

ORDINANCE O-2018-8

AN ORDINANCE CONFIRMING AND RATIFYING THE SALE OF MUNICIPAL PROPERTY AFTER BIDDING AND DECLARING AN EMERGENCY

WHEREAS, upon the passage of Ordinance 2018-3 the Council of the Village of Windham has previously authorized Village Administrator to advertise for sale of a vacant parcel of property located generally near Brook Court, and identified as Parcel/Tax ID Numbers 41-057-10-00-054-000 and 41-057-10-00-053-000 in the Village of Windham, Ohio; and

WHEREAS, in advance of the decision to advertise for sale the property the Council of the Village of Windham determined the property was no longer needed for Municipal purposes; and

WHEREAS, during the advertising for bid Neighborhood Development Services has submitted a proposed purchase agreement which offers the minimum \$90,000.00 purchase price; and

WHEREAS, Neighborhood Development Services has informed the Village that to secure necessary financing a purchase agreement needed to be approved at this time; and

WHEREAS, the Village Solicitor explained to Neighborhood Development Services that although a purchase agreement could be awarded by the Council at that time, the express terms of the purchase agreement needed to indicate that performance under the agreement is contingent upon the offer of Neighborhood Development Services being higher than all other bids received by the Village for purchase of the property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, two thirds or more of its members elected thereto concurring as follows:

Section One: The time within which to submit bids for the purchase of the property known as near Brook Court and identified as Parcel/Tax ID Numbers 41-057-10-00-054-000 and 41-057-10-00-053-000 in the Village of Windham, was completed on March 5, 2018.

Section Two: The bid of Neighborhood Development Services in the amount of \$90,000.00 for the property known as near Brook Court and identified as Parcel/Tax ID Numbers 41-057-10-00-054-000 and 41-057-10-00-053-000 in the Village of Windham, Ohio is remains the highest and best offer received.

Section Three: Fiscal Officer and the Mayor are hereby directed to take all steps necessary to perform under the purchase agreement authorized by the passage of Ordinance 2018-4, passed by this Council on February 13, 2018.

Section Four: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council and any committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

Section Five: Ordinance is declared an emergency measure becoming effective immediately upon its passage by Council to advance the safety, general health and welfare of the Village and to assist Neighborhood Development Services in achieving economic development of land in the Village of Windham.

Passed in Council as an emergency on March 27, 2018.

Vote of Council: Ayes: 5
 Nays: 0

ATTEST:

APPROVED:

Fiscal Officer, Cheree Taylor

Mayor, Deborah Blewitt

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz