

1 RESOLUTION NO. 2013-430

2  
3 SPONSOR Mr. Pry

4  
5 DATE October 21, 2013 COMMITTEE Planning

6  
7  
8 **A Resolution authorizing the County Executive to sell to the Development Finance**  
9 **Authority of Summit County 0.69 acres of real property, located at 222 Power St., Akron,**  
10 **OH 44304, and known as parcel 6709053, Council District 4, for the amount of \$1.00, for**  
11 **the Executive's Department of Law, Insurance, and Risk Management, and declaring an**  
12 **emergency.**

13  
14 WHEREAS, the County is currently the owner of certain real property located at 222  
15 Power St., Akron, OH 44304, identified as parcel number 6709053, in Council District 4, that is  
16 currently operated by Oriana House, Inc. as a community residential correction center to house  
17 probationers, parolees and furloughees and as a site for work release, supervised bail and other  
18 rehab programs pursuant to an Operating Agreement dated August 28, 1991 as amended by  
19 Addendum No.1 to the Operating Agreement, dated November 22, 2010 (collectively the  
20 "Operating Agreement"); and

21  
22 WHEREAS, the Operating Agreement further provides that if the County desires to sell  
23 said property at fair market value because it is no longer needed for a public use, and Oriana  
24 House, Inc. is either the high bidder or is otherwise selected as the purchaser, that the County  
25 will deduct the value of improvements made by Oriana House to the property from the purchase  
26 price; and

27  
28 WHEREAS, the County Fiscal Office has recently appraised said property for the amount  
29 of \$383,500.00; and

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31 WHEREAS, since the commencement of the Operating Agreement, Oriana House, Inc.  
32 has made improvements to the property totaling \$1,415,304.40; and

33  
34 WHEREAS, given the large cost of improvements and the terms of the Operating  
35 Agreement that allows Oriana House, Inc. to offset the cost of improvements from its purchase  
36 price, it is not prudent to solicit bids for the sale of the property from other parties; and

37  
38 WHEREAS, to effectuate the intention of the Operating Agreement, the County desires  
39 to sell said property to the Development Finance Authority of Summit County ("DFA") for the  
40 purpose of a subsequent sale to Oriana House, Inc., for the sum of \$1.00.; and

41  
42 WHEREAS, the County, the DFA and Oriana House, Inc. have entered into a letter of  
43 intent for the sale of said property, a copy of which is attached hereto as Exhibit A; and

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45 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
46 that it is necessary and in the best interest of the County to authorize the County Executive to sell  
47 said property to the DFA for the sum of \$1.00.

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49 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,  
50 State of Ohio, that:

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52

1 RESOLUTION NO. 2013-430  
2 PAGE TWO

3  
4 SECTION 1

5  
6 The County Executive is hereby authorized to sell to the Development Finance Authority  
7 of Summit County 0.69 acres of real property, located at 222 Power St., Akron, OH 44304,  
8 Council District 4, and known as parcel 6709053, for the amount of \$1.00, and is also authorized  
9 to execute a sales agreement substantially consistent with the terms of the letter of intent attached  
10 hereto as Exhibit A.

11  
12 SECTION 2

13  
14 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
15 and welfare of the citizens of the County of Summit, Ohio, and for the further reason is that it  
16 will immediately authorize the sale of the property and remove the same from the inventory of  
17 County property.

18  
19 SECTION 3

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

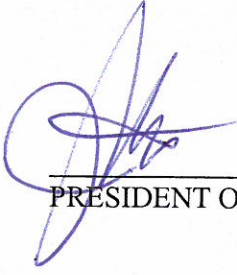
24  
25 SECTION 4

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27 It is found and determined that all formal actions of this Council concerning and relating  
28 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
29 deliberations of this Council and of any of its committees that resulted in such formal action,  
30 were in meetings open to the public, in compliance with all legal requirements, including Section  
31 121.22 of the Ohio Revised Code.

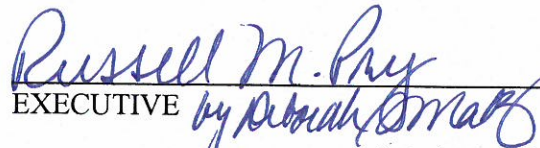
32  
33 INTRODUCED September 30, 2013

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35 ADOPTED October 21, 2013

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38 \_\_\_\_\_  
39 CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

40  
41 APPROVED October 22, 2013

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43   
44 \_\_\_\_\_  
45 EXECUTIVE *by Deborah Smart*

46  
47 ENACTED EFFECTIVE October 22, 2013

Voice Vote: 10-0 YES: Comunale, Crawford, Feeman, Kostandaras  
Kurt, Prentice, Rodgers, Roemer, Schmidt, Shapiro  
Absent: Lee