

ORDINANCE NO. 31-2024

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE CITY OF NEW PHILADELPHIA, NOT REQUIRED FOR PUBLIC PURPOSES, PURSUANT TO OHIO REVISED CODE SECTION 721.03 - LEASE OR SALE OF REAL ESTATE - ADVERTISEMENT FORBIDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of New Philadelphia has determined that it is not necessary, appropriate or in the best interests of the City that it retain title to the real estate known as Permanent Parcel No. 43-05236-000, described in the attached document two page, attached hereto and referenced herein; and

WHEREAS, pursuant to Section 721.03 of the Ohio Revised Code: "No contract, except as provided in Section 721.28 of the Revised Code, for the sale or lease of real estate belonging to a municipal corporation shall be made unless authorized by an ordinance, approved by a two-thirds vote of the members of the legislative authority of such municipal corporation, and by the board or officer having supervision or management of such real estate. When the contract is so authorized, it shall be made in writing by such board or officer, and, except as provided in Section 721.27 of the Revised Code, only with the highest bidder, after advertisement once a week for five consecutive weeks in a newspaper of general circulation within the municipal corporation. Such board or officer may reject any bids and re-advertise until all such real estate is sold or leased."; and

WHEREAS, the City of New Philadelphia has confirmed that there is no public purpose for ownership of this real estate by the City of New Philadelphia.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, COUNTY OF TUSCARAWAS, STATE OF OHIO, THAT:

SECTION 1. The Council of the City of New Philadelphia hereby authorizes and directs the Service Director of the City of New Philadelphia to advertise for and receive bids for the sale of the real estate known as Permanent Parcel No. 43-05236-000 pursuant to ORC Section 721.03 - *Lease or Sale of Real Estate -Advertisement for Bids.*

SECTION 2. The suggested minimum bid for said real estate shall be set at \$1,000.00

SECTION 3. The Service Director reserves the right to reject all bids.

SECTION 4. Said real estate shall be subject to the following terms of sale:

1. There are no representations and/or warranties of any kind are made by the City of New Philadelphia as to potential use and condition of the property. Said real estate is being sold in its present condition "as is."
2. There are no representations and/or warranties of any kind are made by the City of New Philadelphia as to potential use and condition of the property. Said real estate is being sold in its present condition "as is."

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 6. This Ordinance is hereby declared to be an emergency measure, and its immediate passage is necessary in order to preserve, protect, and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 7. This Ordinance shall take effect and be in force immediately upon its passage and approval.

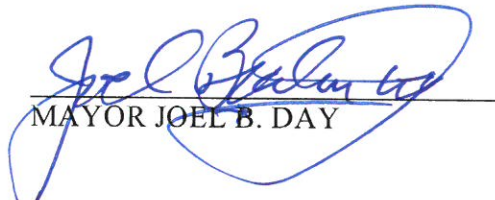
PASSED: Dec 9, 2024


DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:


JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:


MAYOR JOEL B. DAY

SPONSORED BY: PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE