



RESOLUTION 15-2013



A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY FOR THE VILLAGE OF ASHVILLE, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Ashville desires to purchase the real property located north of West Station Street and South of State Route 752.

WHEREAS, the Village of Ashville has received and will use Ohio Water Development Authority (OWDA) WWTP Planning and Design – Loan Account #6251 for purchase.

WHEREAS, the Village of Ashville has authority to purchase said land for public purposes and this public purpose will be to construct a wastewater facility; and

WHEREAS, the Village of Ashville considers said property to be a benefit to village residents, and as such has authority,

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ASHVILLE, OHIO:

SECTION ONE: The Village of Ashville accepts the terms of those Real Estate Purchase Agreements attached hereto as Exhibits "A" and "B" as set forth in Section Two below, and agrees to enter into said contracts for purchase of that property described as Parcel Number D12-0-001-00-147-00, D13-0-010-00-069-00, and D13-0-010-00-071-0.

SECTION TWO: The purchase price for the property is generally \$15,000.00 per acre and \$13,500 for a fifty (50) feet access strip to State Route 752 (to be purchased in fee simple subject to a reserved easement) plus associated adjustments and closing costs as specified in the contract. Specifically, the purchase price is:

- 10.241 acres from Citizen's Bank of Ashville for \$15,000 per acre. Total purchase price \$150,000 plus any associated purchase costs.
- +/-10.00 acres and the 50 foot fee simple access from that 10 acres to State Route 752 from Leo J. Hall Trustee. The price for the +/-10 acres is \$15,000 per acre and the access fee simple property for \$13,500. Total purchase price \$163,500 plus any associated purchase costs.
- The grantor, Leo J. Hall, Trustee, will reserve an easement for ingress and egress upon the 50 feet access strip.

SECTION THREE: The Village Administrator is hereby empowered by Council to execute Real Estate Purchase Agreements in substantially the same form and content as those attached hereto, and to sign all documents necessary to effectuate said purchase on behalf of the Village of Ashville.

SECTION FOUR: This Resolution 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 this Resolution is necessary for the immediate preservation of public peace, health, safety and welfare and that Council believes the same is accomplished by this purchase.

All prior resolutions which conflict with the provisions of this resolution are hereby repealed to the extent that they are in conflict herewith. If any provision of this resolution, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Vote on emergency measure Yeas 6 Nays 0

Passed as an emergency measure Yeas 6 Nays 0

PASSED THIS 16th DAY OF DECEMBER, 2013

ATTEST:

Barbara J. Gilbert, Clerk-Fiscal Officer

DATE: December 16, 2013

APPROVED:

Charles K. Wise, Mayor

DATE: December 16, 2013

Prepared 12/12/2013

Revised Date:

Review Date