



Legislation Text

File #: O-193-18, **Version:** 1

DEBD 807 N Superior Street Property Sale
Development / Real Estate
Bill Burkett (x1692)

Authorizing the Mayor to execute and deliver needed instruments to effectuate the sale and conveyance of certain City-owned real property located at 807 N Superior Street to 802 N. Huron Ventures, LLC and Holy Trinity Greek Orthodox Cathedral for the amount of \$150.00 each; authorizing the deposit of the net sale proceeds; waiving the competitive bidding provisions of T.M.C. 187; and declaring an emergency.

SUMMARY & BACKGROUND:

Pursuant to Toledo Municipal Code Section 187.19, City Council by passage of an Ordinance can authorize the sale of city owned land no longer needed for municipal purposes. The real property located at 807 N Superior Street has been determined to no longer be required to serve a municipal purpose and, therefore, can be disposed of. The adjacent property owners Ms. Sue Burkett, of 802 N. Huron Ventures, LLC, and Holy Trinity Greek Orthodox Cathedral wish to acquire this property and maintain it as greenspace for the neighborhood.

The negotiated sale price for the property is a total of \$300 (\$150 from each entity). This ordinance waives competitive bidding requirements of the TMC and authorizes the sale of this property to the aforementioned entities.

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

SECTION 1. That the Mayor is authorized to enter into real estate purchase agreements (“agreements”) with 802 N. Huron Ventures, LLC and Holy Trinity Greek Orthodox Cathedral for the sale and conveyance of the parcel located at 807 N Superior Street, as outlined on the Exhibit A and subject to final survey determination approval by the mayor and the Department of Law.

SECTION 2. That it is found and determined that the real estate to be sold and conveyed is real estate which is no longer needed by the city for any municipal purpose; that the disposition hereof is in the best interest of the city; that the disposition of said real estate by negotiation pursuant to agreements is the appropriate disposition; and that the negotiated sales price in the amount of \$150 for each entity is a fair and reasonable value for said real estate.

SECTION 3. That the agreements shall contain such other terms and conditions deemed necessary and proper by the Mayor, the Department of Law, and the Department of Economic and Business Development in order to effectuate the sale.

SECTION 4. That payment of ordinary and customary transaction and closing costs from the gross sales proceeds is authorized.

SECTION 5. That the Director of Economic and Business Development, Director of Law, Director of Finance, Clerk of Council and any other appropriate officials of this city are authorized to execute and deliver such other instruments or undertake all lawful actions as may be necessary or appropriate to fully implement the conveyance of this property and to further evidence the various matters approved and authorized by this ordinance.

SECTION 6. That the Finance Director is authorized to accept and deposit the net sale proceeds into the General Fund, account code 1001-16500-5000436STDSTD.

SECTION 7. That this Council approves an Agreement and the sale of said real estate provided for herein notwithstanding and as an exception to the competitive bidding provisions of Chapter 187 of the Toledo Municipal Code. The reason for the waiver and exception is that the immediate and ongoing cost of maintenance and potential liability exceeds the value and benefit of retaining the property considering that the property is no longer needed for a municipal purpose.

SECTION 8. 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 resulted in formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 9. That this Ordinance is declared to be an emergency measure and shall take effect and be in full 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 the conveyance of said property to promote the productive reuse of said property with the adjacent parcels.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, 2018, 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