

TEMPORARY ORDINANCE NO. 7-16*

PERMANENT ORDINANCE NO. 8-16

AN ORDINANCE TO AUTHORIZE THE MAYOR TO DEED APPROXIMATELY 4.495 ACRES (EXACT ACREAGE TO BE LATER DETERMINED BY SURVEY) OF THE APPROXIMATELY 18.182 ACRES OF THE FORMER ANCHOR HOCKING PLANT 2 SITE LOCATED AT 911 LAWRENCE STREET, LANCASTER, FAIRFIELD COUNTY, OHIO (PARCEL NO. 0535883700) FOR ONE DOLLAR (\$1.00) TO THE LANCASTER PORT AUTHORITY AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE TRANSFER

WHEREAS, the City owns the Former Anchor Hocking Plant 2 Site located at 911 Lawrence Street, Lancaster, Fairfield County, Ohio (Parcel No. 0535883700) and more specifically described as approximately 18.182 acres in the State of Ohio, Fairfield County, Township 14, Range 18, Sections 5 and 6, City of Lancaster as delineated in the Quit-Claim Deed, Vol. 1414, Pages 3702-3703; and

WHEREAS, the City has the Transload Facility on a portion of this parcel, but does not utilize approximately 4-5 acres of the 18.182 acres and has no use or need of this property and its current condition as a former Brownfield Site seriously diminishes its marketability for sale by the City; and

WHEREAS, the Lancaster Port Authority has more flexibility in the marketing and sale of property to provide an opportunity for economic development in this Industrial zoned parcel; **and**

WHEREAS, the City wishes to authorize the Mayor to enter into a Memorandum of Understanding with the Lancaster Port Authority regarding conditions of the land transfer in relation to the Covenant Not to Sue and Amended Covenant Not to Sue issued by the Ohio Environmental Protection Agency and filed for Record with the Fairfield County Recorder's Office as Volume 1539 Page 0867 through 0954 and Volume 1702 Pages 3076 through 3114, respectively, as the parties deem appropriate; and

WHEREAS, the City desires for the Port Authority to retain a 5% seller's fee for Port Authority Projects with 95% of sale price being deposited to the Port Authority City Fund;

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio

SECTION 1. That the Mayor is hereby authorized to quit-claim deed a 4-5 acre portion (to be determined by survey and lot split but roughly delineated in Exhibit A attached hereto) of the Former Anchor Hocking Plant 2 Site located at 911 Lawrence Street, Lancaster, Fairfield County, Ohio (Parcel No. 0535883700) to the Lancaster Port Authority and is further authorized to execute any and all documents necessary for the transfer of the property to the Lancaster Port Authority.

SECTION 2. That the City no longer needs the property, created the Lancaster Port Authority to help facilitate economic development, and the Lancaster Port Authority has the ability to market and sell the property to ensure economic development.

SECTION 3. The Mayor is hereby authorized to execute any and all documents necessary to facilitate the transfer of the property.

SECTION 4. The City directs the Port Authority to charge a five percent (5%) seller fee retained by the Port Authority and the 95% of the sale goes to the Port Authority City Fund.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 3/14/16 after 2nd reading. Vote: Yeas 8 Nays 0

Approved: 3/15/16

RA B. [Signature]
President of Council

Clerk: Teresa Lee Sandy

[Signature]
Mayor

Offered by: [Signature]

Second by: [Signature]

Requested by Economic Development Committee

I, Teresa L. Sandy, Clerk of Council do hereby certify that on _____, 2016 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

