



Legislation Details (With Text)

**File #:** O-458-19      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 9/17/2019      **In control:** Economic Development Department

**On agenda:** 10/1/2019      **Final action:** 10/1/2019

**Title:** Authorizing the Mayor to enter, execute and deliver a Real Estate Purchase Agreement and other needed instruments for the sale and conveyance of 912 N. Huron Street to Maritza Lemus of 1636 Travis Drive; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and bidding provisions of T.M.C. 187.19; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Audio: Agenda Review 9/24/2019, 3. Audio: City Council 10/1/2019

Date	Ver.	Action By	Action	Result
10/1/2019	1	City Council		
10/1/2019	1	City Council		
10/1/2019	1	City Council		

DNBD LBSale912N.Huron/Lemus Revised  
 Development / Real Estate  
 Brandon Sehlhorst (x1692)  
 Revised

**Authorizing the Mayor to enter, execute and deliver a Real Estate Purchase Agreement and other needed instruments for the sale and conveyance of 912 N. Huron Street to Maritza Lemus of 1636 Travis Drive; authorizing the deposit of net 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:**

The City operates a Land Reutilization Program pursuant to Section 187.19(a) of the Toledo Municipal Code which authorizes the City to accept nonproductive land and dispose of same pursuant to Chapter 5722 of the Ohio Revised Code. The Department of Neighborhood & Business Development oversees the review and processing of the program. Maritza Lemus of 1536 Travis Drive, Toledo, Ohio 43612, owns personal property located at 902 N. Huron and has notified the City with application to acquire the adjacent vacant land bank parcel at 912 N. Huron Street. The applicant intends to use the lot as green space and lot expansion. The negotiated sale price for this parcel is Four Hundred and Fifty Dollars (\$450) plus recording and transfer fees.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: N/A
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): \$450
- Revenue budget line item (if any): 1001-16500-5000436STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? N/A
- Is this a capital project (yes/no)? N/A

- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) no

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to execute needed instruments for the sale and conveyance of the real estate located at 912 N. Huron Street as is more fully described in Exhibit "A" attached hereto and made a part hereof, to Maritza Lemus for Four Hundred Fifty Dollars (\$450).

SECTION 2. That the 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 Neighborhood & Business Development.

SECTION 3. That it is found and determined that the subject real property is not needed for any municipal purpose.

SECTION 4. That this Council 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. The reason for the waiver and exception is that the property is not needed for any municipal purpose and that the re-use of this property is found to be the highest and best use to return the property to a tax producing status.

SECTION 5. That the Mayor is authorized to execute and deliver such deeds, certifications and instruments as are necessary to carry out the Agreement and the Director of Neighborhood & Business Development, Director of Law, Director of Finance, Clerk of Council and other appropriate officials of this City are authorized 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.

SECTION 6. That the Finance Director is authorized to accept and deposit the net sale proceeds into Account Code 1001-16500-5000436STDSTD.

SECTION 7. That it is 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 8. That this Ordinance is 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 to Maritza Lemus for maintenance and re-use.

**Vote on emergency clause: yeas 12, nays 0.**

**Passed: October 1, 2019, as an emergency measure: yeas 12, nays 0.**

**Attest:**

**Gerald E. Dendinger  
Clerk of Council**

**Matt Cherry  
President of Council**

**Approved:**

**October 1, 2019  
Wade Kapszukiewicz  
Mayor**