

CITY OF OBERLIN, OHIO

ORDINANCE No. 21-26 AC CMS

AN ORDINANCE AUTHORIZING THE OBERLIN COMMUNITY IMPROVEMENT CORPORATION AS AGENT FOR THE CITY AND IN CONJUNCTION WITH THE CITY MANAGER, TO ENTER INTO AN AGREEMENT WITH BIO ENERGY (OHIO II), LLC FOR THE SALE OF THE REAL PROPERTY KNOWN AS 520 HILL CREEK DRIVE, OBERLIN, OHIO 44074, AS AN EMERGENCY MEASURE.

WHEREAS, by Ordinance No. 17-48 AC CMS Oberlin City Council declared the real property being Lorain County Auditor's Permanent Parcel No. 9-00-078-000-030, ("Property") to be surplus and not necessary for any current municipal purpose; and

WHEREAS, said Ordinance further authorized and designated the Oberlin Community Improvement Corporation ("*OCIC*"), to serve as its agent in the sale of said Property and authorized the OCIC, in conjunction with the City Manager, to sell the Property for not less than its fair market value; and

WHEREAS, Bio Energy (Ohio II), LLC, a Delaware limited liability company has submitted an offer to purchase the Property for One Hundred Forty-Three Thousand seven hundred and no/100 Dollars, (\$143,700) said amount being equal to the current fair market value of said Property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Lorain County, State of Ohio:

SECTION 1. That the President or other authorized officer of the OCIC is hereby authorized and directed, as agent for the City of Oberlin, and in conjunction with the City Manager, to enter into an agreement with Bio Energy (Ohio II), LLC, a Delaware limited liability company, in a form approved by the Law Director, for the sale of the Property for the amount of One Hundred Forty-Three Thousand seven hundred and no/100 Dollars, (\$143,700) and to do all things necessary or convenient to complete the sale, including the execution of the deed of conveyance, all in accordance with Ordinance No. 17-48 AC CMS.

SECTION 2. 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 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: **to the authorize the disposition by sale of surplus property without delay so as to facilitate the receipt of consideration for such sale**, and provided that it is elevated to

emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: May 17, 2021

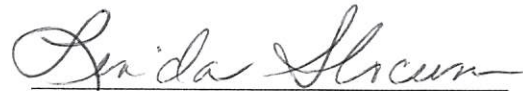
2nd Reading: June 7, 2021

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



LINDA SLOCUM
PRESIDENT OF COUNCIL

POSTED: 06/08/2021

EFFECTIVE DATE: 06/07/2021