

ORDINANCE NO. 2013 - 66

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE AND AN OFFER TO SELL REAL PROPERTY WITH K.P. PROPERTIES OF OHIO IN AN AMOUNT NOT TO EXCEED \$2,300,000 AND TO PURSUE DESIGN AND CONSTRUCTION CONTRACTS IN AN AMOUNT NOT TO EXCEED \$2,700,000 RELATED TO THE MUNICIPAL GARAGE PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the Council for the City of Mason has deemed it a necessary and proper public purpose to acquire the real property located at 3900 State Route 741 and to make all necessary improvements for the purpose of establishing and maintaining a municipal garage; and

WHEREAS, the City has negotiated a purchase price for the property agreeable to all parties; and

WHEREAS, Council has determined that it will be necessary to pursue certain design and construction contracts for the improvements necessary to utilize the property as a municipal garage.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City Manager is hereby authorized to execute an Offer to Sell substantially in the form of the Offer attached hereto as Exhibit "A," and incorporated herein by reference, and a Contract for Sale and Purchase substantially in the form of the contract attached hereto as Exhibit "B," and incorporated herein by reference, for the acquisition of property located at 3900 State Route 741, Mason, Ohio 45040 at a cost not to exceed \$2,300,000.

Section 2. That the City Manager is further authorized to pursue any and all necessary contracts related to the design, construction and other related necessary improvements to the property such that the property may reasonably be used as a municipal garage. Said contracts shall not exceed \$2,700,000.

Section 3. The funds authorized by this ordinance become and they are hereby set aside and appropriated from the General Capital Improvement Fund for the payments as described in this ordinance.

Section 4. That the Finance Director is hereby authorized to pay for payments from any of the foregoing appropriations for the purchase contract and subsequent improvements authorized in Sections 1 and 2 in an amount not to exceed \$5,000,000.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to execute the contract at the earliest possible date in order to comply with the terms of the contract.

Passed this 8th day of July, 2013.

Mayor

Attest:

Clerk of Council

6/5/13
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