continue the same from day to day until each parcel assessed or
9 belonging to each person assessed shall be sold as will pay the
10 taxes, interest and charges thereon, or chargeable to such person
11 in said county.

12 2. The person or land bank agency offering at said sale to
13 pay the required sum for a tract shall be considered the
14 purchaser of such land; provided, no sale shall be made to any
15 person or designated agent who is currently delinquent on any tax
16 payments on any property, other than a delinquency on the
17 property being offered for sale, and who does not sign an
18 affidavit stating such at the time of sale. Failure to sign such

1 affidavit as well as signing a false affidavit may invalidate
2 such sale. No bid shall be received from any person not a
3 resident of the state of Missouri or a foreign corporation or
4 entity all deemed nonresidents. A nonresident shall file with
5 said collector an agreement in writing consenting to the
6 jurisdiction of the circuit court of the county in which such
7 sale shall be made, and also filing with such collector an
8 appointment of some citizen of said county as agent of said
9 nonresident, and consenting that service of process on such agent
10 shall give such court jurisdiction to try and determine any suit
11 growing out of or connected with such sale for taxes. After the
12 delinquent auction sale, any certificate of purchase shall be
13 issued to the agent. After meeting the requirements of section
14 140.405, the property shall be conveyed to the agent on behalf of
15 the nonresident, and the agent shall thereafter convey the
16 property to the nonresident.

17 3. All such written consents to jurisdiction and selective
18 appointments shall be preserved by the county collector and shall
19 be binding upon any person or corporation claiming under the
20 person consenting to jurisdiction and making the appointment
21 herein referred to; provided further, that in the event of the
22 death, disability or refusal to act of the person appointed as
23 agent of said nonresident the county clerk shall become the
24 appointee as agent of said nonresident.

25 4. No person residing in any home rule city with more than
26 seventy-one thousand but fewer than seventy-nine thousand
27 inhabitants shall be eligible to offer to purchase lands under
28 this section unless such person has, no later than ten days

1 before the sale date, demonstrated to the satisfaction of the
2 official charged by law with conducting the sale that the person
3 is not the owner of any parcel of real property that has two or
4 more violations of the municipality's building or housing codes.
5 A prospective bidder may make such a demonstration by presenting
6 statements from the appropriate collection and code-enforcement
7 officials of the municipality. This subsection shall not apply
8 to any taxing authority or land bank agency, and entities shall
9 be eligible to bid at any sale conducted under this section
10 without making such a demonstration.

11 140.980. 1. Sections 140.980 to 140.1015 shall be known
12 and may be cited as the "Land Bank Act".

13 2. As used in sections 140.980 to 140.1015, the following
14 terms mean:

15 (1) "Ancillary parcel", a parcel of real estate acquired by
16 a land bank agency other than any sale conducted under section
17 140.190, 140.240, or 140.250;

18 (2) "Land bank agency", an agency established by a city
19 under the authority of section 140.981;

20 (3) "Land taxes", taxes on real property or real estate,
21 including the taxes both on the land and the improvements
22 thereon;

23 (4) "Political subdivision", any county, city, town,
24 village, school district, library district, or any other public
25 subdivision or public corporation that has the power to tax;

26 (5) "Reserve period taxes", land taxes assessed against any
27 parcel of real estate sold or otherwise disposed of by a land
28 bank agency for the first three tax years following such sale or

1 disposition;

2 (6) "Tax bill", real estate taxes and the lien thereof,
3 whether general or special, levied and assessed by any taxing
4 authority;

5 (7) "Taxing authority", any governmental, managing,
6 administering, or other lawful authority, now or hereafter
7 empowered by law to issue tax bills.

8 140.981. 1. Any home rule city with more than seventy-one
9 thousand but fewer than seventy-nine thousand inhabitants may
10 establish a land bank agency for the management, sale, transfer,
11 and other disposition of interests in real estate owned by such
12 land bank agency. Any such land bank agency shall be established
13 to foster the public purpose of returning land, including land
14 that is in a nonrevenue-generating, nontax-producing status, to
15 use in private ownership. A city may establish a land bank
16 agency by ordinance, resolution, or rule, as applicable.

17 2. A land bank agency shall not own any interest in real
18 estate located wholly or partially outside the city that
19 established the land bank.

