

ORDINANCE NO. 61-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR REAL ESTATE LOCATED ALONG THE NORTH SIDE OF COLORADO AVENUE, WEST OF NORTHGATE PARK, PERMANENT PARCEL NOS. 04-00-010-106-040 AND 04-00-010-106-042 AND DECLARING AN EMERGENCY

WHEREAS, as the City's population continues to grow and more land is developed, the City's need to acquire lands for public use becomes all the more important; and

WHEREAS, the property located along the north side of Colorado Avenue, west of Northgate Park is available for purchase; and

WHEREAS, the Administration had the property appraised; and

WHEREAS, after considering the Seller's offer, inspecting the site and discussing the feasibility of the purchase with members of City Council, the Administration now seeks authorization to enter into a Purchase Agreement with the owner for the purchase of two (2) vacant, unimproved parcels of real estate consisting of approximately 1.5143 acres of land located along the north side of Colorado Avenue, west of and adjacent to Northgate Park in the City of Avon; and

WHEREAS, Council, after reviewing the terms of the purchase agreement and considering the need for the additional land adjacent to Northgate Park, deems it to be in the best interests of the health, safety and welfare of the community that the City enter into a purchase agreement to acquire said lands being offered for sale for future use as public property.

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 a Purchase Agreement in substantially the same form as is set forth herein and incorporated hereto as Exhibit A with Michael W. Bommer, Trustee of the Clarabelle K. Bommer Revocable Living Trust, to acquire two (2) vacant, unimproved parcels of real property located along the north side of Colorado Avenue, west of Northgate Park, in the City of Avon, identified as Permanent Parcel Nos. 04-00-010-106-040 (0.5588 acres) and 04-00-010-106-042 (0.9555 acres).

Section 2 - Council hereby authorizes the payment of funds from the General Fund No. 101 in an amount equal to that set forth in the final Purchase Agreement, said sum not to exceed **One Hundred Twenty Five Thousand Dollars (\$125,000.00)** together with any costs of closing. Payment is to be made pursuant to directives of the Finance Director who is authorized to increase the appropriation by a reasonable amount to cover any engineering, legal and closing fees associated with this purchase.

Section 3 - 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 4 - 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 land for public use; 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: _____
In Five Places as
Provided by Council

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