

ORDINANCE NO. 34-26

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT TO DEVELOP PROPERTY WITH R-7 MOTORS, INC.
AND DECLARING AN EMERGENCY**

WHEREAS, R7 Motors, Inc. is the owner or authorized representative (hereinafter referred to simply as “Owner”) of property located at the southeast corner of Jaycox Road and Chester Road within the City of Avon, Lorain County, Ohio, Permanent Parcel Nos. 0400021000255, 0400021000266, and 040002100026; and

WHEREAS, Owner desires to develop this commercially zoned property by constructing a luxury auto dealership together with surrounding first-class commercial uses (the “Development”) thereby improving the value and usage of presently underutilized property through controlled development that achieves a balance between the creation of usable lots and ensuring convenient and safe streets consistent with Avon’s land use and development policies; and

WHEREAS, the City has determined that legitimate public interests will be served by the proposed Development in that the Owner intends to dedicate over an acre of land along the southside of exiting Chester Road to be used by the city to expand the current right of way to five (5) lanes in the future. In addition, Owner intends to grant to Columbia Gas of Ohio a 20ft. easement adjacent to this new right of way to facilitate the relocation of their high-pressure gas line; and

WHEREAS, taking all this into consideration, the Administration requests that Council authorize it to enter into this Agreement to Develop Property with said Owner to facilitate the future widening of Chester Road at the lowest possible cost; and

WHEREAS, Council, having considered, among other things, the exchange of land and the quality of the development, finds it to be in the best interests of the health, safety and welfare of the citizens of Avon to authorize the Mayor to enter into said Agreement with R-7 Motors, Inc. as set forth herein.

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

Section 1 - That the proposed Agreement to Develop Property between the City of Avon and R7 Motors, Inc., is reasonable and in the best interests of the city and hereby authorizes the Mayor to enter into said Agreement in substantially the form as attached hereto as [Exhibit A](#) and incorporated herein by this reference.

Section 2 – That it is found and determined that all formal actions of this Council concerning and relating to the passage 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.

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Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to authorize the Mayor to enter into an Agreement to Develop Property with R7 Motors, Inc. to facilitate the development of the property at the southeast corner of Jaycox Road and Chester Road, the acquisition of additional right of way along Chester Road and an easement for Columbia Gas to relocate its gas line in as timely a manner as possible; 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