

ORDINANCE 2021-54

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ACCEPT DONATED LAND FROM K-NOVA LLC, AN OHIO LIMITED LIABILITY COMPANY, KNOWN AS LOT NUMBERS 4A AND 4B, AND RESERVE "A" IN RICKENBACKER EXCHANGE PART 3, UPON COMPLETION OF DUE DILIGENCE BY THE VILLAGE SOLICITOR, AND UPON THE VILLAGE SOLICITOR'S SATISFACTION OF THE RESULTS OF SAID DUE DILIGENCE, AND DECLARING AN EMERGENCY.

WHEREAS, K-NOVA LLC, an Ohio limited liability company ("K-Nova"), is the owner of approximately 16.344 acres of real property being lot numbers Four A (4A) and Four B (4B), and Reserve "A" in RICKENBACKER EXCHANGE PART 3, depicted on Exhibit A to this Ordinance, and as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 79, Recorder's Office, Pickaway County, Ohio (the "Donation Ground"); and

WHEREAS, the Village Council is authorized to accept property by gift, and adopt such rules and regulations it deems necessary for the acceptance of such property, pursuant to Ohio Revised Code 715.01; and

WHEREAS, the Village is in need of land for water, sewer, and other public facilities to support the growth of the Village and future economic development; and

WHEREAS, K-NOVA wishes to donate the Donation Ground in fee simple to the Village; and

WHEREAS, the Village wishes to accept the Donation Ground; and

WHEREAS, the Village Solicitor is in the process of completing due diligence related to the transfer of the Donation Ground.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO THAT:

Section 1. Authorization and Direction for Mayor to Accept Donation Ground upon Satisfaction of Due Diligence Efforts by Village Solicitor and Approval of Village Solicitor to Accept Donation Ground. The Mayor of the Village of Commercial Point, for and in the name of the Village, is hereby authorized and directed to accept the Donation Ground via General Warranty Deed on behalf of the Village once the Village Solicitor has completed due diligence related to the transfer of the property, is satisfied with the results of said due diligence, and approves the acceptance and transfer of the Donation Ground to the Village.

Section 2. Open Meetings Certification. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other 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. Emergency Declaration; Effective Date. Because the Donation Ground is integral to the current, and future, development of the Village's public infrastructure, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the Village of Commercial Point, and shall, therefore, go into effect immediately upon passage.

Vote on Suspension of the Readings:

Motion by: Tracy Joiner

2nd: Nancy Geiger

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel

N/A Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

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Vote on Passage of the Ordinance:

Motion by: Laura Wolfe

2nd: Aaron Grassel

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel

N/A Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

Adopted this 20th day of December, 2021.


Allan D. Goldhardt, Mayor


Wendy L. Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor

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Exhibit A

Lot numbers Four A (4A) and Four B (4B), and Reserve "A" in RICKENBACKER EXCHANGE PART 3, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 79, Recorder's Office, Pickaway County, Ohio.

