

Tabled
3/19/15

VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2015- 09

A RESOLUTION FINDING THE PROPERTY LOCATED AT 83 N. SECTION STREET BEING A PART OF THE PROPERTY COMMONLY KNOWN AS THE COMMUNITY CENTER IS NOT NEEDED FOR ANY MUNICIPAL PURPOSE, AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AN ADVERTISEMENT FOR SEALED BIDS TO SELL THE PROPERTY WITH A RESERVATION OF RIGHTS TO REJECT ALL BIDS, AND FURTHER AUTHORIZING THE FISCAL OFFICER TO ADVERTISE BY ABBRIEVATED PUBLICATION

WHEREAS, Section 721.01 of the Ohio Revised Code enables the Village Council to sell real estate belonging to the Village when such real estate is not needed for any municipal purpose, and upon making such a finding such power must be exercised in accordance with the applicable provisions in Sections 721.01 to 721.26, inclusive, of the Revised Code; and,

WHEREAS, in accordance with Section 721.03, such sale of real estate may only occur upon the adoption of an Ordinance to enter into a Contract to sell to the highest bidder, subject to a reservation to reject any and all bids re-advertise, after advertisement once a week for five consecutive weeks in a newspaper of general circulation within the Village, or after abbreviated publication per Section 7.16 of the Revised Code; and,

WHEREAS, the Village is the fee owner of real estate with improvements thereon acquired from the Board of Education of Kings Local School District of Warren County, Ohio, being a total of 3.188 acres, by virtue of a Quit-claim deed dated July 16, 2002, and recorded in Official Record Volume 2662, Page 411 of the office of the Warren County, Ohio Recorder; and,

WHEREAS, the Village has caused a survey and Re-plat of the said property to be prepared, that re-plats the property into three separate lots, including: Lot 1 consisting of 0.717 acres where the two story former school building is situated, and Lot 2 consisting of 1.403 acres where the one story former school building is situated (collectively referred to as the "Community Center"), and Lot 3 consisting of 1.068 acres that is improved, leased and occupied by the South Lebanon Early Learning Center; and,

WHEREAS, the Village has been asked to consider selling Lot 2, having an address of 83 N. Section Street, and the Council desires at this time to advertise to sell Lot 2 with a reservation of rights to reject all bids, and subject to other restrictions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least a majority of all members elected thereto concurring:

Section 1. That the Council finds the real estate and improvements at 83 N. Section Street (illustrated as Lot 2 of the Community Center Replat) is owned by the Village, and is no longer needed for any municipal purpose; and,

Section 2. That the Council desires to and does hereby authorize the Village Administrator to prepare an invitation for sealed bids to sell the real estate and improvements at 83 N. Section Street (illustrated as Lot 2 of the Community Center Replat) as-is and where-is and subject to the invitation reserving to Council the right to reject all bids; subject to final approval of the Community Center Replat by Planning Commission; subject to existing leases and any rights of renewal; subject to existing easements and restrictions of record, plus a reservation of easements for utilities and shared parking in favor of the Village and the occupants and users of Lots 1 and 3 of the Community Center Replat; subject to future real estate taxes and assessments; and, subject to compliance with all current and future zoning, building, and other local government regulations.

Section 3. That the Council does hereby authorize the Fiscal Officer to advertise the said invitation in a newspaper of general circulation in the Village using the abbreviated publication process permitted in Section 7.16 of the Revised Code, which includes listing the Village's Website in such publications; and,

Section 4. That no contract to sell to the highest bidder shall be entered into until such time as Council passes a separate Ordinance to sell the property and accept the highest bid, approved by two-thirds vote of the members of Council; and,

Section 5. That the Council is acting in its administrative capacity in adopting this Resolution.

