

ORDINANCE NO. 03-48 AC CMS

**AN ORDINANCE DECLARING CERTAIN MUNICIPALLY OWNED REAL
PROPERTY SURPLUS AND AUTHORIZING THE CITY MANAGER TO
SOLICIT COMPETITIVE BIDS FOR THE SALE OF SAME**

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

SECTION 1. That the real property located adjacent to Pyle-South Amherst
Road, and owned by the City of Oberlin, and more fully described in the
attached "Exhibit A", is hereby declared to be surplus and not necessary or
needed for any current municipal purpose.

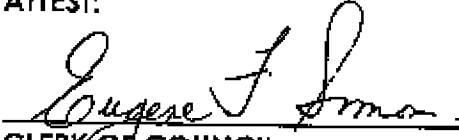
SECTION 2. That the City Manager is hereby authorized and directed to
advertise said property for sale and solicit competitive bids for the sale of same.

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 the 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 shall take effect at the earliest date
allowed by law.

PASSED: 1st Reading – June 16, 2003 (E)
2nd Reading –
3rd Reading –

ATTEST:



CLERK OF COUNCIL



CHAIR OF COUNCIL

POSTED: 6/17/03

EFFECTIVE DATE: 6/17/03

City of *Oberlin*

85 South Main Street, Oberlin, Ohio 44074
(440) 775-1531

June 12, 2003

To: City Council

From: Robert DiSpirito, City Manager *RDS*

Re: Ordinance No. 03-48. Surplus City property

The City owns a piece of surplus real estate, about half of an acre of undeveloped and uncleared wooded land, on Pyle South-Amherst Road. This property, which appears to be a remnant of former rail road right-of-way that the City acquired in anticipation of the rails-to-trails Bike Path project, is located in New Russia Township. Although it is zoned residential in the township, it is too small to be a buildable lot. Please refer to the attachments, which include a recently-produced property survey, legal description and summary pages from the real estate appraisal that the City commissioned.

Ordinance No. 03-48 proposes that City Council declare this property as "surplus," and it would direct me to put it up for public bid. Private property owners on both sides of it (Jimmy Clark to the south, and the Oberlin Golf Club to the north) have expressed interest to the City in the past year in having a chance to vie for this property, probably to assure themselves that no future use that would negatively impact them would occur on that site. It is my understanding from discussions with them that each would leave this parcel in its current, natural state. I have checked with all of my department heads, and none can imagine any current or future municipal use for this small scrap of property.

I would like to set a minimum bid of \$3,075. This amount comprises the appraised value of \$1,500, plus the cost to the City for conducting the appraisal (\$700) and the survey/legal description (\$875). I would then need to draft a public advertisement calling for sealed bids. Once the sealed bids have been received, Council will need to accept the winning bid by Ordinance and approve a Purchasing Agreement.

Let me know if you have any questions.

cc: Sal Ialanco, City Auditor
Eric Severs, City Solicitor

"Ohio's Best College Town"

—OHIO Magazine

LAUNDON • SIMON • KELSER & ASSOC., INC.

ALEX KELSER
REGISTERED LAND SURVEYOR NO. 7871
110 Middle Ave., Elyria, Oh. 44035
Tel.:(440) 322-7625 Fax:(440) 323-4242
e-mail: Laundon@attbi.com

**DESCRIPTION
CITY OF OBERLIN
PART OF ORIGINAL LOT 93
TOWNSHIP OF RUSSIA, LORAIN COUNTY, OHIO**

DESCRIPTION Being a part of Original Lot 93, Russia Township, Lorain County, Ohio; and being more particularly described as follows.

Commencing for the same at a railroad spike found at the southeast corner of O.L. 93, said spike being also at the point of intersection of the centerline of Hamilton Street (South Line O. L. 93) with the centerline of Pyle-South Amherst Road (East Line O. L. 93); thence N 1°27'09" E along the centerline of Pyle-South Amherst Road, a distance of 333.31 feet to a Magnetic PK Spike set on the southerly line of lands in the name of City of Oberlin, per D V 1198, Page 579-585, said point being also the northeast corner of lands in the name of J. A. & C. G. Clark, per O.R.V. 131, page 39, the real point of beginning for the parcel herein described,

