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President of Council

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Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## ORDINANCE NO. 2011-65

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**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT OF PURCHASE AND SALE, AS REVISED FOR PROPERTY LOCATED AT 35245 CHARDON ROAD, WILLOUGHBY HILLS, OHIO, REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the Mayor servicing as Chief Executive Officer of the City of Willoughby Hills, Ohio requested that an Ordinance be prepared for the purchase of property located at 35245 Chardon Road, Willoughby Hills, Ohio; and

**WHEREAS**, on October 27, 2011, sufficient funds for the specific purpose of the purchase of the abovementioned property had been appropriated by Ordinance No. 2011-57; and

**WHEREAS**, Ordinance No. 2011-58 was adopted authorizing and directing the Mayor to enter into an Agreement of Purchase and Sale for the procurement of property located at 35245 Chardon Road, Willoughby Hills, Ohio for the purchase price of Eighty Thousand Dollars (\$80,000.00); and

**WHEREAS**, the seller, upon review of the original Purchase Agreement, was not expecting to pay for any closing costs; and

**WHEREAS**, the original Purchase Agreement has been revised to reflect the provisions reflected in the seller's e-mail dated November 10, 2011 and as referenced in the email of the Assistant to the Mayor, dated November 11, 2011 consisting of three (3) pages marked as Exhibit "C", attached hereto and incorporated herein by reference.

***NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** The Mayor be and hereby is authorized and directed to enter into an **Agreement of Purchase and Sale as revised** for property located at 35245 Chardon Road, Willoughby Hills, Ohio. Said Purchase and Sale Agreement, consisting of four (4) pages marked as Exhibit "A", is attached hereto and incorporated herein by reference.

**SECTION 2.** The Mayor serving as Chief Executive Officer of the City is hereby authorized to execute any and all pertinent documents pursuant to the purchase of said property referenced in Section 1 of this Ordinance.

**SECTION 3.** In accordance with the Mayor's Interoffice Memo, dated October 20, 2011, consisting of one page, marked as Exhibit "B", included in this Ordinance is the stipulation that a park bench near the tennis courts be constructed and dedicated in memory of Margaret and Anthony Cykes.

**SECTION 4.** All Ordinances, or parts thereof in conflict with the provisions of this Ordinance be, and are hereby repealed as of the effective date of this Ordinance.

**SECTION 5.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.


**SECTION 6.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department and further reason being that it will immediately provide for the purchase of real property located at 35245 Chardon Road, Willoughby Hills, Ohio and thereby providing all documents and funds necessary for completion of said purchase to be placed in escrow; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: November 21, 2011

Submitted to the Mayor for his approval  
on this 21 day of November, 2011

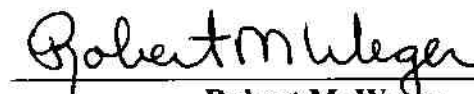
ATTEST:

  
Victoria Ann Savage, CMC  
Clerk of Council

  
Kevin D. Malecek  
President of Council

Approved by the Mayor

November 21, 2011

  
Robert M. Weger  
Mayor

ORDINANCE NO. 2011 - 65

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing Ordinance No. 2011 - 65 was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on November 21, 2011.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No 2003-19 in the Lake County News-Herald on November 23, 2011. Effective date of Legislation November 21, 2011.

Victoria Ann Savage, CMC  
Clerk of Council