

ORDINANCE NO. 2023 -06

AN ORDINANCE AUTHORIZING THE SALE OF VARIOUS PARCELS OF REAL ESTATE OWNED BY THE VILLAGE BUT NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND RATIFYING AND CONFIRMING THE ACTIONS OF THE VILLAGE ADMINSTRATOR AND DECLARING AN EMERGENCY

WHEREAS, the Village is the sole owner, in fee simple, of a certain parcels of real estate known as:

1. 9593 Green Meadow.
2. 6903 Green Meadow.
3. 9117 Maple Grove Rd.
4. 9555 Cloverleaf Rd.
5. 9539 - 9545 Community Rd.

(hereinafter together referred to as the Real Estate); and

WHEREAS, the Village Administrator has recommended that the Village of Windham sell the Real Estate as that land is no longer needed for any municipal purpose and so as to avoid the ongoing expenses involved owning the Real Estate; and

WHEREAS, Ohio Revised Code 721.03 authorizes the sale of real estate that is no longer needed for any municipal purpose; and

WHEREAS, by the passage of Resolution 2020-13 the Village of Windham Council has adopted the Windham Village, Land Use Plan which designates the whole of the Village as an area for Urban Redevelopment and Urban Renewal; and

WHEREAS, Ohio Revised Code 721.28 authorizes the sale of real estate in accordance with a plan adopted by the Village Council for urban redevelopment or urban renewal without the necessity of complying with the competitive bidding requirements of Ohio Revised code 721.03.

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 Council determines that all the Real Estate is no longer needed for any municipal purpose.

Section Two: The Village Administrator, who is the municipal officer having supervision and management of such property, after discussion with the Committee of Council, and in conformity with the purposes of the Village of Windham Land Use Plan has sold some of the Real Estate. The sales, listed by location, purchaser and price are set forth on the attached Exhibit A.

Section Three: The actions of the Village Administrator are found and determined to be in compliance with prior direction of the Village Council, Ohio Revised Code 721.28 and with the Windham Village Land Use Plan.

Section Four: The actions of the Village Administrator in selling the Real Estate, as is shown on the attached Exhibit A are ratified, confirmed and approved.

Section Five: The Village Administrator is hereby authorized to execute all documents, including by not limited to, the deeds and associated requirements to close the sales of each of the parcels of Real Estate enumerated in Exhibit A.

Section Six: In addition to the actions ratified, confirmed and approved in sections Two through Five of this resolution, the Village Administrator is authorized to offer for sale the real estate known as 9117 Maple Grove Road, 9555 Cloverleaf Road and 9539-9545 Community Road and is hereby authorized to execute all documents, including by not limited to, the deeds and associated requirements to offer for sale, enter into sale agreements, close the sales of

each of the parcels of 9117 Maple Grove Road, 9555 Cloverleaf Road and 9539-9545 Community Road and to take all other steps and actions as are necessary to complete these additional sales of real estate.

Section Seven: 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 Eight: This ordinance is declared an emergency measure becoming effective immediately upon its passage by Council and approval by the Mayor because the Village of Windham as it is necessary to formally indicate that the actions of the Village Administrator are approved and the Village been needs to sell real estate no longer needed for any municipal purpose soon so as to reduce the drain on the municipal finances caused by owning the real estate.

Passed in Council as an emergency on May 23, 2023.

ATTEST:
Fiscal Officer, *Katrina Washington*

APPROVED:
Mayor, *Scott Garrett*

APPROVED AS TO FORM:

Village Solicitor, *Thomas Reitz*

Exhibit A

1. 9593 Green Meadow. Sale price \$1,750.00, to Marsha Dunn.
2. 6903 Green Meadow. Sale price \$1,750.00, to Lester Dunn.