

**AMENDED ORDINANCE NO. 33 -03**

**By: John B. Rohyans**

An Ordinance to market and sell by competitive bid the City owned property (also known as Bexley Tree Nursery), described as the unimproved Parkview Extension and extending from N. Parkview Avenue at Caroline Avenue north to the railroad right-of-way and from Alum Creek on the west to 2364 Caroline Avenue on the east, all in the City of Bexley, Ohio, to authorize the Mayor and Auditor to enter into agreements for such competitive bid and sale and to declare an emergency.

**WHEREAS**, the City of Bexley, Ohio owns the 2.812+/- acre tract described as the unimproved Parkview Extension and extending from N. Parkview Avenue at Caroline Avenue north to the railroad right-of-way and from Alum Creek on the west to 2364 Caroline Avenue on the east (the "Property"); and

**WHEREAS**, the City has determined the Property to be excess; and

**WHEREAS**, it is important to and in the best interest of the City that certain land located within the City be sold for development, and the City has established specific development criteria for the sale of the Property to be met by prospective bidders, consistent with the City's purpose of promoting property values and encouraging development activities within the City; and

**WHEREAS**, interest in the purchase and development of the Property has arisen; and

**WHEREAS**, the City desires to explore other prospective purchasers of this property by advertising for proposals by sealed bid; NOW, THEREFORE,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:**

**Section 1.** That it is in the best interests of the City to market and sell by competitive bid the Property, described as the unimproved Parkview Extension and extending from N. Parkview Avenue at Caroline Avenue north to the railroad right-of-way and from Alum Creek on the west to 2364 Caroline Avenue on the east, all in the City of Bexley, which property is no longer needed for municipal purposes.

**Section 2.** That the Mayor and Auditor are hereby authorized and directed to advertise for bids for the purchase of the property in form and substance as they deem necessary and advisable, consistent with the provisions of this Ordinance, at a minimum price not less than the appraised value, as determined by an MAI appraisal report obtained by and provided to the City prior to such advertisement for bids, to evaluate the bid proposals received by prospective purchasers and to provide a recommendation to the City Council for award of the highest and best bid deemed most advantageous to the City.

**Section 3.** That in order to promote property values in the City and to encourage development activities, the sale of the property shall be subject to and in accordance with certain development restrictions, procedures and requirements established by the City as such restrictions, procedures and requirements shall be set forth in information provided to prospective bidders, including without limitation the requirement that any such bidder comply with all City procedures in seeking approval of its proposed development.

**Section 4.** That in the event that the City receives no bid for the property which the City desires to accept, the property may be offered by private sale on such terms and conditions, generally similar to the restrictions, procedures, requirements and price set forth in the bid information, with a recommendation to City Council for approval of the execution and delivery of a real estate purchase agreement.

**Section 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety or welfare, said emergency being the necessity of commencing competitive bidding at the earliest possible date, shall take effect and be in force upon its signing by the Mayor.

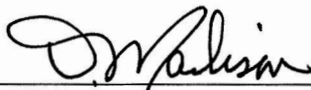
Passed: 6-24, 2003

  
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President of Council

Attest:   
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Clerk of Council

624-03 (Removed from table)  
Amended Ordinance 33-03  
Substituted for 33-03.  
Passed.

Approved: 6/24, 2003

  
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David H. Madison, Mayor