

**CITY OF STRUTHERS**  
**Ordinance**

NO. 19-003

**AN ORDINANCE AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO A REAL PROPERTY TRANSFER AGREEMENT WITH DANIEL H. BECKER, TRUSTEE OF THE DANIEL H. BECKER REVOCABLE TRUST DATED AUGUST 18, 1997, FOR THE REAL PROPERTY LOCATED AT 238 ELM STREET, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Struthers, Ohio (the “City”) is a body corporate and a political subdivision of the State of Ohio;

**WHEREAS**, the City authorized the creation of the Land Reutilization Program, pursuant to §§ 5722.02 to 5722.15 of the Ohio Revised Code, upon the passage of Ordinance No. 98-9704 on April 21, 1998;

**WHEREAS**, the Land Reutilization Program allows the City, by its Board of Control, to accept, as gifts, real property to be held, administered and disposed of in the manner provided in Chapter 5722 of the Ohio Revised Code;

**WHEREAS**, Daniel H. Becker, Trustee of The Daniel H. Becker Revocable Trust dated August 18, 1997 (“Donor”) owns and possesses the real property located at 238 Elm Street in the City of Struthers, Ohio (the “Property”);

**WHEREAS**, the Property is non-productive real property;

**WHEREAS**, Donor desires to transfer ownership and possession of the Property to the City for the Property’s effective reutilization, pursuant to the terms and conditions contained in the Real Property Transfer Agreement (the “Agreement”) attached hereto as **Exhibit A** and incorporated herein by reference; and

**WHEREAS**, this Council is satisfied that the terms and conditions of the Agreement are acceptable and that the execution, delivery and performance by the City and Donor of their respective obligations are in the best interest of the City and the health, safety, morals and welfare of its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Struthers, Ohio,  $\frac{3}{4}$ ’s of all members elected thereto concurring:

**SECTION 1:** Council hereby approves the Agreement as submitted to the City. The Board of Control is hereby authorized and directed to execute the Agreement on behalf of the City. The Agreement shall be in substantially the form attached hereto as **Exhibit A**, with such changes therein as shall be approved by the Board of Control and as may be consistent with the provisions and intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized.

**SECTION 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.

**SECTION 3:** A delay in the effective date of this Ordinance will result in detriment to the economic health, safety and welfare of the Struthers community at large. Accordingly, this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon its passage and approval by the Mayor.

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PASSED IN COUNCIL THIS 9<sup>th</sup> DAY OF January, 2019.

Megan R. Shorthouse  
CLERK OF COUNCIL

Henry D. Franceschelli, Sr.  
PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 9<sup>th</sup> DAY OF January, 2019.

Megan R. Shorthouse  
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 9<sup>th</sup> DAY OF January, 2019.

Terry P. Socker  
MAYOR