

ORDINANCE NO. 69-2016

**TITLE: SALE OF PROPERTY
ELSON POINTE OH, LLC**

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL THE CITY OWNED PROPERTIES 01.15947, 01.15948, 74.00259, 74.00260, 74.00261, 74.00262 & 74.00263 TO ELSON POINTE OH, LLC FOR THE SUM OF \$1.00 PLUS ALL CLOSING COSTS.

WHEREAS, this property is common area and easements located in the Elson Pointe Development. Elson Pointe OH, LLC is purchasing all remaining sections of the property from Picerne LLC.

WHEREAS, all parcels are non-buildable space that the City of Barberton is currently responsible to maintain. All parcels will remain non buildable and all easements will be retained by the City of Barberton. The burden of maintenance will be switched to the new owner, lessening the burden on City crews.

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

SECTION 1. That the Mayor, or his designee, is hereby authorized to sell city owned properties, 01.15947, 01.15948, 74.00259, 74.00260, 74.00261, 74.00262, and 74.00263 to Elson Pointe OH, LLC for One Dollar and No Cents (\$1.00) plus closing costs.

SECTION 2. That Council hereby authorizes and directs the Mayor or his designee to execute an Agreement on behalf of the City prepared by the Law Director, together with terms as are approved by the Mayor and Director of Law, as being consistent with the objectives of this ordinance. The Mayor and other City officials are authorized to execute such other documents and do all other things as are necessary for, and incidental to, carrying out the requirements of this ordinance and the terms of the Agreement.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken 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 action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2016

Clerk of Council

President of Council

Approved _____ 2016

Mayor