

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2024- \_\_

By: \_\_\_\_\_ Sponsor: Mayor Cyril M. Kleem

## AN ORDINANCE

**APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PASS-THROUGH SALE PURCHASE AND DEVELOPMENT AGREEMENT BETWEEN THE CUYAHOGA COUNTY LAND REUTILIZATION AUTHORITY AND THE CITY OF BEREA FOR THE TRANSFER OF A PROPERTY LOCATED AT 293 WALLACE DRIVE, PERMANENT PARCEL NUMBER 363-33-072, TO THE CITY OF BEREA, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the property located at 293 Wallace Drive, Permanent Parcel Number 363-33-072, ("the Property") is approximately .185 acres and includes a single-family home that is approximately 2,267 square feet; and

**WHEREAS**, due to unpaid property taxes the Property was unsuccessfully offered for sale at two separate Sheriff Sales; and

**WHEREAS**, the Property is to be sold at a State Forfeiture Sale in September; and

**WHEREAS**, prior to the State Forfeiture Sale, the Cuyahoga County Land Reutilization Authority ("CCLRC") has the ability to acquire properties from the State Forfeiture Sale list at little to no cost; and

**WHEREAS**, the CCLRC has agreed to acquire the Property and transfer it to the City of Berea for the cost of \$100.00 plus associated filing fees; and

**WHEREAS**, the CCLRC has also required that the City of Berea enter into a pass-through sale-purchase and development agreement which dictates the terms upon which the CCLRC will acquire the Property and transfer it to the City of Berea; and

**WHEREAS**, The City of Berea finds that this parcel of land can be useful to the city in the redevelopment of the area; and

**WHEREAS**, the CCLRC has offered to acquire and transfer the aforesaid parcel of property to the City of Berea pursuant to an agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

# BEREA CITY COUNCIL

*City of Berea, Ohio*

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**SECTION 1.** That the Pass-Through Sale Purchase and Development agreement, attached hereto as "Exhibit A", is hereby approved and that the Mayor be and he is hereby authorized and directed to execute the same on behalf of the City of Berea.

**SECTION 2.** That the Director of Finance be, and hereby is, authorized and directed to pay out such sum(s), and that the funds therefor are hereby appropriated from the Capital Improvement Fund, designated for accounting purposes as Fund No. 400.

**SECTION 3.** That it is found and determined that all formal actions of this Council concerning and 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is immediately necessary to acquire this parcel of land through this process in order to keep it from being sold pursuant to a public auction held by the Sheriff's Department. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

\_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Law