COMMUNITY CENTER REPLAT

3.188 ACRES TOTAL

BEING A REPLAT OF LOT 73-76, 96 AND PART LOTS 93-95 (TOWN OF DEERFIELD),
 TRANSCRIBED RECORD VOLUME 1, PAGE 313
 SITUATED IN SECTION ONE, TOWN 4, RANGE 3, UNION TOWNSHIP, VILLAGE OF SOUTH
 LEBANON, WARREN COUNTY, OHIO

LEGEND

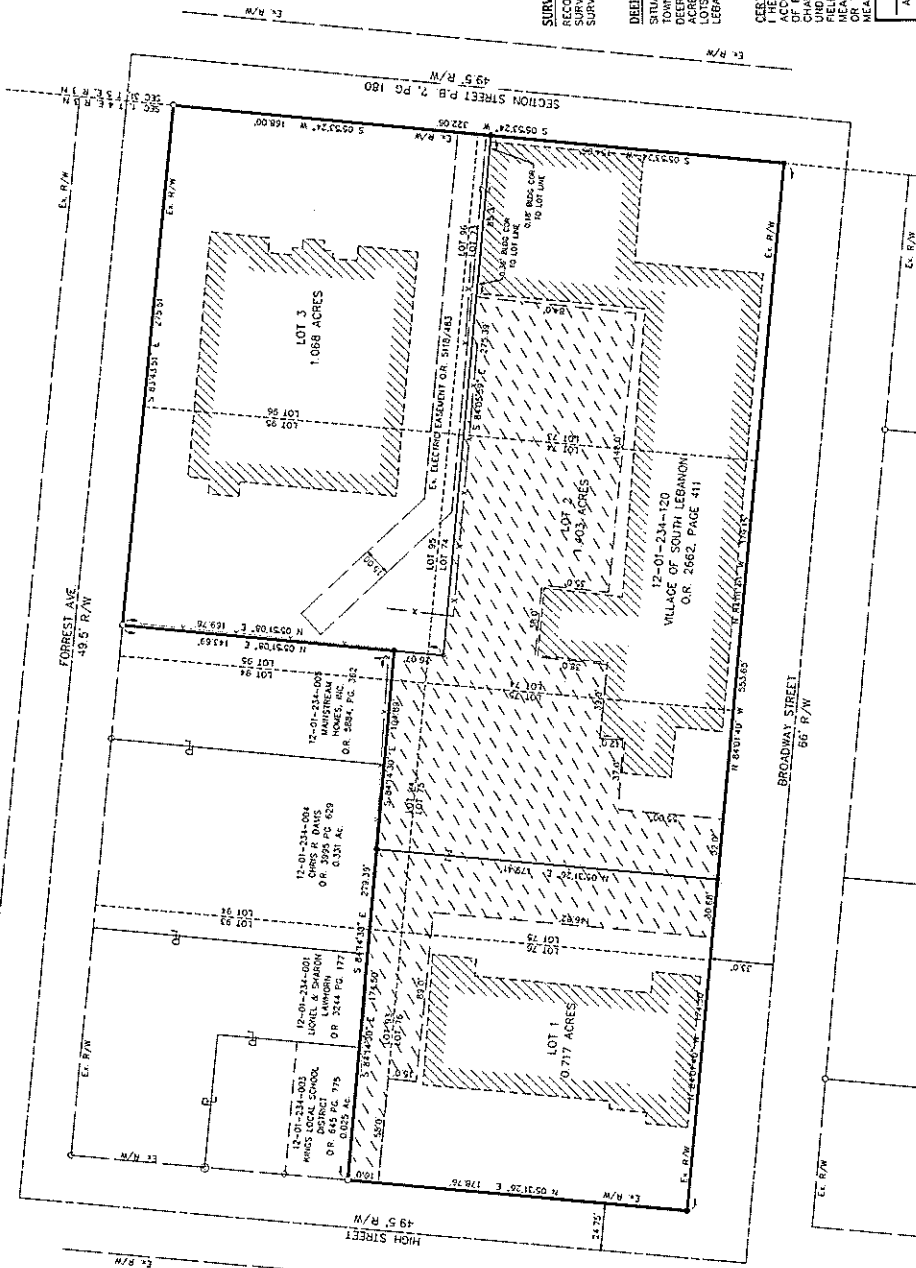
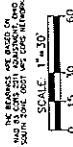
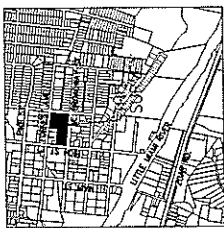
- 5/8" x 30" REBAR
- IRON PIN FOUND
- MAG NAIL SET
- P. K. MAIL FOUND
- PROPOSED INGRESS/EGRESS AND CROSS PARKING EASEMENT

