

ORDINANCE NO. 2018-8

AUTHORIZING THE CITY MANAGER TO ACQUIRE AND RE-CONVEY REAL PROPERTY PRESENTLY OWNED BY REED HARTMAN GROOMS DEVELOPMENT, OR ITS DESIGNEE, LOCATED AT 11511 REED HARTMAN HIGHWAY FOR THE PURPOSE OF ENTERING INTO THE CHAIN-OF-TITLE PRIOR TO THE ADOPTION OF TAX INCREMENT FINANCING LEGISLATION AUTHORIZED UNDER SECTION 5709.41 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio (the "City"), provides the method under which the City Manager shall enter into contracts, including transactions associated with real property; and

WHEREAS, Section 113.01(d) of the Blue Ash Code of Ordinances provides the method under which real property owned by the City may be sold, donated, disposed of, transferred, or traded; and

WHEREAS, in order to facilitate the remodeling and expansion of the office building (the "Project") located at 11511 Reed Hartman Highway in the City and comprising Permanent Parcel No. Parcel No. 612-0170-0610, 611, 612 and 613 cons. (as more fully described in Exhibit A hereto, the "Property"), the City has been requested to enact certain tax increment financing incentive legislation pursuant to Section 5709.41 of the Revised Code to benefit the Project (the "TIF Resolution"); and

WHEREAS, prior to the adoption of the TIF Resolution, and pursuant to Section 5709.41 of the Revised Code, the City must first acquire the Property from Reed Hartman Grooms Development LLC, a limited liability company (the "Current Owner"), and then re-convey the Property to the Current Owner or its designee; and

WHEREAS, it is the desire of City Council to authorize the acquisition of the Property from the Current Owner and the re-conveyance of the Property to the Current Owner or its designee; and

Be it ordained by the Council of the City of Blue Ash, Ohio,

SECTION I.

In accordance with Section 113.01(d) of the Blue Ash Code of Ordinances, the City Manager is authorized to acquire the Property from the Current Owner and re-convey the Property to the Current Owner or its designee for a price of one dollar and other valuable consideration, for the purpose of entering into the chain-of-title prior to the adoption of the TIF Resolution, as authorized under Section 5709.41 of the Revised Code.

SECTION II.

That the City Manager is authorized to execute on behalf of the City all necessary documents to acquire and re-convey the Property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and re-conveyance of the Property.

SECTION III.

That this Council finds the acquisition and re-conveyance of the Property constitutes a public purpose.

SECTION IV.

That the acquisition and re-conveyance shall be made by official deeds prepared by the Solicitor and executed by the City Manager on behalf of the City.

SECTION V.

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City of Blue Ash, Ohio; the reason for the emergency being the need to adopt the TIF Resolution in order to provide for the attraction of a new, quality Blue Ash employer in accordance with the economic development goals as established by the Council.. Therefore, this Ordinance shall take effect and be in force from and after its passage.

PASSED this 12th day of July, 2018.

Thomas C. Adamec, Mayor

Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

Bryan E. Pacheco, Solicitor

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

TRACT A: 53.8995 Acres

Commencing from the northeast corner of said Section 18, measure along the north line of said Section 18, North 83 deg. 28' 00" West, 221.93 feet to the west right-of-way line of Reed Hartman Highway and the point of beginning of the parcel herein described; thence from said beginning point, along the said west right-of-way line of Reed Hartman Highway, South 12 deg. 01' 45" West, 1588.96 feet; thence departing the said west right-of-way line of Reed Hartman Highway, North 00 deg. 28' 00" East, 315.56 feet; thence North 84 deg. 35' 36" West, 1628.09 feet; thence North 00 deg. 26' 30" East, 1307.25 feet to the north line of Section 18; thence along the north line of said Section 18, South 83 deg. 28' 00" East, 1952.03 feet to the place of beginning.

Parcel No. 612-0170-0610, 611, 612 and 613 cons.