

ORDINANCE NO. 2013 - 82

**AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL
TERMINATION AGREEMENT AND DECLARING AN EMERGENCY**

WHEREAS, the City of Mason has previously entered into a Real Estate Purchase Agreement with a purchase obligation and PUT obligation, dated December 23, 2009, with Neyer Land Holdings I LLC and Al. Neyer, Inc.; and

WHEREAS, the parties have also previously entered into the Oakpark Development Agreement, dated December 23, 2009; and

WHEREAS, the parties mutually desire to terminate both Agreements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City Manager is hereby authorized to execute a Mutual Termination Agreement substantially in the form of the Agreement attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That the City Manager is further authorized to execute any other necessary documents in order to effect the Mutual Termination Agreement.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to execute the Termination Agreement at the earliest possible date.

Passed this 14th day of October, 2013.

Mayor

Attest:

Clerk of Council