

ORDINANCE NO. 123-20

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
PURCHASE AGREEMENT FOR REAL ESTATE LOCATED ON THE
NORTH SIDE OF SCHNEIDER COURT, JUST EAST OF 35850 SCHNEIDER COURT,
PERMANENT PARCEL NO. 04-00-016-102-030
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 on the north side of Schneider Court, just east of the 35850 Schneider Court is available for purchase; and

WHEREAS, said parcel, because of its more remote location, could be used by the City's safety forces as a training site; and

WHEREAS, the Administration, after considering the Seller's offer, inspecting and appraising the site and discussing the feasibility of the purchase with Finance, now seeks authorization from Council to enter into a Purchase Agreement with the Sellers for the purchase of one (1) vacant, unimproved parcel of real estate consisting of approximately 24.4296 acres of land located on the north side of Schneider Court, just east of the property at 35850 Schneider Court in the City of Avon; and

WHEREAS, Council has had an opportunity to meet with the Mayor and members of the Administration to discuss the purchase of the subject property, including the terms of the transaction as set forth in the proposed Purchase Agreement; and

WHEREAS, Council deems it to be in the best interests of the health, safety and welfare of the community that the City acquire the land being offered for sale on the north side of Schneider Court, just east of 35850 Schneider Court for 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 with the Sellers of the vacant, unimproved real property consisting of approximately 24.4296 acres of land located on the north side of Schneider Court, just east of the property addressed as 35850 Schneider Court in the City of Avon, Permanent Parcel No. 04-00-016-102-030. Said Purchase Agreement is attached hereto as Exhibit A and incorporated herein by reference.

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 Five Hundred Thousand Dollars and No Cents (\$500,000.00). 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 or 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 and commence the transaction in the year 2020; 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:

Gail Hayden, Asst. Clerk of Council

Posted: _____

In Five Places as
Provided by Council

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