- 1) thence S 74°26'35" W along the north line of lands in the name of said Clark, a distance of 245.93 feet to an iron pin set at the southeast corner of lands in the name of J. A. & C.G. Clark, per O.R.V. 514, page 664 and passing for reference an iron pin set at 31.37 feet;
- 2) thence N 15°33'42" W along the east line of lands in the name of said Clark per O.R.V. 514, page 664, a distance of 100.00 feet to an iron pin set on a southerly line of lands in the name of Oberlin Golf Club, per D V 740, page 551;
- 3) thence N 74°26'35" E along a southerly line of lands in the name of Oberlin Golf Club, a distance of 276.53 feet to a Magnetic PK Spike set on the centerline of Pyle-South Amherst Road and passing for reference an iron pin set at 245.16 feet;
- 4) thence S 1°27'09" W along the centerline of Pyle-South Amherst Road, a distance of 104.57 feet to the real point of beginning of the parcel herein described

and containing 0.5997 of an acre more or less, but subject to all legal easements and public rights-of-way now on record. All iron pins set are 5/8" diameter with caps stamped "Kelser 7871". Bearings are assumed. Prepared from an actual survey performed on April 28, 2003 by LAUNDON • SIMON • KELSER, AND ASSOC., INC. • Alex Kelser Registered Ohio Surveyor Number 7871.
CERTIFICATION: I hereby certify that a survey was made of the above-described property and that points were found or set as indicated



Prepared by
LAUNDON • SIMON • KELSER, AND ASSOC.,
INC



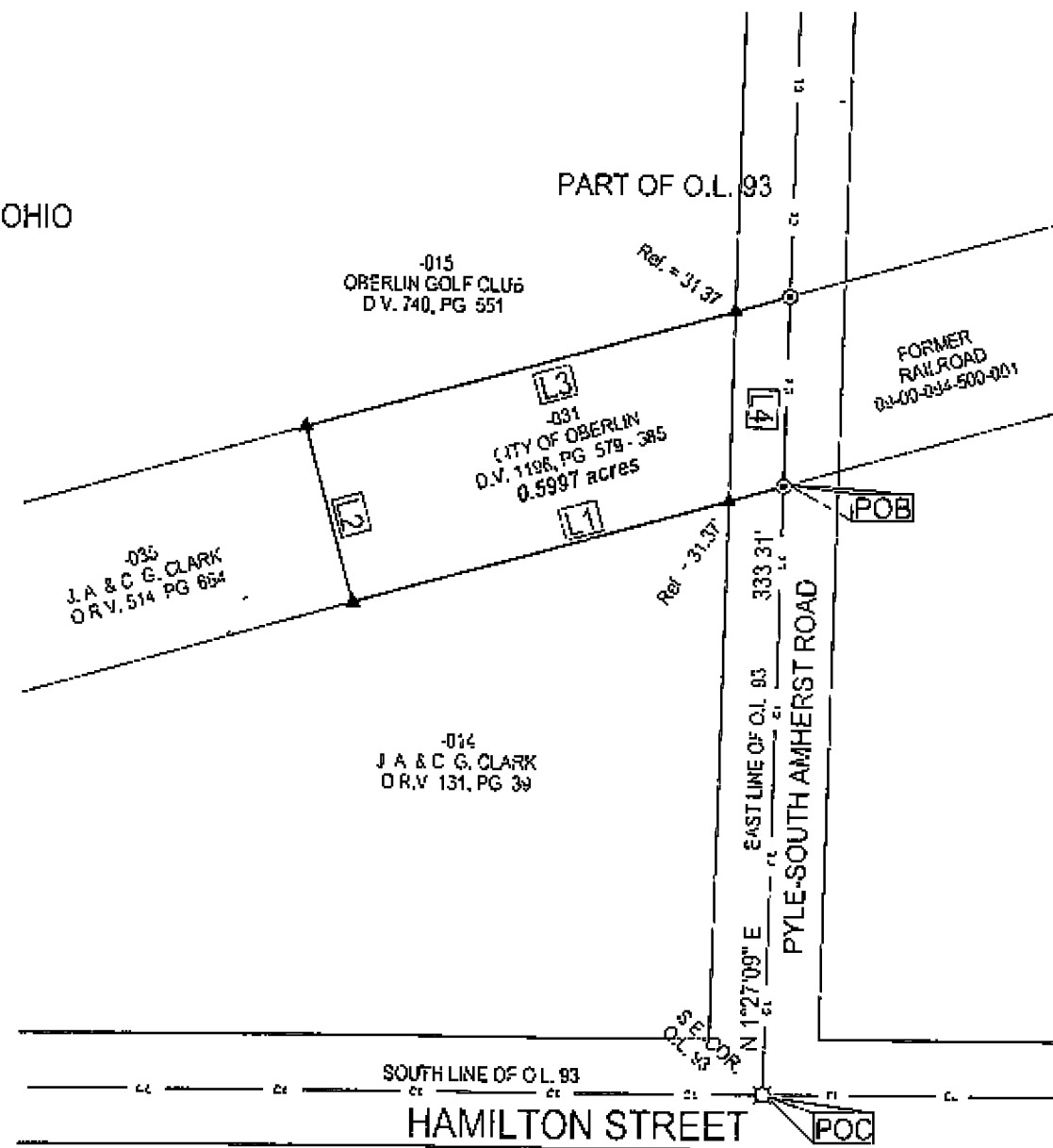
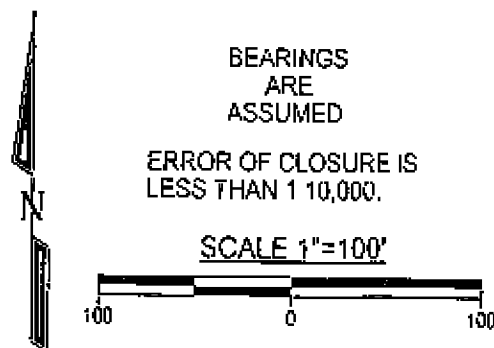
Alex Kelser
Registered Ohio Surveyor No. 7871
Date: April 28, 2003
Job No. 03-3587

