

WOWE Exhibit K

Warren Park Sale
(Warren A.M.E. Church Senior Housing Project)
Department of Development
Thomas Crothers (X1007)

ORD. 288-12

Authorizing the Mayor to enter into a development agreement and to execute and deliver needed instruments for the sale, conveyance and development of the City-owned property known as Warren Park for the purposes of the Warren A.M.E. Church Senior Housing Project; authorizing the deposit of sale proceeds; making certain findings with respect thereto; waiving the notice and bidding provisions of T.M.C. 187.19; and declaring an emergency.

SUMMARY & BACKGROUND:

Warren A.M.E. Church has approached the City with the desire to acquire the real property bounded by Woodruff Avenue, Putnam Street, Irving Street and Franklin Avenue for the purpose of developing a 32-unit senior housing tax-credit housing project through its affiliate Warren A.M.E. Church Housing Opportunities, Inc. Approximately 1/3 of the proposed site consists of the City-owned Warren Park. The balance of the site is owned by the Board of Education of the Toledo Public School District and is the former location of Warren Elementary School. The purchase price of the property is based on an Impact Fee of \$1,000 per housing unit with an estimated 32 housing units to be constructed. Included in the planned senior housing development is a community center. The impact fee is intended to be used to relocate and replace the play equipment at the Warren Park to a new location nearby Inez-Nash Park. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor and the Real Estate Division of the Department of Development be and they are hereby authorized to execute needed instruments for the development and conveyance of the real estate identified in Exhibit "A", attached hereto and made a part hereof, to Warren A.M.E. Church Housing Opportunities, Inc.

SECTION 2. That the Development Agreement and needed instruments shall contain other terms and conditions deemed necessary and proper by the Mayor, the Department of Law and the Department of Development.

SECTION 3. That this Council hereby approves the Agreement, including the sale and conveyance of said real estate provided for therein, notwithstanding and as an exception to the notice and bidding provisions of Chapter 187.19 of the Toledo Municipal Code.

SECTION 4. That the Mayor is hereby authorized and directed to execute and deliver such deeds, certifications and instruments as are necessary to carry out the Agreement and the Director of Development, Director of Law, Director of Finance, Clerk of Council and other appropriate officials of this City are hereby authorized and directed to enter into, execute and deliver such other agreements, instruments, documents and certificates and to take such other

lawful action as may be necessary or appropriate in order to fully implement the Agreement and to such further approvals relating thereto as may lawfully be required by Council.

SECTION 5. That the Finance Director be and is hereby authorized and directed to accept and deposit the net sale proceeds into Account Code 7T72701STDSTD.

SECTION 6. That authorizations as stated herein shall expire twenty-four months (24) after passage of this Ordinance in the event conveyance of the subject property has not occurred.

SECTION 7. It is hereby found and determined that the subject real property is no longer needed for a municipal purpose.

SECTION 8. That it is hereby found and determined that all formal actions of Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 9. That this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this Ordinance must be immediately effective to facilitate sale and conveyance of the property for housing development.

Vote on emergency clause: yeas 11, nays 0.

Passed: June 5, 2012, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Joe McNamara
President of Council

Approved:

June 6, 2012
Michael P. Bell
Mayor