



## Legislation Details (With Text)

<b>File #:</b>	O-149-19	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Approved	
<b>File created:</b>	3/15/2019	<b>In control:</b>		Economic Development Department	
<b>On agenda:</b>	4/16/2019	<b>Final action:</b>		4/16/2019	
<b>Title:</b>	Authorizing the mayor to enter, execute and deliver a real estate purchase agreement and other needed instruments for the sale and conveyance of 214 Dura Avenue to Bryson Transport Services; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and competitive bidding provisions of T.M.C. 187.19; and declaring an emergency.				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Audio: Agenda Review 3/26/2019, 2. Audio: City Council 4/2/2019, 3. Audio: Agenda Review 4/9/2019, 4. Audio: City Council 4/16/2019

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council	declare emergency	Pass
4/16/2019	1	City Council	passage	Pass
4/2/2019	1	City Council	First Reading	Pass

DNBD 214 DURA AVE/BRYSON TRANSPORT  
Development/Real Estate  
WJ Burkett (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 214 Dura Avenue to Bryson Transport Services; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and competitive bidding provisions of T.M.C. 187.19; and declaring an emergency.**

### SUMMARY & BACKGROUND:

The City of Toledo acquired the property at 214 Dura Avenue, parcel 18-11217, in 2015 through the County Landbank in anticipation of the property becoming part of the Police Tow Lot. Other plans were made and legislation was passed in 2016 to purchase modular office buildings for the tow lot. The 214 Dura property was last sold in 1989 for \$51,000, before any building was constructed. The property was previously used for truck transportation. There are currently unpaid property taxes totaling \$74,262, for which the city has applied and expects to get full tax exemption before property transfer. The property appraised in 2018 for \$265,000. Bryson Transport Services will bring 10 jobs, invest \$150,000 in the property and add as many as 15 new jobs in the future. Bryson will purchase the property “as-is” and be responsible for any and all closing costs, fees and expenses, including title and survey work.

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 are authorized enter into a purchase agreement and execute needed instruments for the sale and conveyance of the real estate located at 214 Dura Avenue, as more fully described in Exhibit "A", to Bryson Transport Services for Two Hundred Thousand Dollars (\$200,000).

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 find it in the public interest to waive the competitive bidding requirements of Toledo Municipal Code Section 187.19 for the reason that the sale will result in additional jobs, investment in the property, and elimination of blight impacting the surrounding area.

SECTION 5. That the mayor, Director of Neighborhood and Business Development, and Director of Law are authorized to execute and deliver such agreements, deeds, certifications and instruments and to take such other lawful action as may be necessary or appropriate in order to carry out the purpose authorized herein.

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 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.

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