

ORDINANCE NO. 1386 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT FOR
THE SALE OF WESTERVELT HALL AND PROPERTY LOCATED ON
SOUTH MAIN STREET, OBERLIN, OHIO

WHEREAS, the City of Oberlin has accepted Westervelt property from Oberlin College for the purpose of preserving Westervelt Hall, and

WHEREAS, the City of Oberlin by Ordinance No. 1254 AC CMS has publicly bid the sale of the Westervelt Hall with certain specifications, but no bids were received, and

WHEREAS, the City has received a general development plan for a residential, commercial, or combination of residential and commercial use of Westervelt Hall from A.H. Clark of Oberlin, Ohio, and

WHEREAS, this general development plan is consistent with the Historical Preservation goals of the City of Oberlin.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, Lorain County, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the City Manager is authorized to enter into a contract with A.H. Clark of Oberlin, Ohio, for Westervelt Hall and the Westervelt property.

SECTION 2. The sales price authorized for said contract identified in Section 1 above shall be \$39,000.

SECTION 3. That as further sales stipulations any contract with the proposed developer shall include the following:

- A. That the developer shall submit to the City a complete design plan for the restoration of the Westervelt property to a reasonable approximation of its original condition including the cleaning and any necessary pointing of the brick and stone work, the repair and painting of cornices, the repair and treatment of windows, and improvement of the roof, the location and placement of individual air conditioning units and the landscaping and treatment of the grounds.
- B. That as a part of the deed transfer the following restrictions shall be placed in the Westervelt property deed:
 - (1) The work to be performed on the exterior of Westervelt Hall and the lands as described in this section (the design plan) as approved by the Oberlin City Council shall be accomplished within three years of the date of recording deed.

- per the design plan
- (2) If no improvements/are made after the land is purchased and the three year time limit in number (1) above expires, or if improvements are started but not completed and Buyer desires to resell the Westervelt property, Buyer shall first offer said property for purchase to Seller for a sum of \$39,000.

In the event Buyer does desire to sell said premises Buyer shall so notify Seller by mailing notice by certified mail to its City Manager. Upon receipt of said notice Seller shall have a period of sixty (60) days within which to exercise its option to repurchase. If Seller elects to repurchase said property it shall notify Buyer in writing by certified mail within said sixty (60) day period.

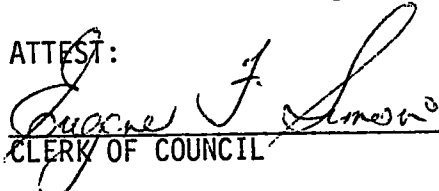
If Seller does not accept Buyer's offer of resale within the sixty (60) day period of notice, Buyer may resell said property on the open market and the restrictions in the deed from the City of Oberlin to A.H. Clark shall not be transferrable with the land and Buyer shall be able to sell said property free and clear of any restrictions.


- (3) If improvements as required by the design plan are completed by Buyer the following deed restrictions shall apply:
- (a) No exterior structural changes shall be made to the Westervelt Hall building unless prior approval is obtained from the Oberlin City Council.
 - (b) No other separate buildings may be constructed on the Westervelt property as long as the Westervelt Hall building exists in good repair.
 - (c) Deed restrictions B (3) (a) and (b) above shall become null and void if the Westervelt Hall building is damaged beyond repair or is no longer on the Westervelt property site for whatever reason or cause.

SECTION 4. That this Ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st reading - June 5, 1978 (Emergency)
2nd reading -
3rd reading -

ATTEST:


CLERK OF COUNCIL


CHAIRMAN OF COUNCIL

POSTED: June 7, 1978