

ORDINANCE NO. 36-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH NAKOTAI, LLC TO PURCHASE REAL PROPERTY,
AT THE SOUTHWEST CORNER OF DETROIT ROAD AND JAYCOX ROAD
CONSISTING OF PORTIONS OF PERMANENT PARCEL NOS.
04-00-022-103-025 AND 04-00-022-103-038 TOTALING 0.4875 ACRES AND
DEDICATING SAME FOR USE AS A PUBLIC HIGHWAY
AND DECLARING AN EMERGENCY**

WHEREAS, the City continues to grow and so does its need to acquire additional lands for public road improvements; and

WHEREAS, the Mayor seeks authorization from Council to enter into a Purchase Agreement with Nakotai, LLC, an Ohio Limited Liability Company, (Nakotai), for real property, at the southwest corner of Detroit Road and Jaycox Road, consisting of portions of Permanent Parcel Nos. 04-00-022-103-015 and 04-00-022-103-038 totaling 0.4875 Acres; and

WHEREAS, Council has had an opportunity to meet with the Mayor and members of the Administration to discuss the purchase of the subject property, including the terms of the transaction as set forth in the proposed Purchase Agreement; and

WHEREAS, Council deems it to be in the best interests of the health, safety, and welfare of the community that the City acquire the land being offered for sale at the southwest corner of Detroit Road and Jaycox Road and to dedicate same for public use and authorizes the Mayor to execute a purchase agreement in furtherance of said acquisition.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That the Mayor is hereby authorized to enter into a Purchase Agreement with Nakotai, LLC for real property located at the southwest corner of Detroit Road and Jaycox Road, in the City of Avon, being portions of Permanent Parcel Nos. 04-00-022-103-015 and 04-00-022-103-038 totaling 0.4875 acres and to accept dedication of said land for public use. Said Agreement, in substantially the form set forth in [Exhibit A](#), is attached hereto and incorporated herein by reference.

Section 2 - Council hereby authorizes the payment of funds from the General Fund No. 101 in an amount equal to that set forth in the Purchase Agreement, together with any costs of closing. Payment is to be made pursuant to directives of the Finance Director.

Section 3 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, or otherwise 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 immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to acquire additional land for public use; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director, City of Avon