

**ORDINANCE NO. 2016-4  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF  
CUYAHOGA COUNTY PERMANENT PARCEL NO. 712-13-  
111 FROM SEAN W. BURKE, AND DECLARING AN  
EMERGENCY.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
LYNDHURST, CUYAHOGA COUNTY, OHIO, THAT:**

**SECTION 1.** This Council determines that in order to make full use of the City Hall complex it is necessary to purchase additional property adjacent to the real property currently owned by the City.

**SECTION 2.** This Council recognizes that negotiations have been initiated with the property owner, Sean W. Burke, and a draft Purchase Agreement has been prepared.

**SECTION 3.** This Council hereby authorizes the purchase of Cuyahoga County Permanent Parcel No. 712-13-111 from the property owner, Sean W. Burke, generally in accordance with the draft Purchase Agreement attached hereto and made a part hereof as Exhibit A.

**SECTION 4.** This Council declares that the amount to be paid to the owner for said parcel shall not exceed One Hundred Eighteen Thousand Dollars (\$118,000.00), plus closing costs as outlined in Exhibit A, without further action by this Council.

**SECTION 5.** This Council authorizes and directs the Mayor to execute all documents necessary to complete said purchase, but only after written legal approval of the Purchase Agreement by the Director of Law.

**SECTION 6.** This Council authorizes the Director of Finance to deposit the funds in accordance with the executed Purchase Agreement.

**SECTION 7.** This Council declares that this authorization to purchase is contingent upon approval by the City's Director of Law of the Warranty Deed.

**SECTION 8.** Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 9.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Lyndhurst for the reason that the Purchase Agreement provides for a transfer date of April 29, 2016. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

**PASSED:** January 18, 2016

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**VICE-MAYOR**

ATTEST: \_\_\_\_\_  
*Clerk of Council*

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on January 29, 2016 and February 4, 2016.

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*Clerk of Council*

First Reading: January 18, 2016

Second Reading: Suspended

Third Reading: Suspended

Passed 1-18-2016