

ORDINANCE NO. 95-82 AC CMS

AN ORDINANCE DETERMINING CERTAIN REAL PROPERTY OWNED BY THE CITY OF OBERLIN TO NOT BE NECESSARY FOR ANY MUNICIPAL PURPOSE AND APPROVING AN AGREEMENT BETWEEN THE CITY OF OBERLIN AND CUNNINGHAM-LIMP DEVELOPMENT COMPANY OF FARMINGTON HILLS, MICHIGAN, FOR THE SALE OF SAME AND DECLARING AN EMERGENCY.

WHEREAS, the City of Oberlin is the owner of approximately 6.7953 acres of real property hereafter described which is not needed or necessary for any municipal purpose; and,

WHEREAS, Cunningham-Limp Development Company of Farmington Hills, Michigan, is desirous of purchasing said property from the City for the sum of \$90,000 cash; and,

WHEREAS, the City is willing to sell said property to said proposed purchaser, upon certain conditions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7th) of all members elected thereto concurring:

SECTION 1. That the following real property owned by the City of Oberlin, Ohio, is hereby declared to be surplus and not needed or necessary for any municipal purpose:

Situated in the City of Oberlin, County of Lorain, and State of Ohio, being known as all of Sublots Nos. 3 and 4, part of Sublot No. 2 and part of Stern Street to be vacated as shown on the plat of the Stern Street Subdivision, as recorded in Volume 54, Page 33 of Lorain County Plat Records; said combined parcel being more definitely described as follows:

Beginning at the northeasterly corner of Sublot no. 3 in the Stern Street Subdivision;

Thence South $1^{\circ} 22' 30''$ West in the easterly line of the Stern Street Subdivision, a distance of 856.35 feet to the southeasterly corner of Sublot No. 4 in said Subdivision;

Thence North $89^{\circ} 27' 30''$ West in the southerly line of Sublot No. 4, a distance of 314.53 feet to an angle point therein;

Thence North $76^{\circ} 52' 24''$ West in the southerly line of Sublot No. 4, a distance of 29.59 feet to the southwesterly corner thereof;

Thence North 1° 02' 30" East in the westerly line of Sublot No. 4 and in the northerly extension thereof, a distance of 849.03 feet to a point in the northerly line of Sublot No. 2 in the Stern Street Subdivision;

Thence South 89° 35' 30" East in the northerly line of Sublots Nos. 2 and 3 in said Subdivision, a distance of 348.46 feet to the northeasterly corner of Sublot No. 3 and the place of beginning;

Enclosing a parcel containing 6.7953 acres of which 2.3094 acres are within Sublot No.3, 0.7086 acre is within Sublot No. 2, 3.2994 acres are within Sublot No.4 and 0.4779 acre is within the right of way of Stern Street to be vacated, but subject to all legal highways, as surveyed by KS Associates, Inc., Engineers and Surveyors.

SECTION 2. That the proposed agreement attached hereto as "Exhibit A", between the City of Oberlin and Cunningham-Limp Development Company of Farmington Hills, Michigan, for the purchase of said surplus real property owned by the City for the sum of \$90,000 is hereby authorized and approved, and the City Manager is hereby directed to execute the same on behalf of the City.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

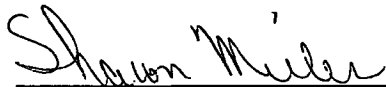
SECTION 4. That this ordinance is hereby declared an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to sell surplus municipal real estate in order to facilitate economic development within the City"

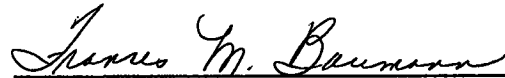
and shall take effect immediately upon passage.

PASSED: 1st Reading - August 25, 1995 (E)
 2nd Reading -
 3rd Reading -

ATTEST:



CLERK OF COUNCIL



CHAIRPERSON OF COUNCIL

POSTED: August 25, 1995

EFFECTIVE DATE: August 25, 1995

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