

RECORD OF ORDINANCE

Date Presented 07/28/2020

Sponsor Mayor Sandine Ordinance No. 20-20 Date Passed July 28, 2020

ORDINANCE AUTHORIZING SALE AND PURCHASE OF MUNICIPAL PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Lithopolis has discovered errors in a previously recorded survey, property description, and deed for certain real property owned by the Village, this property being known as:

Fairfield County Auditor Parcel 010-02827.00
0 Cemetery Road, Lithopolis, OH 43136

Prior Instrument Reference: Volume 1680, Page 0062, Records of the County Recorder of Fairfield County, State of Ohio;

WHEREAS, correcting the survey and property description and recording a corrected deed is essential to the Village establishing legal clear and marketable title to this property; and

WHEREAS, the most effective means to accomplish the goal of recording a corrected deed is through the immediate conveyance of the property to an intermediary property grantee, at no cost, who will then immediately reconvey and grant the property back to the Village of Lithopolis, again at no cost, while also recording the corrected survey and description; and

WHEREAS, Attorney Henry P. Wickham, Jr., is willing to serve, without compensation, as the intermediary property grantee and grantor; and

WHEREAS, completing this conveyance and reconveyance as soon as possible is essential, given unreliable cell service within the Village, to the process of constructing a more effective cell system for the Village of Lithopolis and the surrounding communities; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

SECTION 1: The grant of the above-described property to Henry P. Wickham, Jr., without cost, is hereby authorized.

SECTION 2: The Mayor is authorized to enter into a contract with Henry P. Wickham, Jr., grantee, for the conveyance of the property. See Deed Conveyance of Property from the Village to Wickham, attached and incorporated herein.

SECTION 3: The Mayor is hereby directed to accept the reconveyance of the property from Henry P. Wickham, Jr., and to then record the corrected survey, description, and deed with the Fairfield County Auditor's Office, as soon as possible. See Deed Conveyance of Property from Wickham, to the Village, attached and incorporated herein.

SECTION 3: This Ordinance is hereby declared to be an emergency measure in that the public peace, safety, health and welfare of the inhabitants of the Village are involved, and specifically because the Village requires legal clear title to its real estate to being construction of a new cell tower to establish reliable cell service for the Village and surrounding communities. This Ordinance shall become effective and be in force immediately upon its passage by Council and signing by the Mayor.

Attest/Date: [Signature] 7/28/2020 Clerk Signed/Date [Signature] 7/28/2020 Mayor

Approved as to form: [Signature] Jon M. Browning

First Reading _____ Second Reading —

Revised Second Reading — Third Reading —

VOTE FOR 6 AGAINST 0