

CITY OF OBERLIN, OH

ORDINANCE No. 23-38 AC CMS

AN ORDINANCE DECLARING CERTAIN MUNICIPALLY OWNED REAL PROPERTY TO BE SURPLUS AND AUTHORIZING THE CITY MANAGER TO DONATE SAID PROPERTY TO THE OBERLIN CLT, AND WAIVING APPLICABLE BUILDING PERMIT AND UTILITY ACCESS FEES AS AN EMERGENCY MEASURE

WHEREAS, the City of Oberlin is the owner of vacant land located at 214 Grafton Street and 314 South Pleasant Street being Lorain County Auditor's Permanent Parcel numbers 0900096109014, 090009610313, and 090009610314, ("Property");

WHEREAS, the city acquired said land from the Lorain County Land Reutilization Corporation through disposition authorized by Section 323.78 of the Ohio Revised Code; and

WHEREAS, the city desires to make said land available to facilitate housing opportunities for low and moderate-income families; and

WHEREAS, the Oberlin CLT (OCLT) is an Ohio Corporation, not for profit duly organized under Section 501(C)(3) of the Internal Revenue Code exclusively for charitable purposes, including the development and preservation of decent, affordable housing and the creation of homeownership opportunities for low and moderate-income people who otherwise would be denied such opportunities because of limited financial resources; and

WHEREAS, the City has the authority under Section 16 of Art. VIII of the Constitution of the State of Ohio to donate land to a non-profit corporation to enhance the availability of adequate housing in the state and to improve the economic and general well-being of the people of the state.

NOW THEREFORE, be it ordained by the Council of the city of Oberlin, County of Lorain, State of Ohio:

SECTION 1: That the real property located at 214 Grafton St., being Lorain County Auditor's Permanent Parcel No. 0900096109014 and the real property located at 314 S. Pleasant Street. together with an adjoining lot, being Lorain County Auditor's Permanent Parcel Nos. 090009610313 and 090009610314, more fully described in **Exhibit A** attached hereto, are hereby declared to be surplus and not necessary for any current municipal purpose.

SECTION 2: That the City Manager is authorized and directed to enter into a Transfer Agreement substantially in the form attached hereto as "**Exhibit A**" and to execute all other instruments necessary to transfer said property to the OCLT to facilitate the development and preservation of decent, affordable housing and the creation of homeownership opportunities for low and moderate-income people.

SECTION 3: That the city does hereby waive the requirement for the payment of building permits and utility access fees by the OCLT as to the properties beings conveyed pursuant to this ordinance.

SECTION 4. 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 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 5. 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 facilitate the development and preservation of decent, affordable housing in the City of Oberlin without delay 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 at the earliest period allowed by law.

PASSED: 1st Reading: May 1, 2023
2nd Reading: May 15, 2023
3rd Reading: June 5, 2023

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 06/06/2023

EFFECTIVE DATE: 07/05/2023