* NOTE - PROPOSED INGRESS/EGRESS AND CROSS PARKING EASEMENT IS CREATED ON THIS REPLAT. THE RECORDING DOCUMENT DESCRIBING USES AND RESTRICTIONS CAN BE FOUND IN DOCUMENT # _____

LOT 1			LOT 2			LOT 3		
BRK/DOWN NUMBER	ACRES	TOTAL	BRK/DOWN NUMBER	ACRES	TOTAL	BRK/DOWN NUMBER	ACRES	TOTAL
75	0.158	TOTAL 0.717	73	0.559	TOTAL 1.403	73	0.027	TOTAL 1.058
76	0.482		74	0.459		74	0.021	
83	0.050		75	0.333		95	0.431	
94	0.017		94	0.038		96	0.559	

VICINITY MAP

SOUTH LEBANON, OHIO



WARREN COUNTY RECORDER
 FILE NO. _____ ON THIS _____ DAY OF _____ 2015 AT _____ M.
 RECORDED ON THIS _____ DAY OF _____ 2015 AT _____ PAGE _____
 FEE _____
 WARREN COUNTY RECORDER _____ DEPUTY _____
 PRINTED NAME _____

WARREN COUNTY AUDITOR
 APPROVED AND TRANSFERRED _____ 20 _____
 BY DEPUTY AUDITOR _____
 WARREN COUNTY AUDITOR _____
 PRINTED NAME _____

PLAT AUTHORIZATION AND DEDICATION
 WHEREAS the owners of the land included within this plat have caused the area located in the Village of South Lebanon, Ohio, encompassed by this plat, to be surveyed, platted, and known as Community Center Replat.

Village of South Lebanon
 Carol H. Leachman, Mayor
 Sharon Leachman, Fiscal Officer
 State of Ohio
 County of _____
 The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Carol H. Leachman, Mayor, and Sharon Leachman, Fiscal Officer, on behalf of the Village of South Lebanon.
 Notary Public _____
 My commission expires _____

VILLAGE OF SOUTH LEBANON PLANNING COMMISSION
 APPROVED BY THE VILLAGE OF SOUTH LEBANON PLANNING COMMISSION
 THIS _____ DAY OF _____ 20____
 CHAIRPERSON _____ PRINTED NAME _____
 VILLAGE ENGINEER _____
 PRINTED NAME _____

I HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF _____ 2015.
 VILLAGE ENGINEER _____
 PRINTED NAME _____

SUBDIVIDER
 OWNER VILLAGE OF SOUTH LEBANON
 SOUTH LEBANON, OH 45065

DEED REFERENCE STATEMENT: 12-01-234-120
 SITUATED IN SECTION ONE, TOWN 4, RANGE 3, UNION TOWNSHIP, VILLAGE OF SOUTH LEBANON (ORIGINAL TOWN OF DEERFIELD), WARREN COUNTY, OHIO, CONTAINING 3.188 ACRES AND BEING ALL OF LOTS 73-76, 96 AND PART LOTS 93-95, AS SHOWN ON THE VILLAGE OF SOUTH LEBANON IN O.R. 2662, PAGE 411.

SURVEY REFERENCES
 RECORD BOOK 1-313
 SURVEY VOLUME 104-38
 SURVEY VOLUME 119-66

CERTIFICATION
 I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE SURVEYING STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND PERSONAL SUPERVISOR MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

ALLEN J. BERTKE, P. S. #8229 _____ DATE _____

NOTES:
 1. OCCUPATION IN GENERAL FITS SURVEY EXCEPT WHERE SHOWN OTHERWISE.
 2. ALL MONUMENTS ARE IN GOOD CONDITION UNLESS NOTED OTHERWISE.



DATE: 12-16-2014
 DRAWN BY: ALLEN J. BERTKE
 JOB NUMBER: WARSLE1114
 SHEET NUMBER: 1 OF 1