

ORDINANCE NO. 2008-76

**AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS OF AN AGREEMENT OR AGREEMENTS FOR THE ACQUISITION OF FIVE ACRES OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASON AND DECLARING AN EMERGENCY (LAKEWOOD COMMERCE CENTER)**

**WHEREAS**, the City of Mason has determined the need to construct a new fire station; and

**WHEREAS**, after considerable study, City Council has determined that a certain five acre parcel in the Lakewood Commerce Center property is the best suited for said fire station; and

**WHEREAS**, the City of Mason and the representative of the property additionally agree to the mutual objectives of attracting high quality light industrial development to the Lakewood Commerce Park; and

**WHEREAS**, the City of Mason and the representative of the property owner have discussed certain core terms for the acquisition of the property for the construction of a fire station and attracting economic development at the site; and

**WHEREAS**, City Council has determined that it is in the best interest of the citizens of the City of Mason to proceed with the negotiation of the remaining terms of the necessary agreements to acquire 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 negotiate the terms of an agreement or agreements necessary to complete the acquisition of a five-acre parcel fronting on Mason-Montgomery Road currently known as conceptual lot 1, as identified on the preliminary site plan attached hereto as Exhibit A and incorporated herein by reference.

Section 2. That the City Manager is further authorized and directed to determine the costs of constructing a stub road of approximately 770 linear feet on the Lakewood Commerce Center site.

Section 3. That this authority is conditioned on the owner/developer agreeing to the parameters per the approved construction drawings, beginning east of the centerline of Mason-Montgomery Road.

Section 4. That this authority is conditioned on the owner/developer agreeing to transfer the parcel to the City for a purchase price of \$1.00, as well as the City's commitment to construct the above mentioned stub road of approximately 770 linear feet.


Section 5. That this authority is further conditioned on the owner/developer of the Lakewood Commerce Center property agreeing to attract new business investment by offering for sale the opposite front five-acre parcel, known as conceptual lot 13, at an agreed upon reduced land value for a period of three years and adjusted thereafter.

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 9<sup>th</sup> day of June, 2008.

Attest:

  
Clerk of Council

  
Mayor