

VILLAGE OF JOHNSTOWN

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ORDINANCE 02-2017

AN ORDINANCE AUTHORIZING THE MANAGER OF THE VILLAGE OF JOHNSTOWN TO ENTER INTO A CONTRACT FOR PURCHASE OF CERTAIN REAL PROPERTY AT A SPECIFIED PRICE AND DECLARING IT AN EMERGENCY

WHEREAS, the Village of Johnstown has discovered that real property abutting its water tower is available for purchase; and

WHEREAS, the Village Council has concluded that acquisition of the property will provide for future needs of the Village; and

WHEREAS, the Village is empowered by Section 2.01 of its Charter and RC § 717.01(A) to "acquire by purchase or condemnation real estate with or without buildings on it, and easements or interests in real estate" and take the same in the name of the Municipality; and

WHEREAS, the Village Manager is empowered by Section 5.04 (j) of the Charter of the Village of Johnstown to execute on behalf of the Municipality all contracts, leases, deeds, easements, conveyances and agreements; and

WHEREAS, the circumstances require this Ordinance to be adopted as an emergency measure; and

NOW THEREFORE, be it resolved by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio as follows:

SECTION 1. The Village Manager is directed to sign a contract and purchase the following described real estate to provide for the future needs of the Village:

**Licking County Parcel Number 053-177532-00.001 located at 94 East College Avenue
Johnstown, Ohio**

SECTION 2. The consideration to be paid for the property is \$45,000.00 to be paid on execution and delivery to the Village of Johnstown of a warranty deed conveying the premises to the Village of Johnstown in fee simple, free and clear of all encumbrances, excepting conditions and restrictions of record, zoning ordinances and taxes and assessments levied and assessed subsequent to the date of conveyance. The deed is to be to the satisfaction of the Director of Law.

SECTION 3. The purchase price shall be paid from Funds as follows:

Village Capital Projects Fund	\$15,000.00
Water Replacement & Improvements Fund	\$15,000.00
<u>Sewer Replacement & Improvements Fund</u>	<u>\$15,000.00</u>
Total purchase price	\$45,000.00

SECTION 4. The appropriations for the General Fund, Water Replacement & Improvements Fund, and Sewer Replacement & Improvements Fund that were set forth in Ordinance 42-16, adopted by the Council of the Village of Johnstown, State of Ohio, on December 6, 2016, be hereby amended to read as follows:

Appropriations:

Village Capital Projects Fund			
4901-800-553000	Capital Outlay	(increase)	\$15,000.00
Water Replacement & Improvements Fund			
5701-800-553000	Capital Outlay	(increase)	\$15,000.00
Sewer Replacement & Improvements Fund			
5702-800-553000	Capital Outlay	(increase)	\$15,000.00

SECTION 5. The purchase shall be consummated in such manner and on such terms as the Director of Law may approve.

SECTION 6. Any ordinance or portion thereof in conflict with the provisions of this Ordinance is hereby repealed.

SECTION 7. 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 meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

By: Lee

Sean Stanart
Sean Stanart, Mayor



Date Passed: January 30, 2017
Date effective: January 30, 2017

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Teresa Monroe
Clerk of Council

Jennifer Croghan
Jennifer Croghan
Law Director