20 3. The beneficiaries of the land bank agency shall be the
21 taxing authorities that held or owned tax bills against the
22 respective parcels of real estate acquired by such land bank
23 agency pursuant to a sale conducted under section 140.190,
24 140.240, or 140.250, and their respective interests in each
25 parcel of real estate shall be to the extent and in proportion to
26 the priorities determined by the court on the basis that the
27 principal amount of their respective tax bills bore to the total
28 principal amount of all of the tax bills described in the

1 judgment.

2 4. A land bank agency created under the land bank act shall
3 be a public body corporate and politic and shall have permanent
4 and perpetual duration until terminated and dissolved in
5 accordance with the provisions of section 140.1012.

6 140.982. The governing body of the city establishing a land
7 bank agency, or the chief administrative officer of the city
8 establishing a land bank agency, shall have the power to organize
9 and reorganize the executive, administrative, clerical, and other
10 departments of the land bank agency and to fix the duties,
11 powers, and compensation of all employees, agents, and
12 consultants of the land bank agency. A land bank agency may
13 employ a secretary, an executive director, its own counsel and
14 legal staff, technical experts, and other agents and employees,
15 permanent or temporary, as it may require and may determine the
16 qualifications and fix the compensation and benefits of such
17 persons. A land bank agency may also enter into contracts and
18 agreements with political subdivisions for staffing services to
19 be provided to the land bank agency by political subdivisions or
20 agencies or departments thereof, or for a land bank agency to
21 provide such staffing services to political subdivisions or
22 agencies or departments thereof.

23 140.983. A land bank agency established under the land bank
24 act shall have all powers necessary or appropriate to carry out
25 and effectuate the purposes and provisions of the land bank act,
26 including the following powers in addition to those herein
27 otherwise granted:

28 (1) To adopt, amend, and repeal bylaws for the regulation

1 of its affairs and the conduct of its business;

2 (2) To sue and be sued, in its own name, and plead and be
3 impleaded in all civil actions including, but not limited to,
4 actions to clear title to property of the land bank agency;

5 (3) To adopt a seal and to alter the same at pleasure;

6 (4) To borrow from private lenders, political subdivisions,
7 the state, and the federal government as may be necessary for the
8 operation and work of the land bank agency;

9 (5) To issue notes and other obligations according to the
10 provisions of this chapter;

11 (6) To procure insurance or guarantees from political
12 subdivisions, the state, the federal government, or any other
13 public or private sources of the payment of any bond, note, loan,
14 or other obligation, or portion thereof, incurred by the land
15 bank agency and to pay any fees or premiums in connection
16 therewith;

17 (7) To enter into contracts and other instruments
18 necessary, incidental, or convenient to the performance of its
19 duties and the exercise of its powers including, but not limited
20 to, agreements with other land bank agencies and with political
21 subdivisions for the joint exercise of powers under this chapter;

22 (8) To enter into contracts and other instruments
23 necessary, incidental, or convenient to:

24 (a) The performance of functions by the land bank agency on
25 behalf of political subdivisions, or agencies or departments
26 thereof; or

27 (b) The performance by political subdivisions, or agencies
28 or departments thereof, of functions on behalf of the land bank

1 agency;

2 (9) To make and execute contracts and other instruments
3 necessary or convenient to the exercise of the powers of the land
4 bank agency. Any contract or instrument if signed both by the
5 executive director of the land bank agency and by the secretary,
6 assistant secretary, treasurer, or assistant treasurer of the
7 land bank agency, or by an authorized facsimile signature of any
8 such positions, shall be held to have been properly executed for
9 and on its behalf;

10 (10) To procure insurance against losses in connection with
11 the property, assets, or activities of the land bank agency;

12 (11) To invest the moneys of the land bank agency,
13 including amounts deposited in reserve or sinking funds, at the
14 discretion of the land bank agency in instruments, obligations,
15 securities, or property determined proper by the land bank agency
16 and to name and use depositories for its moneys;

17 (12) To enter into contracts for the management of, the
18 collection of rent from, or the sale of the property of the land
19 bank agency;

20 (13) To design, develop, construct, demolish, reconstruct,
21 rehabilitate, renovate, relocate, equip, furnish, and otherwise
22 improve real property or rights or interests in real property
23 held by the land bank agency;

24 (14) To fix, charge, and collect rents, fees, and charges
25 for the use of the property of the land bank agency and for
26 services provided by the land bank agency;

27 (15) To acquire property, whether by purchase, exchange,
28 gift, lease, or otherwise, except not property not wholly located

1 in the city that established the land bank agency; to grant or
2 acquire licenses and easements; and to sell, lease, grant an
3 option with respect to, or otherwise dispose of, any property of
4 the land bank agency;

5 (16) To enter into partnerships, joint ventures, and other
6 collaborative relationships with political subdivisions and other
7 public and private entities for the ownership, management,
8 development, and disposition of real property, except not for
9 property not wholly located in the city that established the land
10 bank agency; and

11 (17) Subject to the other provisions of this chapter and
12 all other applicable laws, to do all other things necessary or
13 convenient to achieve the objectives and purposes of the land
14 bank agency or other laws that relate to the purposes and
15 responsibility of the land bank agency.

