

ORDINANCE NO. 28-18

**AN ORDINANCE AUTHORIZING AND DIRECTING
THE DIRECTOR OF SAFETY AND SERVICE TO
ENTER INTO A CONTRACT WITH WILLIAM L.
MOSES FOR THE PURCHASE OF REAL
PROPERTY AND DECLARING AN EMERGENCY**

Whereas, William L. Moses has offered to sell to the City a parcel of property, located adjacent to Property owned by the City on West Perry Street, which property was formerly used as the City Service Department, and

Whereas, the offering price to the City for such property is \$4,000.00, and

Whereas, the Property, if acquired by the City will add value to the Property formerly used by the City's Service Department by extending Lot Nos. 3 and 4 to their full dimensions, and

Whereas, this Council finds and determines that it is in the best interest of the City to purchase and acquire this property for use by the City,

Now, therefore, be it Ordained by the Council of the City of Port Clinton, Ottawa County, Ohio:

Section 1. That the Director of Safety and Service is hereby authorized and directed to enter into a Purchase Agreement with William L. Moses to purchase the property described on Exhibit A of this ordinance for the consideration of \$4,000.00, to be paid upon execution and delivery to the City of a good and sufficient warranty deed accompanied by a title insurance policy, conveying said premises to the City in fee simple, free and clear of all encumbrances, excepting conditions and restrictions of record, zoning ordinances and taxes and assessments levied and assessed subsequent to the date of conveyance. The deed and title insurance policy are to be to the satisfaction of the Director of Law.

Section 2. To give effect to the findings and determinations set forth above, a Purchase Agreement has been prepared, a copy of which is on file with the Clerk of the Council. A final draft of such agreement is required to be executed and is hereby authorized and directed to be executed by the Director of Safety and Service, but with such changes and modifications therein as shall be made, which changes are not materially adverse to this City, after consultation with the Director of Law, and which changes are approved on behalf of the City by the Director of Safety and Service, all of which shall be evidenced conclusively by the execution of the Purchase Agreement by the Safety Service Director.

Section 3. The Mayor, the Auditor, the Treasurer, the Clerk of Council, the Director of Public Safety and Service, the Director of Law and other City officials, as

appropriate, are each authorized and directed to take any and all such other actions, including execution and delivery of any further agreements or instruments as are necessary or appropriate to consummate the transaction contemplated by this Ordinance.

Section 4. The amount to be paid for the property, together with any cost or expense incurred by the City in connection with the acquisition thereof, including any taxes to be paid by the City after acquiring said property, shall be paid from the General Fund, Account No. _____.

Section 6. This Council finds and determines that all formal actions of this Council, and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this council, or committees and that all deliberations of this Council 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 7. This Ordinance is declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order for the City to be able to acquire the real property described in the Purchase Agreement at the earliest possible time so that it may be used in conjunction with the continuing use of the premises by the City for storage of equipment and supplies, and to acquire the property before it may be sold to third parties,

Wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2018

President of Council

Attest: _____
Clerk of Council

Approved: _____ 2018

Mayor