**RESOLUTION 4-23-R**

**A RESOLUTION TO TERMINATE THE CITY’S FIRST RIGHT OF REFUSAL TO PURCHASE EXCESS STATE-OWNED PROPERTY ABUTTING GRAND LAKE AT THE TERMINUS OF LEBLOND STREET AND ACCEPTING AN EASEMENT OVER SAME FOR UTILITY USAGE.**

WHEREAS, the State of Ohio is the current owner of the real estate described in Exhibit A (The Bruns Easement) and Exhibit B (The Morrisons Easement) (at the end of Leblond Street) (the "real estate"), with both exhibits being fully incorporated herein by reference; and

WHEREAS, the abutting property owners have expressed a desire to purchase the real estate described in Exhibit A and Exhibit B; and

WHEREAS, pursuant to Ohio law, as the Municipal Corporation within which the real estate is located, the City of Celina has a right of first refusal pertaining to this real estate; and

WHEREAS, in the event the City of Celina does not exercise its right of first refusal the real estate will likely be transferred to the two adjoining land owners; and

WHEREAS, the City of Celina does not find a public need or purpose to own the real estate as long as the transferee(s) of the real estate grant the City of Celina a perpetual public utility easement to maintain a storm sewer system thereon, including ingress and egress for the same; and

WHEREAS, the two (2) adjoining landowners to the real estate are each in agreement to grant the City of Celina a perpetual public utility easement, as evidenced by the attached Exhibits A and B.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Celina, County of Mercer, State of Ohio.

SECTION ONE

THAT, the City of Celina does not find a public need or purpose for ownership of the real estate described above, and having Exhibits A and B, hereby resolves to not exercise its right of first refusal to own the real estate which is currently owned by the State of Ohio.

SECTION TWO

THAT, the Mayor and Law Director are hereby authorized and directed to take all actions to effectuate the intent of Council.

SECTION THREE

NOW, therefore, this Resolution shall take effect and be in force from and after its passage and approval by the Mayor at the earliest period allowed by law.

PASSED this day of , 2023.

Jason D. King, President of Council

ATTEST:

Michael F. DiDonato, Clerk of Council

APPROVED , 2023.

Jeffrey S. Hazel, Mayor

DRAFTED BY:

George Erik Moore, Esq., City Law Director