16 140.984. 1. The income of a land bank agency shall be
17 exempt from all taxation by the state and by any of its political
18 subdivisions. Upon acquiring title to any real estate, a land
19 bank agency shall immediately notify the county assessor and the
20 county collector of such ownership, and such real estate shall be
21 exempt from all taxation during the land bank agency's ownership
22 thereof, in the same manner and to the same extent as any other
23 publicly owned real estate. Upon the sale or other disposition
24 of any real estate held by it, the land bank agency shall
25 immediately notify the county assessor and the county collector
26 of such change of ownership. However, that such tax exemption
27 for improved and occupied real property held by the land bank
28 agency as a lessor pursuant to a ground lease shall terminate

1 upon the first occupancy, and the land bank agency shall
2 immediately notify the county assessor and the county collector
3 of such occupancy.

4 2. A land bank agency may acquire real property or
5 interests in property by gift, devise, transfer, exchange,
6 foreclosure, lease, purchase, or otherwise on terms and
7 conditions and in a manner the land bank agency considers proper.

8 3. A land bank agency may acquire property by purchase
9 contracts, lease purchase agreements, installment sales
10 contracts, and land contracts and may accept transfers from
11 political subdivisions upon such terms and conditions as agreed
12 to by the land bank agency and the political subdivision. A land
13 bank agency may bid on any parcel of real estate offered for
14 sale, offered at a foreclosure sale under sections 140.220 to
15 140.250, or offered at a sale conducted under section 140.190,
16 140.240, or 140.250. Notwithstanding any other law to the
17 contrary, any political subdivision may transfer to the land bank
18 agency real property and interests in real property of the
19 political subdivision on such terms and conditions and according
20 to such procedures as determined by the political subdivision.

21 4. A land bank agency shall maintain all of its real
22 property in accordance with the laws and ordinances of the
23 jurisdictions in which the real property is located.

24 5. Upon issuance of a deed of a delinquent land tax auction
25 under subsection 4 of section 140.250, subsection 5 of section
26 140.405, or other sale conducted under section 140.190, 140.240,
27 or 140.250 of a parcel of real estate to a land bank agency, the
28 land bank agency shall pay the amount of the land bank agency's

1 bid that exceeds the amount of all tax bills included in the
2 judgment, interest, penalties, attorney's fees, taxes, and costs
3 then due thereon. If the real estate is acquired in a delinquent
4 land tax auction, such excess shall be applied and distributed in
5 accordance with section 140.230. Upon issuance of a deed, the
6 county collector shall mark the tax bills included in the
7 judgment as "cancelled by sale to the land bank" and shall take
8 credit for the full amount of such tax bills, including principal
9 amount, interest, penalties, attorney's fees, and costs, on his
10 or her books and in his or her statements with any other taxing
11 authorities.

12 6. A land bank shall not own real property unless the
13 property is wholly located within the boundaries of the city that
14 established the land bank agency.

15 140.985. 1. A land bank agency shall hold in its own name
16 all real property acquired by such land bank agency irrespective
17 of the identity of the transferor of such property.

18 2. A land bank agency shall maintain and make available for
19 public review and inspection an inventory and history of all real
20 property the land bank agency holds or formerly held. This
21 inventory and history shall be available on the land bank
22 agency's website and include at a minimum:

23 (1) Whether a parcel is available for sale;

24 (2) The address of the parcel if an address has been
25 assigned;

26 (3) The parcel number if no address has been assigned;

27 (4) The year that a parcel entered the land bank agency's
28 inventory;

1 (5) Whether a parcel has sold; and

2 (6) If a parcel has sold, the name of the person or entity
3 to which it was sold.

4 3. The land bank agency shall determine and set forth in
5 policies and procedures the general terms and conditions for
6 consideration to be received by the land bank agency for the
7 transfer of real property and interests in real property.

8 Consideration may take the form of monetary payments and secured
9 financial obligations, covenants, and conditions related to the
10 present and future use of the property; contractual commitments
11 of the transferee; and such other forms of consideration as the
12 land bank agency determines to be in the best interest of its
13 purpose.

