



Legislation Text

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DEBD LBSale2304&2306Lawrence&854VirginiaToNewby  
Development / Real Estate  
WJ Burkett (x1692) cw/tk  
April 17, 2018

**Authorizing the Mayor to enter, execute and deliver a Real Estate Purchase Agreement and other needed instruments for the sale and conveyance of 2304 Lawrence Avenue, 2306 Lawrence Avenue and 854 Virginia Street to Andrew C. Newby; 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 Economic & Business Development oversees the review and processing of the program. Andrew C. Newby of 2125 Scottwood Avenue has approached the City with the desire to acquire the vacant landbank parcels located at 2304 Lawrence Avenue, 2306 Lawrence Avenue and 854 Virginia Street. Mr. Newby would like to use the lots for neighborhood beautification and as a recreational area. The negotiated sale price for these parcels is One Hundred and fifty Dollars (\$150.00) per parcel (3) plus recording and transfer fees subject to combine of parcels.

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 Economic and Business Development are authorized to execute needed instruments for the sale and conveyance of the real estate located at 2304 Lawrence Avenue, 2306 Lawrence Avenue and 854 Virginia Street as is more fully described in Exhibit "A" and "B" and attached hereto and made a part hereof, to Andrew C. Newby for Four Hundred Fifty Dollars (\$450.00).

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 Economic & 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 combine and 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 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 Andrew C. Newby for combine, maintenance and neighborhood beautification.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council