PLAT OF BOUNDARY SURVEY
CITY OF OBERLIN
 PART OF ORIGINAL LOT 93
 TOWNSHIP OF RUSSIA, LORAIN COUNTY, OHIO



Legend

- ⊗ Magnetic PK Spike Set
- ▲ 5/8" Iron Pin Set with Cap Stamped "Kelser 7871"



LINE TABLE		
Id	Bearing	Distance
L1	S 74°26'35" W	245.93'
L2	N 15°33'42" W	100.00'
L3	N 74°26'35" E	276.53'
L4	S 1°27'09" W	104.57'

LAUNDON • SIMON • KELSER & ASSOC., INC.

PROFESSIONAL LAND SURVEYORS

110 MIDDLE AVE. • ELYRIA, OHIO • 44035

PHONE (440) 322-7825

Alex Kelser

RLS #7871

DATE	4/28/03
JOB NO.	033587 - REF. = 023549

appraisal process to develop the appraiser's opinion of value. All pertinent data, valuation methodology and supporting data is retained in the appraiser's file.

No responsibility has been assumed for matters legal in nature nor has any opinion on title been rendered and this appraisal assumed marketable title. Liens and encumbrances, if any have been disregarded and the property appraised as though free from indebtedness.

Employment in and compensation for making this report are in no way contingent upon the value reported and I certify that I have no present or future interest in the subject property.

The foregoing valuation is subject to and assumes the following:

1. That the subject property is free and clear of any materials or conditions that are considered hazardous by the Environmental Protection Agency to the extent that a significant impact upon true value is realized. If it should be discovered that such materials or conditions exist, the appraiser reserves the right to revise the final value conclusion.
2. That the improvements across from the subject came into place "after the fact" and that the fence, the dike, and other improvements that have been built have not been considered in this valuation.
3. Various other assumptions, conditions, and projections as described herein

I, the undersigned, do hereby certify that to the best of my knowledge and belief, the statements contained in this appraisal, and upon which the opinions expressed herein are based, are correct, subject to the Limiting Conditions

Sincerely,


James T. Caldwell, MAI

JTC/tef

J:\commercial form letter\2003 commercial\vacant land\03\pyle s. amherst



January 21, 2003

Mr. Robert DiSpirito
City Manager, City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

Re: Vacant Land Pyle South Amherst Road
New Russia Township, Ohio 44074
PPN 09-00-093-000-031

Dear Mr. DeSpirito

Pursuant to your request, a Complete Appraisal Report in a summary format has been made of the above-referenced property. The purpose of the report is to arrive at an opinion of value as of December 23, 2002.

The subject property remains as an unimproved parcel of land located on the west side of Pyle South Amherst Road approximately 335 feet north of the intersection of Pyle South Amherst Road and Hamilton Street.

