

ORDINANCE NO. 21-048

AN ORDINANCE DECLARING THAT CERTAIN FORTY-FOUR (44) PARCELS OF REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AND LOCATED IN THE COLD CREEK CROSSING SUBDIVISION ARE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND APPROVING A FORM OF AGREEMENT FOR THE PURCHASE AND SALE WITH RESPECT TO SAID REAL PROPERTY.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, the City Commission previously authorized the acquisition of the property located in the Cold Creek Crossing Subdivision by Resolution No. 008-14R, passed on February 24, 2014, under said Land Reutilization Program, which property is more specifically described in Exhibit "A", and is no longer needed for any municipal purposes; and

WHEREAS, the City desires to market and sell the single-family properties at the sale price of ninety percent (90%) of the Erie County Auditor's appraised value and the multi-family properties at the sale price of \$8,000.00 per unit to be constructed, which have been determined to be no less than fair market value, with the sales proceeds to be used by the City to satisfy the assessment liens and to recoup expenses related to the property in accordance with Ohio Revised Code §5722.08; and

WHEREAS, when a purchaser is identified, a Purchase and Sale Agreement will be executed, and the property will be sold pursuant to the agreement which requires construction to begin within four (4) years; and

WHEREAS, approval to enter into an Exclusive Right to Sell Agreement with Hoty Enterprises, Inc. of Sandusky, Ohio, for the marketing and sale of these properties in being requested in companion legislation; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission finds, determines and declares that the Properties, Forty-Four (44) parcels located in the Cold Creek Crossing Subdivision, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, are no longer needed for any municipal purpose and that the execution of any Purchase and Sale Agreements providing for the sale, pursuant to Section 25 of the Charter of this City, to any Purchasers of the Property at the purchase price set forth in any Purchase and Sale Agreement, is in the economic interest of the City and in

furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute any Purchase and Sale Agreement on behalf of the City, substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by any Purchaser(s) to purchase any Property pursuant to the Purchase and Sale Agreement, the City Manager is also hereby authorized and directed on behalf of the City to execute a quit claim deed conveying the Property to the Purchaser(s), which quit claim deed shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect at the earliest time allowed by Law.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION