

CITY OF OBETZ  
RECORD OF ORDINANCES



ORDINANCE: 51 – 22

PASSED: October 24, 2022

**AN ORDINANCE TO AUTHORIZE THE ADMINISTRATOR TO ENTER INTO PURCHASE AND SALE AGREEMENTS BY AND AMONG THE CITY OF OBETZ, THE BIG WALNUT COMMUNITY IMPROVEMENT CORPORATION, AND MORSE ROAD DEVELOPMENT, LLC, AND PENTAGON III, LLC, RESPECTIVELY, FOR THE SALE AND DEVELOPMENT OF LAND IN THE CITY OF OBETZ AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 3.01 of the City Charter provides that Council has the power to acquire and to sell or otherwise convey interests in real property; and to lease, as the lessor or lessee, or otherwise grant or receive interests in real property; and,

**WHEREAS**, Section 157.04(j) of the City of Obetz Codified Ordinances, provides that Council may authorize the purchase and sale of real property with or without public bidding, on such terms and for such value as Council, in the exercise of its discretion, may deem reasonable and in the best interest of the City; and,

**WHEREAS**, Obetz owns land adjacent to the Walnut Creek Development – a mixed use commercial, office, and medical center; and,

**WHEREAS**, Pentagon III, LLC, owner of a large portion of land in the Walnut Creek Development, has expressed a desire to acquire 3.97+/- acres owned by the City of Obetz (parcel number 153-000249) to expand the Walnut Creek Development; and,

**WHEREAS**, Morse Road Development, LLC has expressed a desire to acquire a 1.0 +/- portion of the same tax parcel to assemble with other real property for purposes of development of a Sheetz facility; and,

**WHEREAS**, this Council hereby finds and determines that the 3.97+/- acres of land and the 1.0 +/- acre of land are not required by the City of Obetz for its purposes, and conveyance of the land to Pentagon III, LLC and to Morse Road Development, LLC, respectively, will create additional development opportunities and improve the economic welfare of the people of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBETZ, FRANKLIN COUNTY, OHIO, THAT:**

Section 1: Council hereby authorizes and ratifies the execution of the Real Estate Sale Contract ("Contract) by and between the City of Obetz, the Big Walnut Community Improvement Corporation, and Pentagon III, LLC, by the Administrator, which Agreement is presently on file in the office of the Clerk of Council.

Section 2: Council further authorizes and directs the Mayor to convey to the Big Walnut Community Improvement Corporation by suitable deed of conveyance the 3.97+/- parcel of land owned by the City of Obetz for subsequent conveyance to Pentagon III, LLC, so as to provide for the performance of the Agreement.

Section 3: Council hereby authorizes and ratifies the execution of the Real Estate Sale Contract ("Contract) by and between the City of Obetz, the Big Walnut Community Improvement Corporation, and Morse Road Development Company, LLC, by the Administrator, which Agreement is presently on file in the office of the Clerk of Council.

Section 2: Council further authorizes and directs the Mayor to convey to the Big Walnut Community Improvement Corporation by suitable deed of conveyance the 1.0 +/- acre parcel of land owned by the City of Obetz for subsequent conveyance to Morse Road Development, LLC, so as to provide for the performance of the Agreement.

Section 3: This Council further hereby authorizes the Mayor, the Administrator, the Law Director, or other appropriate officers of the City, to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to provide for the performance of the Real Estate Purchase Contracts or otherwise implement this Ordinance.

Section 4: This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare of this City and for the further reason that this Ordinance is required to be immediately effective in order that Pentagon III, LLC and Morse Road Development, LLC may proceed with imminent closings and further development activities, thereby providing for the creation of jobs and employment opportunities and improving the economic welfare of the people of the City of Obetz; WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage.

Passed this 24 day of October, 2022.

ATTESTS:

Stacey Boumis  
Stacey Boumis, Clerk of Council

Angela M Kirk  
Angela M. Kirk, Mayor

Michael R Flaherty  
Michael Flaherty, Council President Pro-Tem

APPROVED AS TO FORM

Eugene Hollins  
Eugene Hollins, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance 51-22 was duly posted at 4:00 AM (time) on the 25 day of October, 2022, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

10/25/22  
Date