

Ordinance No. _____

AN ORDINANCE ACCEPTING REAL PROPERTY ADJACENT TO THE OTTAWA AVENUE AND CLEVELAND AVENUE INTERSECTION AND DECLARING AN EMERGENCY

WHEREAS, the City identified the need to improve the intersection at Ottawa Avenue and Cleveland Avenue by installing a single lane roundabout, pedestrian facilities, and a place for utilities; and,

WHEREAS, the acquisition of property in fee simple absolute from an adjacent property owner is necessary to complete the intersection improvements; and,

WHEREAS, Section 715.01 of the Ohio Revised Code authorizes a municipal corporation to acquire property by purchase through a duly-enacted ordinance or resolution by the City Council; and,

WHEREAS, Paul F. Schroeder and Shirley J. Schroeder agreed to convey 0.069 acres of land in fee simple absolute on February 5, 2020; and;

WHEREAS, the negotiated purchase price for the subject property is \$35,000.00; and;

WHEREAS, the Ohio Department of Transportation ("ODOT") safety funds will pay 90% of the acquisition costs; and;

WHEREAS, Council finds that property acquisition for construction of a roundabout and pedestrian infrastructure at this critical intersection promotes the Connectivity Pillar of the Defiance Community Strategic Plan:

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is directed to enter into the Contract for the Sale and Purchase of Real Property with the aforementioned property owners on file in the office of the Law Director in the amount of \$35,000.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-978105 of the 2020 annual budget.

Section 3: The general warranty deed from the aforementioned property owner is hereby accepted.

Section 4: All municipal officers are authorized to take such action as may be necessary or appropriate to secure marketable title to the real property described in the warranty deed.

Section 5: The City Law Director shall record the above-referenced conveyance with the Defiance County Recorder.

Section 6: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 7: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that ODOT requires the municipality to execute the purchase agreement within twenty (20) days of execution by the property owner to qualify for the 90% grant funding. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2020 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk
Approved: _____, 2020 _____
Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT SOUTH JACKSON STREET TO THE COMMUNITY IMPROVEMENT CORPORATION

WHEREAS, the City desires to convert a former park on South Jackson Street into two lots for additional housing; and,

WHEREAS, Section 721.28 of the Ohio Revised Code authorizes a municipal corporation to transfer, lease, or convey any real property for urban redevelopment or renewal *without competitive bidding*; and,

WHEREAS, the Community Improvement Corporation ("CIC") is willing to hold the property until an end user can accept the property and convert it to residential use; and,

WHEREAS, Council finds that the proposed plan and transfer advances the Housing Pillar of the Defiance Community Strategic Plan by increasing the availability of homes within the municipal boundaries;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: Council hereby adopts a redevelopment plan to add housing on the property depicted in "Exhibit A" attached hereto.

Section 2: The sale of the property depicted in "Exhibit A" to the CIC is hereby authorized in the amount of \$1.00, plus the cost of any title insurance policy, attorney's fees, recording fees, and any other fees incidental to closing.

Section 3: The Finance Director is authorized to pay the price from Section 2 from appropriated funds allocated by expenditure from Line 101-172-52-963000 of the 2020 annual budget.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2020

President of Council

Attest: _____, Clerk

Approved: _____, 2020

Mayor