

ORDINANCE NO. 80-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE
ADDENDUM TO THE REAL ESTATE PURCHASE AGREEMENT
WITH THE AVON LOCAL SCHOOL DISTRICT TO ACQUIRE REAL
PROPERTY LOCATED AT 36600 DETROIT ROAD
(a.k.a. THE AVON VILLAGE SCHOOL)
AND DECLARING AN EMERGENCY**

WHEREAS, Council passed Ordinance No. 45-25 on June 23, 2025 authorizing the Mayor to enter into an agreement with the Avon Local School District to purchase the Avon Village School; and

WHEREAS, due to unforeseen circumstances, the City was unable to close on the agreed upon date and the parties have now agreed to a new closing date and a payment schedule as set forth in the attached addendum; and

WHEREAS, Council deems it to be in the best interests of the health, safety, and welfare of the community that the City take the next step in finalizing the acquisition of this property at 36600 Detroit Road by authorizing the Mayor to execute an addendum to the June 26, 2025 purchase agreement in furtherance of said acquisition without delay.

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 enter into an Addendum to the June 26, 2025 Real Estate Purchase Agreement with the Avon Local School District to acquire parcels of land located at 36600 Detroit Road, Permanent Parcel Nos. 04-00-010-112-026; 04-00-010-112-021; 04-00-010-112-020; 04-00-010-112-025; and 04-00-010-112-024 (~6.940 acres), commonly known as the Avon Village School. Said Addendum to the Real Estate Purchase Agreement, in substantially the form as set forth herein, is attached hereto as Exhibit A and incorporated herein by reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, 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 acquire additional property within which to relocate City Hall without delay; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor

PASSED: September 8, 2025 DATE SIGNED: September 8, 2025

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: September 9, 2025

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

Posted: September 11, 2025
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director, City of Avon

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 80-25, passed by the Council of said City on September 8, 2025.

IN WITNESS WHEREOF, I have on this 9th day of September 2025, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

ADDENDUM TO PURCHASE AGREEMENT

THIS ADDENDUM to the June 26, 2025 Real Estate Purchase Agreement (Ord. No. 45-25) is made and entered into by and between the parties to that Agreement, viz., the **AVON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION**, hereinafter, “Sellers”, and the **CITY OF AVON, OHIO**, an Ohio municipal corporation, hereinafter referred to as the “Buyer”, all of whom are being collectively herein referred to as the “Parties”.

WHEREAS, pursuant to the aforementioned Real Estate Purchase Agreement the parties were scheduled to close on the sale of the property on or before August 22, 2025 (Paragraph 6); and

WHEREAS, the total purchase price agreed upon of One Million Seven Hundred Thousand Dollars and 00/100 (\$1,700,000.00) was due on the date of closing; and

WHEREAS, due to unforeseen circumstances, the City was not able to close on the agreed upon date and the parties have agreed to a new closing date and a payment schedule as set forth in this Addendum.

NOW THEREFORE, the parties agree to modify their original Purchase Agreement as follows:

1. The total purchase price shall remain One Million Seven Hundred Thousand Dollars and 00/100 (\$1,700,000.00). However, said amount shall be paid to Sellers as follows: Five Hundred Thousand Dollars and 00/100 (\$500,000.00) will be due on the new date of closing. Thereafter, Six Hundred Thousand Dollars and 00/100 (\$600,000.00) shall be paid to Sellers on or before June 1st, 2026 and a final payment of Six Hundred Thousand Dollars and 00/100 (\$600,000.00) shall be paid to Seller on or before June 1st, 2027.
2. The new closing date shall be October 31, 2025.
3. The “Due Diligence Deadline” shall be extended to October 17, 2025.
4. Effective Date. The effective date of this Addendum shall be the latest of the execution dates of the parties as set forth below.

(Continued on next page)

All other matters covered in the parties' June 26, 2025 Real Estate Purchase Agreement, not specifically amended herein or inconsistent with the provisions set forth herein, remain binding on the parties.

BUYER: CITY OF AVON, OHIO

**SELLER: AVON LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION**


Brian Fischer, City Council President

Tara Tatman, Board of Education President

Date: 9-8-25

Date: _____


Bryan Jensen, Mayor

Michael Zalar, Interim Superintendent

Date: 9-9-25

Date: _____

Prepared by:
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