

## ORDINANCE NO. 163-14

BY: **ALLAN DIVIS**  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE HIGHEST AND BEST BIDDER(S) FOR THE SALE OF AN EASEMENT ON CITY-OWNED REAL PROPERTY LOCATED ON AND NEAR 7259 RIDGE ROAD ADJACENT TO THE OLD PARMA SOUTH LIBRARY, IN THE CITY OF PARMA, AND KNOWN AS PERMANENT PARCEL NUMBERS 454-03-002 AND 454-04-016, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code Sections 721.01 et seq., a municipal corporation is authorized to advertise for sale its interests in city-owned real properties when such real properties are not needed for a municipal purpose; and,

WHEREAS, this Council has determined that the City-owned contiguous real property, located on and near 7259 Ridge Road adjacent to the old Parma South Library, in the City of Parma, and known as Permanent Parcel Numbers 454-03-002 and 454-04-016 in the City of Parma, best use is to be left in their natural condition; and,

WHEREAS, this Council has determined one conservation easement is the best method to achieve this; and,

WHEREAS, this Council has determined that the highest and best bidder shall be awarded a grant of a conservation easement from the City of Parma (Grantor) to ensure that the property is preserved, protected, and maintained as a scenic, natural, and wooded area, as habitat for plants, wildlife, and together with the right of access, and of visual access to and view of the protected property in its natural, scenic and open condition;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Director of Public Service be, and he hereby is, authorized to place an advertisement for at least five (5) consecutive weeks, in a newspaper of general circulation within the municipal corporation, for the sale to the highest and best bidder(s) for an easement on City-owned real property located on and near 7259 Ridge Road adjacent to the old Parma South Library, in the City of Parma, known as Permanent Parcel Numbers 454-03-002 and 454-04-016, as described on Exhibit "A", with a copy of the Conservation Easement Agreement in substantially similar form attached as Exhibit "B", subject to contract modifications pursuant to the requirements of Ohio Revised Code Section 721.01 et seq.

Section 2. That the Director of Public Service be, and he hereby is, authorized to execute said agreement and to take such action and to execute such other documents and amendments thereto as may be necessary as are approved by the Law Director.

Pg. 2 of L-163-14 Ord. authorizing the Director of Public Service to enter into an agreement with the highest and best bidder(s) for the sale of an easement on City-owned real property located on and near 7259 Ridge Road adjacent to the old Parma South Parma Library, in the City of Parma, and known as Permanent Parcel Numbers 454-03-002 and 454-04-016, and declaring an emergency

Section 3. That funds received for the sale of the easement on City-owned real properties shall be deposited into Fund No. 285-285-Land Acquisition, Account No. 48166-16314-Sale of Land.

Section 4. 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 the 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.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to ensure the sale can be made in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH  
THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO