

RECORD OF ORDINANCES

Ordinance No. 02-06-

2019

Passed

2-5-

2019

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CIRCLEVILLE TO ENTER INTO A CONTRACT AND OTHERWISE TAKE ALL ACTION NECESSARY TO ACQUIRE APPROXIMATELY 20 ACRES, MORE OR LESS OF LAND LOCATED ADJACENT TO BARTHELMAS PARK TO BE USED FOR PARK AND OTHER RECREATIONAL PURPOSES AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Circleville is empowered by statute to acquire real estate to be used for appropriate municipal purposes; and

WHEREAS, the Council considers it necessary to acquire a 20 acre, more or less tract of land situated adjacent to Barthelmas Park to be used for park and other recreational purposes; and

WHEREAS, the City has reached an agreement for the acquisition of this property and such acquisition will not be detrimental to the public interest.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, Pickaway County, Ohio, as follows:

SECTION I. That the Mayor of the City of Circleville is hereby authorized and directed to enter into a contract and take all other action necessary for the purchase and acquisition of approximately 20 acres more or less of real estate adjacent to the existing Barthelmas Park within the City of Circleville (the complete legal description of which will be determined by a new survey of the property), from Carly Rhoads Neff, Brent Rhoads and Brett Rhoads, as trustees of the Lurose Rhoads Trust, with such real estate to be used for park and other recreational purposes in conjunction with the current Barthelmas Park facilities.

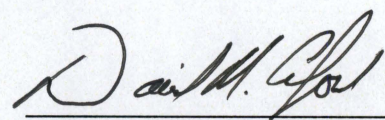
SECTION II. That the consideration to be paid for the above described real estate shall be a sum not to exceed Three Hundred Thousand Dollars (\$300,000.00), plus any costs of acquisition to be paid in full to seller upon closing of this transaction. This real estate shall be transferred to the City by Warranty Deed conveying the premises to the City of Circleville in fee simple, free and clear of all encumbrances, except any conditions and restrictions of record, zoning ordinances, legal highways, covenants and easements of record which do not interfere unreasonably with the present lawful use of the property and taxes and assessments levying an assessment subsequent to the date of conveyance. The deed is to be to the satisfaction of the City Law Director. Complete terms for the purchase of this property are more fully set forth in the real estate purchase contract attached hereto as Exhibit "A", and incorporated herein by reference.

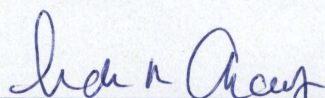
SECTION III. That the Mayor of the City of Circleville is further authorized and directed to sign any and all documentation and affidavits necessary for the completion of this real estate transaction.

SECTION IV. That the cost of said property is to be paid by grants acquired by the City and/or from City revenues within Fund 206 which shall not exceed Three Hundred Thousand Dollars (\$300,000.00) together with any acquisition costs.

SECTION V. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of health, safety and welfare of the citizens of the City of Circleville, such emergency arising out the immediate need to approve the purchase of this real estate prior to the expiration of the purchase offer from the property owner so that this ordinance shall take effect and be in force immediately from and after the passage and approval by the Mayor.

PASSED: 2-5-2019
DATE


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

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APPROVED: 2-05-19
DATE

Richard H. McHugh
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy
GARY D. KENWORTHY, LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM