

## ORDINANCE 03-2013

April 8, 2013

AN ORDINANCE TO AUTHORIZE THE MAYOR TO CONVEY ROAD RIGHT-OF-WAY BEHIND THE RETAIL CENTER LOCATED AT 5236-5272 CLEVELAND AVENUE TO CENTRAL OHIO COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE FOR ITS SUBSEQUENT CONVEYANCE TO MARION INVESTMENT COMPANY NUMBER TWO, LLC PURSUANT TO A PURCHASE AND SALE AGREEMENT PROVIDING FOR UPGRADING THE DEVELOPMENT OF A RETAIL CENTER, AND TO DECLARE AN EMERGENCY

WHEREAS, the Marion Investment Company Number Two, LLC desires to upgrade the retail center located at 5236- 5272 Cleveland Avenue with additional parking and access on an alley right-of-way owned by the Village of Minerva Park;

WHEREAS, the Village hereby finds and determines that the alley right-of-way tract located behind the retail center at 5236-5272 Cleveland Avenue is not required by the Village for its purposes, and the conveyance of such land to the Central Ohio Community Improvement Corporation will promote the welfare of the residents of the Village, stabilize the economy, provide additional opportunities for their gainful employment, and assist in the development of commercial activities to the benefit of the Village;

WHEREAS, such transfer is authorized and permitted by the Ordinances of the Village of Minerva Park and pursuant to Chapters 1724 and 1761 of the Ohio Revised Code; and

WHEREAS, this conveyance is hereby authorized without advertisement and receipts of bids;


NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

- Section 1. That the Mayor be and hereby is authorized and directed to enter into the Master Memorandum of Understanding with the Central Ohio Community Improvement Corporation Regarding Reclamation, Rehabilitation, and Reutilization of Vacant, Abandoned, Tax-Foreclosed and Other Real Property in the Village of Minerva Park, Ohio in a form substantially similar to the Memorandum of Understanding which is attached hereto and made a part hereof as Exhibit A.
- Section 2. That the Mayor be and hereby is authorized and directed to enter into and perform a Purchase and Sale Agreement with the Central Ohio Community Improvement Corporation and Marion Investment Company Number Two, LLC to provide for the sale of an alley right-of-way strip located behind the retail center at 5236-5272 Cleveland Avenue, in a form substantially similar to the Purchase and Sale Agreement which is attached hereto and made a part hereof as Exhibit B.
- Section 3. That the Mayor be and hereby is authorized and directed to convey by suitable deed of conveyance to the Central Ohio Community Improvement Corporation the alley right-of-way strip located behind the retail center at 5236-5272 Cleveland Avenue, so as to provide for the performance of the Purchase and Sale Agreement set forth in Section 1 above.
- Section 4. All prior ordinances(s) or resolution(s) or any part thereof, which is(are) inconsistent with this ordinance, is(are) hereby repealed as to the inconsistent part(s) thereof, and the remainder of said ordinance(s) or resolution(s) not inconsistent with this ordinance shall remain in full force and effect.

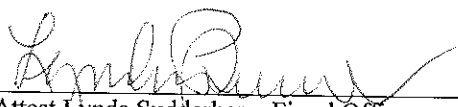
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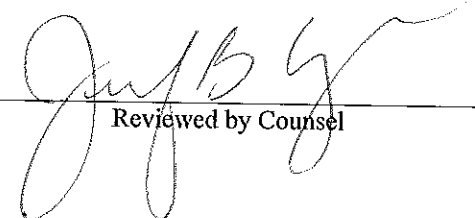
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Section 5. Council declares this to be an emergency measure necessary for the public, health, safety, and welfare of the residents of the Village of Minerva Park, such need arising from the need to provide for the commercial development and upgrade of land owned by the Village which provides for the economic and community welfare by providing for the creation of jobs for residents of the Village. Wherefore, this resolution shall take effect and shall be in force upon passage.

  
Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: Waived April 8, 2013  
Second Reading: Waived April 8, 2013  
Third Reading: Waived April 8, 2013  
Passed: April 8, 2013

  
Attest Lynda Sudderberg, Fiscal Officer,  
Village of Minerva Park

  
Reviewed by Counsel