14 4. A land bank agency may convey, exchange, sell, transfer,
15 lease, grant, release and demise, pledge, and hypothecate any and
16 all interests in, upon, or to property of the land bank agency.

17 A land bank agency may gift any interest in, upon, or to property
18 to the city that established the land bank agency.

19 5. A city may, in its resolution or ordinance creating a
20 land bank agency, establish a hierarchical ranking of priorities
21 for the use of real property conveyed by such land bank agency,
22 subject to subsection 7 of this section, including, but not
23 limited to:

24 (1) Use for purely public spaces and places;

25 (2) Use for affordable housing;

26 (3) Use for retail, commercial, and industrial activities;

27 (4) Use as wildlife conservation areas; and

28 (5) Such other uses and in such hierarchical order as

1 determined by such city.

2
3 If a city, in its resolution or ordinance creating a land bank
4 agency, establishes priorities for the use of real property
5 conveyed by the land bank agency, such priorities shall be
6 consistent with and no more restrictive than municipal planning
7 and zoning ordinances.

8 6. The land bank agency may delegate to officers and
9 employees the authority to enter into and execute agreements,
10 instruments of conveyance, and all other related documents
11 pertaining to the conveyance of property by the land bank agency.

12 7. A land bank agency shall only accept written offers
13 equal to or greater than the full amount of all tax bills,
14 interest, penalties, attorney's fees, and costs on real property
15 to purchase the real property held by the land bank agency.

16 8. When any parcel of real estate acquired by a land bank
17 agency is sold or otherwise disposed of by such land bank agency,
18 the proceeds therefrom shall be applied and distributed in the
19 following order:

20 (1) To the payment of the expenses of the sale;

21 (2) To fulfill the requirements of the resolution,
22 indenture, or other financing documents adopted or entered into
23 in connection with bonds, notes, or other obligations of the land
24 bank agency, to the extent that such requirements may apply with
25 respect to such parcel of real estate;

26 (3) To the balance to be retained by the land bank agency
27 to pay the salaries and other expenses of such land bank agency
28 and of its employees as provided for in its annual budget; and

1 (4) Any funds in excess of those necessary to meet the
2 expenses of the annual budget of the land bank agency in any
3 fiscal year and a reasonable sum to carry over into the next
4 fiscal year to assure that sufficient funds will be available to
5 meet initial expenses for that next fiscal year, exclusive of net
6 profit from the sale of ancillary parcels, shall be paid to the
7 respective taxing authorities that, at the time of the
8 distribution, are taxing the real property from which the
9 proceeds are being distributed. The distributions shall be in
10 proportion to the amounts of the taxes levied on the properties
11 by the taxing authorities. Distribution shall be made on January
12 first and July first of each year, and at such other times as the
13 land bank agency may determine.

14 9. When any ancillary parcel is sold or otherwise disposed
15 of by such land bank agency, the proceeds therefrom shall be
16 applied and distributed in the following order:

17 (1) To the payment of all land taxes and related charges
18 then due on such parcel;

19 (2) To the payment of the expenses of sale;

20 (3) To fulfill the requirements of the resolution,
21 indenture, or other financing documents adopted or entered into
22 in connection with bonds, notes, or other obligations of the land
23 bank agency, to the extent that such requirements may apply with
24 respect to such parcel of real estate;

25 (4) To the balance to be retained by the land bank agency
26 to pay the salaries and other expenses of such land bank agency
27 and of its employees as provided for in its annual budget; and

28 (5) Any funds in excess of those necessary to meet the

1 expenses of the annual budget of the land bank agency in any
2 fiscal year and a reasonable sum to carry over into the next
3 fiscal year to assure that sufficient funds will be available to
4 meet initial expenses for that next fiscal year, shall be paid in
5 accordance with subdivision (4) of subsection 8 of this section.

6 10. If a land bank agency owns more than five parcels of
7 real property in a single city block and no written offer to
8 purchase any of those properties has been submitted to the agency
9 in the past twelve months, the land bank agency shall reduce its
10 requested price for those properties and advertise the discount
11 publicly.

12 140.986. 1. No later than two years from the date it
13 acquired the property, a land bank agency shall either sell, put
14 to a productive use, or show significant progress towards selling
15 or putting to a productive use a parcel of real property. A
16 productive use may be renting the property; demolishing all
17 structures of the property; restoring property of historic value;
18 or using the property for a community garden, park, or other open
19 public space.

