

RESOLUTION NO. 14-04  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas C. Cline ON THE 15<sup>th</sup> DAY OF November, 2004.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS AND EXECUTE ALL DOCUMENTS NECESSARY IN ORDER TO EFFECT THE PURCHASE OF THE REAL PROPERTY LOCATED AT 43 WEST FRANKLIN STREET, CENTERVILLE, OHIO.

WHEREAS, this council has determined that the City should promote the economic development of the central AP District, particularly at the intersection of Main and Franklin Streets; and

WHEREAS, pursuant to this determination the City determined that it is in the best interests of the businesses in said area and the citizens patronizing said businesses to have additional ingress and egress to said area; and

WHEREAS, the City determined that said additional access necessitates the purchase of the real property located at 43 West Franklin Street; and

WHEREAS, the owner of said property is presently in bankruptcy which has caused representatives of the City to negotiate the purchase with the owner's trustee in bankruptcy; and

WHEREAS, representatives of the City have been able to negotiate said purchase for \$80,000.00 which, though more than the present appraisal for said property, nevertheless this Council finds is a reasonable amount in order to save legal and other expenses which would be incurred in the event of protracted litigation and, further, said protracted litigation would delay the completion of other projects in said area and be detrimental to the economic development thereof; and

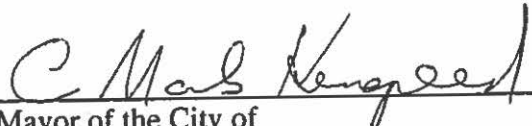
WHEREAS, this City as a charter city with full home rule powers as authorized by Section 3, Article XVIII of the Constitution of the State of Ohio which powers would allow the City to conclude said purchase if this council determines that such a procedure is in the best interests of the citizens of Centerville; and

WHEREAS, this council has determined that it is in the best interests of the City to conclude said purchase and to authorize and direct the City Manager to do any and everything and to execute all documents deemed by him to be necessary to conclude said purchase and pay the purchase price.

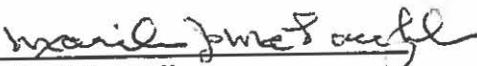
NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is authorized and directed to do any and everything and to execute all documents deemed by him to be necessary to conclude said purchase and pay the purchase price of \$80,000.00.

PASSED THIS 15<sup>th</sup> day of November, 2004.

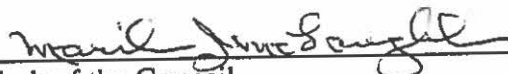
  
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Mayor of the City of  
Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
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. 44-04, passed by the Council of the City of Centerville, Ohio on the 15<sup>th</sup> day of November, 2004.

  
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Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Interim Municipal Attorney