

ORDINANCE NO. 2018-9

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND THEREAFTER ENTER INTO A CONTRACT FOR THE SALE OF CITY-OWNED REAL PROPERTY CONSISTING OF THE ENTIRETY OF PARCEL 612-0120-0272; AND DECLARING AN EMERGENCY

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio, provides the method under 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, the City of Blue Ash acquired property at the eastern terminus of Malsbary Road with the intention of connecting Malsbary to Kenwood Road; and

WHEREAS, with the completion of the Malsbary/Kenwood connection, the residual property is no longer needed for municipal purposes; and

WHEREAS, it is the desire of City Council to authorize conveyance of parcel 612-0120-0272; to Nicholson Towers, LLC of 4695 Lake Forest Drive, Blue Ash, OH 45242 for the construction of a 10,000-15,000 sq. ft. office building; and

Be it ordained by the Council of the City of Blue Ash, not less than five (5) members thereof concurring,

SECTION I.

In accordance with Section 113.01(d) of the Blue Ash Code of Ordinances, the City Manager is hereby authorized to negotiate and thereafter enter into a real estate conveyance agreement for the sale of City-owned property, which is no longer needed for municipal purposes, specifically parcel 612-0120-0272 to Nicholson Towers, LLC of 4695 Lake Forest Drive, Blue Ash, Ohio 45242. The City Manager, as the City's chief executive officer, is hereby authorized to execute all closing and conveyance documents associated with the sale of this property.

SECTION II.

In accordance with Section 113.01(d) of the Blue Ash Code of Ordinances, as approved by formal Council motion at the September 13, 2018 City Council meeting, the above-mentioned property may be sold with no further requirement to solicit bids, either formally or informally.

SECTION III.

In accordance with Section 113.01(e) of the Blue Ash Code of Ordinances, the proceeds from this property sale shall be paid into the General Fund of the City (unless otherwise required by law).

SECTION IV.

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 immediate need to enter into a contract to sell the property listed above to provide for additional Class A office space to attract and retain quality employers in accordance with the economic development goals as established by Council. Therefore, this ordinance shall take effect and be in force from and after its passage.

PASSED this 13<sup>th</sup> day of September, 2018.

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Thomas C. Adamec, Mayor

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Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

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Bryan E. Pacheco, Solicitor