

1 RESOLUTION NO. 2010-172

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3 SPONSOR Mr. Pry

4

5 DATE Withdrawn by sponsor 4/15/10 COMMITTEE Planning

6

7 **A Resolution authorizing the County Executive to execute a Real Estate Purchase**  
8 **Agreement with Neighborhood Development Services, Inc., for the sale of two vacant**  
9 **parcels of County real property (Parcel Nos. 62-05002 and 62-05025) located in Twinsburg**  
10 **Township, in Council District 1, for \$1.00 for each parcel, for the purpose of constructing**  
11 **affordable housing for low and moderate income residents, for the Executive's Department**  
12 **of Law, and declaring an emergency.**

13

14 WHEREAS, the County of Summit owns two vacant parcels of real property (Parcel Nos.  
15 62-05002 and 62-05025) located in Twinsburg Township, in Council District 1, each of which is  
16 capable of being developed as a residential property; and

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18 WHEREAS, Neighborhood Development Services, Inc. ("NDS") is a nonprofit developer  
19 with substantial experience in construction, renovation and rehabilitation of properties for low  
20 and moderate income Summit County residents; and

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22 WHEREAS, NDS has agreed to construct safe, sanitary and affordable homes on the  
23 parcels for purchase by low and moderate income persons and the County has determined it to be  
24 in its best interest to develop the property in such a manner; and

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26 WHEREAS, pursuant to Section 177.16(e) of the Codified Ordinances of the County of  
27 Summit, this Council must approve and authorize the sale of any County real property to a  
28 nonprofit corporation for low to moderate income housing purposes; and

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30 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
31 necessary and in the best interest of the County of Summit to authorize the County Executive to  
32 execute a Real Estate Purchase Agreement with NDS for the sale of the two parcels of County  
33 real property for the aforementioned reasons;

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35 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,  
36 that:

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38 SECTION 1

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40 The County Executive is hereby authorized to execute a Real Estate Purchase Agreement,  
41 attached hereto as Exhibit A and incorporated herein as if fully restated, with Neighborhood  
42 Development Services, Inc. ("NDS") for the sale of 2 vacant parcels of County real property  
43 (Parcel Nos. 62-05002 and 62-05025) located in Twinsburg Township, in Council District 1, for  
44 \$1.00 for each parcel. The Real Estate Purchase Agreement is approved with changes therein  
45 not inconsistent with this Resolution and not substantially adverse to the County which shall be  
46 approved by the County Executive; provide that the approval of those changes by the County  
47 Executive and the character of such changes as not being substantially adverse to the County  
48 shall be evidenced conclusively by the execution of the Real Estate Purchase Agreement.

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4 SECTION 2

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6 The County Executive may transfer the parcels by quitclaim deeds after building plans  
7 and building costs have been approved by the Executive's Department of Community and  
8 Economic Development, Building Standards.

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10 SECTION 3

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12 NDS will convey to the County a valid first lien on each parcel to secure completion of  
13 the construction of a low to moderate income house on that parcel. Upon final approval of the  
14 building by the Executive's Department of Community and Economic Development, Building  
15 Standards, the County will remove its lien from the parcel. NDS agrees to adequately insure the  
16 property and pay any taxes and assessments during the time of construction.

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18 SECTION 4

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20 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
21 and welfare of the citizens of the County of Summit and for the further purpose of immediately  
22 allowing NDS to commence submission of development plans cost estimates for the construction  
23 of each parcel as required by the Real Estate Purchase Agreement.

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25 SECTION 5

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27 Provided this Resolution receives the affirmative votes of eight members, it shall take  
28 effect immediately upon its adoption and approval by the Executive; otherwise it will take effect  
29 and be in force at the earliest time provided by law.

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31 SECTION 6

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33 It is found and determined that all formal actions of this Council concerning and relation  
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
35 deliberations of this Council were in meetings open to the public, in compliance with all legal  
36 requirements, including Section 121.22 of the Ohio Revised Code.

37

38 INTRODUCED April 12, 2010

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40 ADOPTED **Withdrawn by sponsor 4/15/10**

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43                     withdrawn                      
44 CLERK OF COUNCIL

                    withdrawn                      
PRESIDENT OF COUNCIL

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46 APPROVED **Withdrawn by sponsor 4/15/10**

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49                     withdrawn                      
50 EXECUTIVE

                    withdrawn                      
ENACTED EFFECTIVE