20 2. The governing body of the city may grant the land bank
21 agency a one-year extension if the body determines by a majority
22 vote that unforeseen circumstances have delayed the sale or
23 productive use of a parcel of property.

24 3. If a land bank agency owns a parcel of real property
25 that does not have a productive use after two years, or does not
26 receive an extension under subsection 2 of this section, the
27 property shall be offered for public sale using the procedures
28 under sections 140.170 to 140.190.

1 140.987. A land bank agency shall ensure that any contract
2 for the sale of residential property owned by the land bank
3 agency shall have a clause that the buyer shall own the property
4 for three years following the buyer's purchase of the property
5 from the land bank. The clause shall state that a violation of
6 those terms makes the buyer civilly liable to the land bank
7 agency for an amount equal to twice the sale price of the
8 property.

9 140.988. 1. A land bank agency may receive funding through
10 grants, gifts, and loans from political subdivisions, the state,
11 the federal government, and other public and private sources.

12 2. Except as otherwise provided in subsections 8 and 9 of
13 section 140.985, a land bank agency may receive and retain
14 payments for services rendered, for rents and leasehold payments
15 received, for consideration for disposition of real and personal
16 property, for proceeds of insurance coverage for losses incurred,
17 for income from investments, and for any other asset and activity
18 lawfully permitted to a land bank agency under the land bank act.

19 3. If a land bank agency sells or otherwise disposes of a
20 parcel of real estate held by it, any land taxes assessed against
21 such parcel for the three tax years following such sale or
22 disposition by such land bank agency that are collected by the
23 county collector in a calendar year and not refunded, less the
24 fees provided under section 52.260 and subsection 4 of this
25 section and less the amounts to be deducted under section
26 137.720, shall be distributed by the county collector to such
27 land bank agency no later than March first of the following
28 calendar year, provided that land taxes impounded under section

1 139.031 or otherwise paid under protest shall not be subject to
2 distribution under this subsection. Any amount required to be
3 distributed to a land bank agency under this subsection shall be
4 subject to offset for amounts previously distributed to such land
5 bank agency that were assessed, collected, or distributed in
6 error.

7 4. In addition to any other provisions of law related to
8 collection fees, the county collector shall collect on behalf of
9 the county a fee of four percent of reserve period taxes
10 collected and such fees collected shall be deposited in the
11 county general fund.

12 140.991. 1. There shall be an annual audit of the affairs,
13 accounts, expenses, and financial transactions of a land bank
14 agency by a certified public accountant before April thirtieth of
15 each year, which accountant shall be employed by the land bank
16 agency on or before March first of each year. Certified copies
17 of the audit shall be furnished to the city that established the
18 land bank agency, and the city shall post the audit on its public
19 website. Copies of the audit shall also be available for public
20 inspection at the office of the land bank agency.

21 2. The land bank agency may be performance audited at any
22 time by the state auditor or by the auditor of the city that
23 established the land bank agency. The cost of such audit shall
24 be paid by the land bank agency, and copies shall be made
25 available to the public and posted on the land bank agency's
26 website within thirty days of the completion of the audit.

27 140.997. Except as otherwise provided under state law, the
28 land bank agency meetings shall cause minutes and a record to be

1 kept of all its proceedings. The land bank agency shall be
2 subject to the provisions of chapter 109, chapter 610, and any
3 other applicable provisions of law governing public records and
4 public meetings.

5 140.1000. 1. No employee of a land bank agency shall
6 receive any compensation, emolument, or other profit directly or
7 indirectly from the rental, management, acquisition, sale,
8 demolition, repair, rehabilitation, use, operation, ownership, or
9 disposition of any lands held by such land bank agency other than
10 the salaries, expenses, and emoluments provided for in the land
11 bank act.

12 2. No employee of a land bank agency shall own, directly or
13 indirectly, any legal or equitable interest in or to any lands
14 held by such land bank agency other than the salaries, expenses,
15 and emoluments provided for in sections 140.980 to 140.1015.

16 3. A violation of this section is a class D felony.

17 4. The land bank agency may adopt supplemental rules and
18 regulations addressing potential conflicts of interest and
19 ethical guidelines for land bank agency employees, provided that
20 such rules and regulations are not inconsistent with this chapter
21 or any other applicable law.

22 140.1003. Except as otherwise expressly set forth in
23 sections 140.980 to 140.1015, in the exercise of its powers and
24 duties under the land bank act and its powers relating to
25 property held by the land bank agency, the land bank agency shall
26 have complete control of the property as fully and completely as
27 if it were a private property owner.

