

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025-15

By: Councilwoman Mary K. Brown Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A LISTING AGREEMENT WITH A PROFESSIONAL REALTOR FOR THE MARKETING AND SALE OF 293 WALLACE DRIVE, AND TO SUBSEQUENTLY, AND UPON THE APPROVAL OF BOARD OF CONTROL, ENTER INTO A STANDARD RESIDENTIAL PURCHASE AGREEMENT FOR THE SALE OF 293 WALLACE DRIVE, WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE PERSON OR ENTITY SUBMITTING THE HIGHEST AND BEST OFFER, AND TO EXECUTE ALL DOCUMENTS RELATED TO THE SALES, AND DECLARING AN EMERGENCY.

WHEREAS, the property located at 293 Wallace Drive, Permanent Parcel Number 363-33-072, ("the Property") consists of a vacant lot approximately .185 acres in size; and

WHEREAS, in Ordinance No. 2024-22, the Council of the City of Berea authorized the Mayor to enter into a pass-through and purchase agreement with the Cuyahoga County Land Reutilization Authority to obtain title to the Property, at a cost of \$100, plus associated filing fees, for the purpose of development; and

WHEREAS, on or about May 16, 2024, title to the property was transferred to the City of Berea; and

WHEREAS, this Council finds that this real property should not be maintained, repaired or renovated using public funds and should, instead, be sold using the services of a licensed, professional realtor, to the person or entity making the highest and best offer; and

WHEREAS, the Council and Administration continue to support all reasonable efforts to encourage owner-occupied housing in the City including deed restrictions, as set forth in Resolution No. 2019-58, and, therefore, shall transfer this property subject to a deed restriction requiring owner-occupancy; and

WHEREAS, this Council finds that the property located at 293 Wallace Drive, Berea, Ohio is no longer needed for any municipal purposes.

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

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025-15

SECTION 1. That this Council finds that the home located at 293 Wallace Drive, Permanent Parcel No. 363-33-072, and as further described in Exhibit A, which is attached hereto and incorporated by reference, is not needed for any municipal purpose and hereby authorizes and directs the Mayor to enter into a standard form Realtor's listing agreement with a professional, licensed realtor to market and sell the property, and to execute all documents related thereto.

SECTION 2. That the Mayor be, and hereby is, authorized, upon approval by the Board of Control, to subsequently enter into a standard residential purchase agreement for the sale of the real property located at 293 Wallace Drive, as further described in Exhibit A, to the person or entity making the highest and best offer, with such sale being subject to a deed restriction requiring owner occupancy, and to execute all documents related thereto.

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 in the best interests of the City to sell this municipal property at the earliest possible time to avoid paying additional property taxes and maintenance costs. 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: *March 17, 2025*

ATTEST: *[Signature]*
Clerk of Council

APPROVED:

March 17, 2025
[Signature]
Mayor

APPROVED AS TO FORM:

[Signature]
Director of Law

Exhibit A

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EXHIBIT A

Legal Description of PPN: 363-33-072

Situated in the City of Berea, County of Cuyahoga and State of Ohio: And known as being Sublot No. 95 in Fair Park Subdivision No. 4, of part of Original Middleburgh Township Section No. 25, as shown by the recorded plat in Volume 154 of Maps, Page 37 of Cuyahoga County Records, and being 60 feet front on the Southernly side of Wallace Drive and extending back 134.51 feet on the Westernly line, 134.47 feet on the Easternly line, and having a rear line of 60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 363-33-072

Property Address: 293 Wallace Dr, Berea, OH 44017



This Legal Description Complies with
the Cuyahoga County Transfer and
Conveyance Standards and is approved
for transfer.

APPROVED

By Jean Robertson at 9:31 am, Oct 04, 2023