

RESOLUTION NO. 2009-125

SPONSOR Mr. Pry

DATE April 13, 2009

COMMITTEE Planning

A Resolution authorizing the County Executive to execute a Real Estate Purchase Agreement with Neighborhood Development Services, Inc. ("NDS") for the sale of three (3) vacant parcels of real property in Twinsburg Township, Council District One, which are titled in the name of the County of Summit for One Dollar (\$1.00) for each parcel for the purpose of constructing affordable housing for low and moderate income residents, for the Executive, and declaring an emergency.

WHEREAS, the County of Summit currently is the titled owner of three (3) vacant parcels of land each of which is located in Twinsburg Township, Council District One, and each of which is capable of being developed as a residential property; and

WHEREAS, NDS is a nonprofit developer with substantial experience in construction, renovation and rehabilitation of properties for low and moderate income residents of the County of Summit; and

WHEREAS, NDS has agreed to construct safe, sanitary and affordable homes on the parcels for purchase by low and moderate income persons and the County of Summit, after reviewing all pertinent information, has determined it to be in its best interests to develop the property in such a manner; and

WHEREAS, pursuant to Section 177. 16(e) of the Codified Ordinances of the County of Summit, this Council must approve and authorize the sale of any real property of the County of Summit to a nonprofit corporation for low to moderate income housing purposes; and

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to authorize the County Executive to execute a Real Estate Purchase Agreement with NDS for the sale of the three (3) parcels for the aforementioned reasons;

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

SECTION 1

Pursuant to Section 177.16(e) of the Codified Ordinances of the County of Summit, the County Executive is hereby authorized to execute a Purchase Agreement to sell three (3) vacant parcels of real property in Twinsburg Township, Council District One, to Neighborhood Development Services, Inc. for the sum of One Dollar (\$1.00) for each parcel. Said parcels being;

Parcel No.62-04838

Parcel No.62-05002

Parcel No.62-05025

SECTION 2

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

SECTION 3

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

SECTION 4

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

SECTION 5

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

SECTION 6

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

INTRODUCED March 30, 2009

ADOPTED April 13, 2009

Shirley F. Shew
CLERK OF COUNCIL

Nick Kostandaras
PRESIDENT

APPROVED April 13, 2009

[Signature]
EXECUTIVE

April 13, 2009
ENACTED EFFECTIVE

Voice Vote: 9-0 YES: Crossland, Feeman, Kostandaras, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith ABSENT: Comunale, Crawford