28 140.1006. 1. If any ancillary parcel is acquired by a land

1 bank agency and is encumbered by a lien or claim for real
2 property taxes owed to a taxing authority, such taxing authority
3 may elect to contribute to the land bank agency all or any
4 portion of such taxes that are distributed to and received by
5 such taxing authority.

6 2. To the extent that a land bank agency receives payments
7 or credits of any kind attributable to liens or claims for real
8 property taxes owed to a taxing authority, the land bank agency
9 shall remit the full amount of the payments to the county
10 collector for distribution to the appropriate taxing authority.

11 140.1009. 1. A land bank agency shall be authorized to
12 file an action to quiet title under section 527.150 as to any
13 real property in which the land bank agency has an interest. For
14 purposes of any and all such actions, the land bank agency shall
15 be deemed to be the holder of sufficient legal and equitable
16 interests, and possessory rights, so as to qualify the land bank
17 agency as an adequate petitioner in such action.

18 2. Prior to the filing of an action to quiet title, the
19 land bank agency shall conduct an examination of title to
20 determine the identity of any and all persons and entities
21 possessing a claim or interest in or to the real property.
22 Service of the petition to quiet title shall be provided to all
23 such interested parties by the following methods:

24 (1) Registered or certified mail to such identity and
25 address as reasonably ascertainable by an inspection of public
26 records;

27 (2) In the case of occupied real property, by first class
28 mail addressed to "Occupant";

1 (3) By posting a copy of the notice on the real property;

2 (4) By publication in a newspaper of general circulation in
3 the city in which the property is located; and

4 (5) Such other methods as the court may order.

5 3. As part of the petition to quiet title, the land bank
6 agency shall file an affidavit identifying all parties
7 potentially having an interest in the real property and the form
8 of notice provided.

9 4. The court shall schedule a hearing on the petition
10 within ninety days following filing of the petition, and, as to
11 all matters upon which an answer was not filed by an interested
12 party, the court shall issue its final judgment within one
13 hundred twenty days of the filing of the petition.

14 5. A land bank agency shall be authorized to join in a
15 single petition to quiet title one or more parcels of real
16 property.

17 140.1012. 1. A land bank agency may be dissolved as a
18 public body corporate and politic no sooner than sixty calendar
19 days after an ordinance or resolution for such dissolution is
20 passed by the city that established the land bank agency.

21 2. No less than sixty calendar days' advance written notice
22 of consideration of such an ordinance or resolution of
23 dissolution shall be given to the land bank agency, shall be
24 published in a local newspaper of general circulation within such
25 city, and shall be sent certified mail to each trustee of any
26 outstanding bonds of the land bank agency.

27 3. No land bank agency shall be dissolved while there
28 remains any outstanding bonds, notes, or other obligations of the

1 land bank agency unless such bonds, notes, or other obligations
2 are paid or defeased pursuant to the resolution, indenture, or
3 other financing document under which such bonds, notes, or other
4 obligations were issued prior to or simultaneously with such
5 dissolution.

6 4. Upon dissolution of a land bank agency pursuant to this
7 section, all real property, personal property, and other assets
8 of the land bank agency shall be transferred by appropriate
9 written instrument to and shall become the assets of the city
10 that established the land bank agency. Such city shall act
11 expeditiously to return such real property to the tax rolls and
12 shall market and sell such real property using an open, public
13 method that ensures the best possible prices are realized while
14 ensuring such real property is returned to a suitable, productive
15 use for the betterment of the neighborhood in which such real
16 property is located. Any such real property that was acquired by
17 the dissolved land bank agency pursuant to a sale conducted under
18 section 140.190, 140.240, or 140.250 shall be held by the city in
19 trust for the tax bill owners and taxing authorities having an
20 interest in any tax liens which were foreclosed, as their
21 interests may appear in the judgment of foreclosure, and, upon
22 the sale or other disposition of any such property by such city,
23 the proceeds therefrom shall be applied and distributed in the
24 following order:

25 (1) To the payment of the expenses of sale;

26 (2) To the reasonable costs incurred by such city in
27 maintaining and marketing such property; and

28 (3) The balance shall be paid to the respective taxing

1 authorities that, at the time of the distribution, are taxing the
2 real property from which the proceeds are being distributed.

3 140.1015. A land bank agency shall neither possess nor
4 exercise the power of eminent domain. A land bank agency shall
5 not have the power to tax.