It is my opinion that the current Market Value of this property subject to assumptions, limitations and comments appearing below, as of December 23, 2002, is

\$1,500

ONE THOUSAND FIVE HUNDRED DOLLARS

This appraisal has been prepared in accordance with the generally accepted appraisal standards as set forth by the Appraisal Subcommittee of the Federal Financial Institution Examination Council and the Appraisal Foundation.

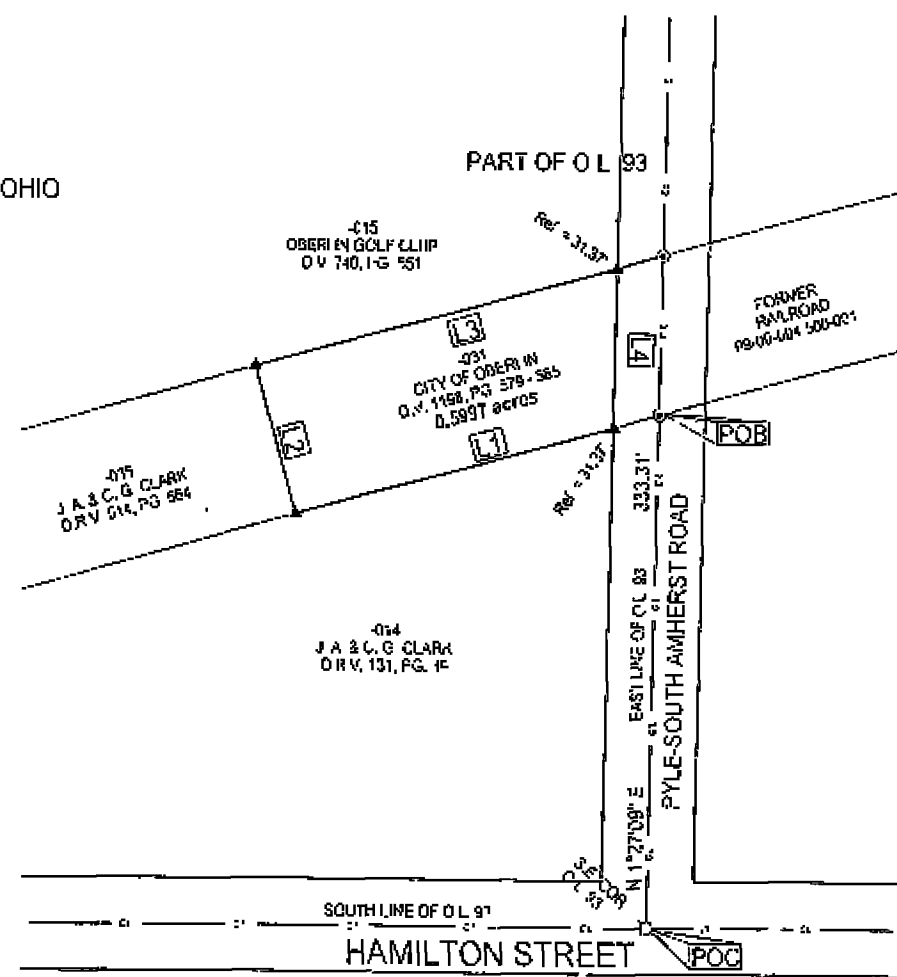
The accompanying summary appraisal report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the

PLAT OF BOUNDARY SURVEY
CITY OF OBERLIN
 PART OF ORIGINAL LOT 93
 TOWNSHIP OF RUSSIA, LORAIN COUNTY, OHIO



Legend

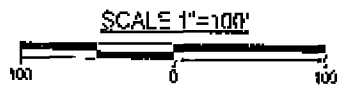
⊗ Magnetic PK Spike Set
 ▲ 5/8" Iron Pin Set with Cap Stamped "Kelsner 7871"



LINE TABLE		
Id	Bearing	Distance
L1	S 74° 20' 35" W	245.63'
L2	N 15° 33' 42" W	110.00'
L3	N 74° 26' 35" E	276.53'
L4	S 1° 27' 09" W	104.57'



BEARINGS
 ARE
 ASSUMED
 ERROR OF CLOSURE IS
 LESS THAN 1 IN 10,000



DATE.	4/28/03
JOB NO.	033587 - REF. = 023541

LAUNDON • SIMON • KELSNER & ASSOC., INC.
 PROFESSIONAL LAND SURVEYORS
 1-0 MIDDLE AVE • ELYRIA, OHIO • 44035
 PHONE (440) 322-1425

 Alex Kelsner RLS #7871