

ORDINANCE NO. 2006-184

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY WITH ESTATE OF DAVID LUTES, JANICE WALKER, CO-EXECUTRIX AND PAULA HUMMELL, CO-EXECUTRIX FOR AN AMOUNT NOT TO EXCEED \$162,750.00, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Mason has determined that it is in the public welfare to extend certain areas of green space through the City; and

WHEREAS, the proposed green space is located on the property owned by the Estate of David Lutes , Janice Walker Co-Executrix and Paula Hummell, Co-Executrix; and

WHEREAS, the City of Mason and the Lutes have reached an agreement as to the purchase of the property.

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

Section 1. That the City Manager is hereby authorized and directed to enter into a Contract for Sale and Purchase of Real Property with the Estate of David Lutes , Janice Walker Co-Executrix and Paula Hummell, Co-Executrix.

Section 2. That the City Manager is further authorized to execute any and all necessary and related documents to complete the terms of the Contract.

Section 3. That said property is as described in the attached Exhibit "A" which is incorporated herein by reference.

Section 4. That the terms of the Contract are as indicated in the attached Exhibit "B", which is incorporated herein by reference, and which terms are subject to modifications by the Law Director of the City of Mason consistent with the overall purpose of this Contract.

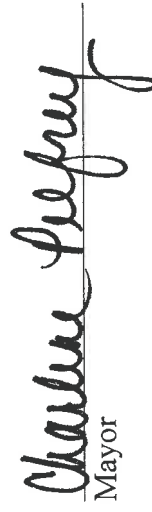
Section 5. That the Finance Director is hereby authorized to pay the Estate of David Lutes , Janice Walker Co-Executrix and Paula Hummell, Co-Executrix an amount not to exceed \$162,750.00 for said real property.

Section 6. 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 acquire the property at the earliest possible date.

Passed this 11<sup>th</sup> day of December, 2006.

Attest:

  
Clerk of Council

  
Mayor