

**RESOLUTION NO. 052-18**

**A RESOLUTION AUTHORIZING THE CITY MANAGER FOR THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS NECESSARY FOR THE SALE OF CERTAIN PROPERTY PARTIALLY OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE HIGHEST BIDDER THROUGH PUBLIC AUCTION, TO WIT: 120 EAST CLINTON STREET, NAPOLEON, OHIO, PARCEL NO. 41-009421.3940, COMMONLY KNOWN AS THE OLD SENIOR CENTER BUILDING; AND DECLARING AN EMERGENCY**

**WHEREAS**, in the year 1977, the City and Henry County, Ohio entered into a joint acquisition agreement pursuant to City Ordinance No. 1364, passed March 24, 1977, and a County resolution passed March 25, 1977; said agreement providing for the purchase and maintenance of a building and real property to be used for the Henry County Senior Center as authorized in Ohio Revised Code Section 153.61; and,

**WHEREAS**, said building and real property are no longer used as the Henry County Senior Center, are vacant, and are not otherwise required for the City's purposes; and productive use thereof would benefit and promote the economic welfare of the City, and provide employment opportunities for its citizens; and,

**WHEREAS**, the subject property was put up for public auction in accordance with Napoleon Ordinance 107.02 and the joint acquisition agreement and received one bid for \$60,000.00 which was accepted; and,

**WHEREAS**, the subject property, Parcel No. 41-009421.3940, with structure(s), being sold is approximately twenty-nine one hundredths (0.29) acres of land, more or less, located at 120 East Clinton Street, Napoleon, Ohio, as found in the Henry County Auditor's Office; and,

**WHEREAS**, the City Manager, being the official in charge of the property, has advised this Council that the subject property is no longer needed for a public purpose and has been successfully put out to bid;

**NOW THEREFORE,**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, Parcel No. 41-009421.3940, located in the City of Napoleon, Henry County, Ohio, is hereby determined by this Council not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and preserve, maintain or provide additional opportunities for their gainful employment.

Section 2. The City Manager of Napoleon, Ohio is hereby authorized and directed to complete all acts necessary for the sale of the above-listed property pursuant

to and in accordance with Napoleon Ordinance 107.02 and the joint acquisition agreement.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

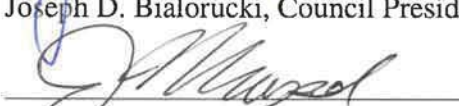
Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for the furtherance of economic development within the City of Napoleon, all of which affects the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: September 17, 2018

  
Joseph D. Bialorucki, Council President

Approved: September 17, 2018

  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 052-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 24th day of September, 2018; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Gregory J. Heath, Clerk/Finance Director

## REAL ESTATE PURCHASE AGREEMENT

THIS REAL ESTATE PURCHASE AGREEMENT (hereafter "Agreement") is entered into as of August 28, 2018, by and between:

The Board of County Commissioners of Henry County, Ohio (hereafter "Seller")

and

Julie M. Busch (hereafter "Buyer").

1. DESCRIPTION: Seller desires to sell to Buyer and Buyer desires to purchase from Seller, on the terms and subject to the conditions contained herein, the real property located at 130 E. Clinton Street, Napoleon, Ohio, as is, in its present condition (hereafter "Property").

2. PURCHASE PRICE: The purchase price is \$ 600,000.<sup>00</sup>.

Buyer shall deposit 10% of the purchase price with Seller no later than 4:30 p.m. on August 29, 2018. Said deposit shall be in the form of cash, bank money order, or certified check made payable to Henry County, Ohio. The balance of the purchase price shall be payable in cash at the time of closing.

3. CLOSING: This Agreement shall be performed and this transaction closed, at the earliest convenience of both parties, and not later than September 30, 2018, unless the parties agree in writing to an extension.

- a) Costs: Buyer shall be responsible for payment of recording and conveyance fees.
- b) Deed: Seller shall prepare and convey to Buyer a Quit Claim Deed transferring all of Seller's rights title and interest in the Property.
- c) Possession: Buyer shall take possession of the Property on the date of closing.

4. MISCELLANEOUS: This Agreement constitutes the entire agreement and no oral or implied agreement exists. Any amendments to this Agreement shall be in writing, signed by Buyer and Seller. This Agreement shall be binding upon the parties, their heirs, administrators, executors, successors and assigns.

In Witness Whereof, the parties have set their hands to duplicate copies of this Real Estate Purchase Agreement.

**SELLER:**



(signature)

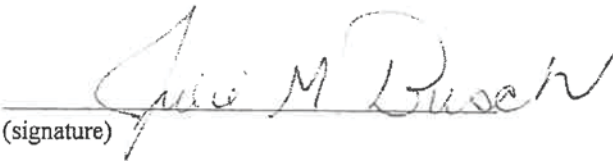
Henry County Commissioners

(printed name and title)

8/28/18

Date

**BUYER:**



(signature)

Julie M Busch

(printed name and title)

8-28-18

Date

Approved as to form:

\_\_\_\_\_  
Katie Nelson,  
Assistant Prosecuting Attorney  
Henry County, Ohio

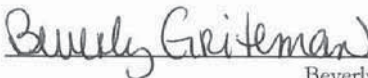


STATE OF OHIO  
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 24th day of September, 2018.

  
\_\_\_\_\_  
Kimberly Imm

Subscribed and sworn to before me this  
25<sup>th</sup> day of September, 2018

  
\_\_\_\_\_  
Beverly Griteman  
Notary Public,  
State of Ohio  
My Commission Expires  
February 13, 2021

Printer's Fee: \$274.80  
Notary Fee: \$1.50

Summary of Resolution No.(s)  
052-18, 053-18, 054-18, 055-18, 056-18

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Resolution No. 052-18

A RESOLUTION AUTHORIZING THE CITY MANAGER FOR THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS NECESSARY FOR THE SALE OF CERTAIN PROPERTY PARTIALLY OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE HIGHEST BIDDER THROUGH PUBLIC AUCTION, TO WIT: 120 EAST CLINTON STREET, NAPOLEON, OHIO, PARCEL NO. 41-009421.3940, COMMONLY KNOWN AS THE OLD SENIOR CENTER BUILDING; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to complete the sale of 120 E. Clinton St, commonly known as the old Senior Center Building.

Resolution No. 053-18

A RESOLUTION AUTHORIZING A TEMPORARY EASEMENT ON PORTIONS OF CERTAIN CITY OWNED PROPERTY CONTAINED WITHIN PARCEL NO. 28-070096.0000 TO THE BOARD OF COMMISSIONERS OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a temporary easement within Parcel No. 28-070096.0000 to the Henry County Board of Commissioners.

Resolution No. 054-18

A RESOLUTION STRONGLY URGING OHIO GOVERNOR JOHN KASICH AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE OF OHIO BUDGET SURPLUS IN LOCAL OHIO MUNICIPALITIES; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon urged the Ohio Governor and General Assembly to invest the State budget surplus into local Ohio municipalities.

Resolution No. 055-18

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR THE 2018 TAX DUPLICATES PAYABLE IN YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized accepting the necessary tax levies and certifying them to the Henry County Auditor for the 2018 tax duplicates payable in 2019.

Resolution No. 056-18

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR/CLERK TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2018 TAX DUPLICATES PAYABLE IN THE YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the Finance Director/Clerk to certify and file annual special assessment of the City with the Henry County Auditor for placement and collection on the 2018 tax duplicates payable in 2019.

Resolution No. 050-18

A RESOLUTION ENLARGING ESTABLISHED COMMUNITY REINVESTMENT AREA NO. 6 OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY