

ORDINANCE NO. 58-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE DONATION AGREEMENT WITH THE BOARD OF PARK COMMISSIONERS, LORAIN COUNTY METROPOLITAN PARK DISTRICT TO TRANSFER FIVE (5) PARCELS OF LAND (PPN 04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136, & 04-00-013-000-125) AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon has acquired five (5) parcels of land (04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136, & 04-00-013-000-125) located on the north side of Mills Road in close proximity to the French Creek wetlands area; and

WHEREAS, in 2003 the City applied for and received a grant from the Ohio Public Works Commission for parcels 04-00-013-000-068 & 04-00-013-000-143 in the amount of \$226,347 and constructed the French Creek Restoration project; and

WHEREAS, since that time three (3) additional parcels were acquired by the city without any outside assistance; and

WHEREAS, these parcels have been deemed undevelopable by the Administration and The Board of Park Commissioners, Lorain County Metropolitan Park District have expressed an interest in acquiring these lands for park use; and

WHEREAS, Avon City Council finds that it is in the best interest of the health, safety, and welfare of the Community that the City of Avon donate the above parcels of land owned by the city to The Board of Park Commissioners, Lorain County Metropolitan Park District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That the Mayor is hereby authorized to execute a Real Estate Donation Agreement with The Board of Park Commissioners, Lorain County Metropolitan Park District in substantially the form as set forth in [Exhibit A](#), attached hereto and incorporated herein by this reference. Execution of said Agreement will result in the transfer (by deed) of five (5) parcels of land, to wit: Permanent Parcels Nos. 04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136, & 04-00-013-000-125, all of which are located on the north side of Mills Road in the French Creek wetlands area. See the map in [Exhibit B](#).

Section 2 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens

of the City of Avon, the immediate emergency being the necessity for the City to donate five (5) parcels of land (04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136, & 04-00-013-000-125) located on Mills Road in the French Creek wetlands to The Board of Park Commissioners, Lorain County Metropolitan Park District; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director, City of Avon