

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A LAND SWAP AGREEMENT WITH SEABREEZE NORTH CORPORATION; AND DECLARING AN EMERGENCY

WHEREAS, the Village owns real property identified as Permanent Parcel Numbers 50-01905 and 50-00380, which total approximately 6.29 acres of land (“Village Property”); and

WHEREAS, the Village Property was acquired pursuant to a purchase agreement in which both the Village’s receipt of Clean Ohio funding sufficient to address environmental conditions then existing and the Village’s ability to identify and reach an agreement with a future owner to occupy and responsibly use the property, as determined in the sole discretion of the Village, were conditions precedent to closing on the purchase; and

WHEREAS, the Village has reached an agreement with Seabreeze North Corporation (“Seabreeze”) which has agreed to raze buildings and dispose of debris on the Village Property and to occupy and use the Property in a manner that complies with applicable use restrictions; and

WHEREAS, Seabreeze owns real property identified as Permanent Parcel Numbers 50-00056, 50-00057, and 50-00058 (“Seabreeze Property”); and

WHEREAS, the Village desires to acquire an approximately one-acre portion of the Seabreeze Property (“Seabreeze Swap Property”) to facilitate construction of a new City of Cleveland Water Department water tower that will service the Village thereupon; and

WHEREAS, the Village and Seabreeze desire and intend that the Village Property be transferred to Seabreeze in exchange for transfer of the Seabreeze Swap Property to the Village; and

WHEREAS, this Council desires to authorize the Mayor and Director of Finance to enter into a Land Swap Agreement with Seabreeze for these purposes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. The Mayor and Director of Finance be, and they hereby are, authorized and directed to enter into a Land Swap Agreement with Seabreeze North Corporation for the transfer of real property known as Permanent Parcel Numbers 5001905 and 5000380 from the Village to Seabreeze North Corporation, in exchange for the transfer of property known as Permanent Parcel Numbers 5000056, 5000057, 5000058 from Seabreeze North Corporation to the Village, substantially in accordance with the Agreement on file in the office of the Village Service

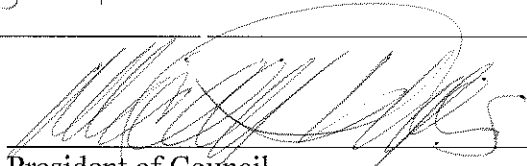
Director, which is incorporated fully herein by reference, subject to final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to facilitate the improvements to the water utility and system which services the Village and to place the Village Property into productive, responsible use at the earliest possible time; wherefore, provided this Resolution receives the affirmative vote of two-thirds of members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

5-15-18



President of Council




Mayor

Dated:

5-15-18

ATTEST:



Clerk of Council