

**VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2018-6**

**A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL
OFFICER TO EXECUTE AMENDMENT #1 TO PURCHASE AGREEMENT WITH
CHARITY BISHOP FOR THE PURCHASE OF PROPERTY ON E. BROADWAY
STREET IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN
EMERGENCY**

WHEREAS, on January 18th, 2018, the Village Council passed Resolution No. 2018-4 and entered into an agreement with Charity Bishop ("Seller") for the purchase of property on East Broadway Street for the purchase price of \$34,490.00; and,

WHEREAS, the Seller has requested that an additional eleven (11) feet from the Sidwell# 12-01-277-015-3 parcel be added to the sideyard of Sidwell# 12-01-277-015-2 parcel to accommodate a future accessory structure to the Seller's house located on 97 E. Broadway; and,

WHEREAS, immediate action is required to approve said amendment to ensure that the property can be transferred within the timeframe listed in the agreement and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. Approve Amendment #1 with Charity Bishop, a copy of which is attached hereto, and further authorize the Mayor and Fiscal Officer to execute an Amendment on behalf of the Village.

Section 2. That the Council is acting in its administrative capacity in passing this Resolution.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 1st day of February, 2018.

Attest: Nicole Armstrong James D. Smith
Nicole Armstrong, Fiscal Officer/Clerk James D. Smith, Mayor

Rules Suspended: <u>2/1</u> /2018 (if applicable)	Effective Date – / /2018
Vote - <u>6</u> Yeas <u> </u> Nays	
First Reading – / /2018	Effective Date – / /2018
Second Reading – / /2018	
Third Reading – / /2018	
Vote - <u> </u> Yeas <u> </u> Nays	

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: [Signature]
Date: 2/1/18

AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AMENDMENT is entered into this January 16, 2018 by and between Charity Bishop (hereinafter referred to as "Seller"), whose address is 6049 So. St. Rt. 48 Maineville, Oh., and the Village of South Lebanon, an Ohio Municipal Corporation (hereinafter referred to as "Buyer"), whose address is 99 N. High Street South Lebanon, OH 45065.

WHEREAS, the Buyer and Seller have entered into a purchase agreement for a property on Broadway Street in the Village of South Lebanon as described in Exhibit A;

WHEREAS, the Buyer and Seller agreed to remove sixteen (16) feet from Parcel# 1201277015-3 (Tax account# 6801021) and add this property to Parcel# 1201277015-2 (Tax account# 6801048);

WHEREAS, the Seller has requested to increase this distance from sixteen (16) feet to 27 feet in order to accommodate an accessory structure;

The Parties hereby agree to the following amendment to said purchase agreement:

20. Miscellaneous

The parties acknowledge that approximately ~~sixteen (16)~~ TWENTY SEVEN (27) feet of a structure on Parcel #1201277015 (Tax account #6801048) encumbers Parcel #1201277015 (Tax account# 6801021) for the required Village building setback requirement. The parties agree to conduct appropriate surveying, at the Buyer's expense, to determine the encumbrance and the parties agree that Seller shall retain this portion of the real estate.

All other terms of said agreement shall remain in effect

SELLER

Charity Bishop
Charity Bishop

BUYER

The Village of South Lebanon, an
Ohio Municipal Corporation

James D. Smith
By: James D. Smith, Mayor

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: [Signature]
Date: 21/1/18