

An Ordinance authorizing and directing the Mayor to enter into contract to purchase real property to be used by the City of Reynoldsburg for off-street parking purposes and declaring an emergency.

WHEREAS, The City of Reynoldsburg desires to purchase certain real estate located within the corporate limits of the City, and

WHEREAS, The City of Reynoldsburg desires to use the land to be acquired for a public purpose, and

WHEREAS, Both Ohio Revised Code Section 715.21 and The Charter of the City of Reynoldsburg allow the City to acquire real property, and

Now Therefore be it Ordained by The City Council of the City of Reynoldsburg, Counties of Franklin, Licking and Fairfield, State of Ohio, that:

Section 1. The Mayor is hereby authorized and directed to purchase the real property located at 7342 East Main Street, Reynoldsburg, Ohio 43068, Parcel Number 060-000215-00.

Section 2. The legal description attached as Exhibit "A" shall be incorporated by reference.

Section 3. The consideration to be paid for the property is Nine-Thousand Nine-Hundred Fifty Dollars (\$9,950.00), to be paid upon execution and delivery to the City of Reynoldsburg, a Trustee's Deed accompanied by a title guaranty conveying the premises to the City of Reynoldsburg 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 guaranty are to be to the satisfaction of the City Attorney.


Section 4. The purchase price in connection with the property acquisition to be paid by the City after acquiring the property is hereby appropriated from the Unappropriated General Fund to Account No. 110.448.5601.

Section 5. The purchase contract shall be consummated in such manner and on such terms as the City Attorney shall approve.

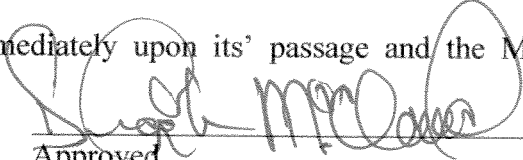
Section 6. In accordance with The Charter of the City of Reynoldsburg, Article 8.04 Section (c) competitive bidding is hereby waived.

Section 7. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, welfare, and financial needs of the City. Further, the reason for such necessity is to acquire the property timely at the agreed upon price.


Wherefore, this ordinance shall take effect immediately upon its' passage and the Mayor's signature.



Doug Joseph,
President Reynoldsburg City Council



Approved,
Bradley L. McCloud, Mayor



Attest: April Beggerow
Clerk, Reynoldsburg City Council

CERTIFICATE

I, April L. Beggerow, Clerk of Council, City of Reynoldsburg, Ohio do hereby certify the foregoing to be a true and correct copy of Ordinance No. 36-14 as passed by Council of said City on the 27th day of May, 2014, and as recorded in the Record of Proceedings of said Council.



April L. Beggerow, Clerk of Council

Filed with Mayor: 5/28/14

Published: _____

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Real Estate Purchase Contract

This real estate purchase agreement is made and effective this _____ day of June by and between The City of Reynoldsburg, a chartered municipal corporation formed under the laws of the State of Ohio, whose address is 7232 East Main Street, Reynoldsburg, Ohio 43068, (hereinafter referred to as "City") and John E. Maurer, Trustee of the Trust Agreement of John E. Maurer, dated 02/04/05, whose tax mailing address is 412 Saddlepath Lane, Pataskala, Ohio 43060, (hereinafter referred to as "Seller").

Whereas, the City wishes to purchase from Seller certain real estate located at 7342 East Main Street, Reynoldsburg, Ohio 43068 to be used for a public purpose, and

Whereas, the Seller wishes to convey, in fee simple, all rights and title to the property located at 7342 East Main Street, Reynoldsburg, Ohio 43068 to the City for the sum of Nine-Thousand Nine-Hundred and Fifty Dollars (\$9,950.00).

Now Therefore, for and in consideration of the mutual covenants herein contained and other valuable consideration in hand paid, the parties to this contract do mutually and severally agree to perform their respective covenants and to guarantee terms, conditions, and payments of this contract.

1. The Seller agrees to provide to the City a Trustee's Deed to the property described 7342 East Main Street, Reynoldsburg, Ohio 43068, (Parcel Number 060-000215-00) conveying all rights and title, in fee simple, to the property along with all general warranties, free and clear from any and all encumbrances.
2. The Seller agrees that he, as Trustee of the Trust Agreement of John E. Maurer, dated 02/04/05, is the only person or entity with title to the property and no dower interests exist.
3. The Seller shall be responsible for all property taxes accrued, but not yet payable, up to the date of closing.
4. The Seller shall be responsible for all conveyance fees and taxes required to complete this transaction.

5. The City agrees to provide to Seller the sum of Nine-Thousand Nine-Hundred and Fifty Dollars and (\$9,950.00) in certified funds upon delivery of an acceptable deed to the property. Payment shall be made in one installment.
6. The City shall be responsible to purchase title insurance from an acceptable title insurance company to ensure that proper title is passed to the City.
7. The Parties agree to incorporate by reference the attached legal description of the property marked as "Exhibit A".
8. The Parties agree that the agreement shall be governed by and construed in accordance with the laws of the State of Ohio. The parties further agree that in any action on or relating to this agreement, that exclusive jurisdiction and venue are hereby vested in the Franklin County Court of Common Pleas, Franklin County, Columbus, Ohio.
9. This writing embodies the entire agreement between the parties. Any changes to this contract shall be made in writing and served upon the other party at the addresses listed above.

Executed this day the ____ of June, 2014 at the City of Reynoldsburg Municipal Building.

For The City of Reynoldsburg

For The Seller

By: _____

By: _____

Bradley L. McCloud, Mayor

John E. Maurer, Trustee

Prepared by and Approved as to Form by _____

James E. Hood, City Attorney

FISCAL OFFICER'S CERTIFICATION

It is hereby certified that both at the time of making this contract and at the date of the execution of this certificate, the amount of \$9,950.00_____ required to pay this contract has been appropriated for the purpose of this contract and is in the treasury or in the process or collection to the credit of the _____ Fund free from any previous encumbrance.

Date

Richard E. Harris

Exhibit A

Legal Description

Situated in the State of Ohio, County of Franklin and in the City of Reynoldsburg and bounded and described as follows:

Beginning at the southeast corner of Lot No. Fourteen (14) in said City of Reynoldsburg; thence west with the south line of said Lot twenty-one and one-half (21 ½) feet; thence north one hundred and twenty eight and one-half (128 ½); thence east twenty-one and one-half (21 ½) feet; thence south one hundred and twenty-eight and one-half (128 ½) feet to the place of beginning. Being the same premises conveyed to Truro Lodge No. 411, Independent Order of Odd Fellows by David Graham and David Lindsay Graham and their wives by deed dated March 30th A.D. 1875.