

RESOLUTION NO. 47-08
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Igheslam ON
THE 15th DAY OF September, 2008.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY
MANAGER TO TAKE ALL STEPS AND EXECUTE ALL DOCUMENTS
NECESSARY IN ORDER TO AFFECT THE PURCHASE AND SALE OF
REAL PROPERTY FROM YANKEE TRACE DEVELOPMENT, INC.
FOR PROPERTY LOCATED IN THE YANKEE TRACE
DEVELOPMENT PURSUANT TO THE JUNE 27, 1994 AGREEMENT
AND ITS AMENDMENTS.**

WHEREAS, Council has previously authorized the City Manager to enter into a Purchase/Sales Agreement dated June 27, 1994 between the City of Centerville and the corporate predecessor to Yankee Trace Development, Inc., as modified through amendments; and

WHEREAS, Council has determined that it would be in the best interest of its citizens to both purchase and sale property located in the City of Centerville to and from Yankee Trace Development, Inc. for the purpose development of the Yankee Trace Development, including the golf course and in particular for the cart paths; and

WHEREAS, the parties still have some final purchases and sale of land to clean-up the ownership of the development; and

WHEREAS, the City Manager in prior consultation with the Council at an open meeting work session called pursuant to §121.22, Ohio Revised Code, discussed the relevant purchases and sales of the property; and

WHEREAS, Council has the power to enter into such Real Property Purchase Agreement by virtue of its Charter and the provisions of Article VIII, Section 16 and Article XVIII, Section 3 of the Ohio Constitution;

NOW THEREFORE, BE IT RESOLVED:

Section 1:

That the City Manager is hereby authorized and directed to do any and everything necessary to carry out the terms of said Agreement and its amendments by purchasing or selling property for the Yankee Trace development.

Section 2: This Resolution is to take effect at the earliest time allowed by law.

PASSED THIS 15th day of September, 2008.

Mark Kenney
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 47-08, passed by the Council of the City of Centerville, Ohio on the 15th day of September, 2008.

Debra A. James
Clerk of the Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman, Municipal Attorney