

**ORDINANCE NO: 12 – 1078**

**AN ORDINANCE AUTHORIZING THE VILLAGE SOLICITOR TO FILE A PETITION TO RECEIVE PROPERTY THROUGH FORFEITURE AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSSELLS POINT, OHIO**

**WHEREAS**, pursuant to R.C. 5723.01(A)(3), notice and an offer to forfeit the Property has been provided to Russells Point, being the political subdivision, who is required to receive notice pursuant to R.C. 5723.01(A)(3); and

**WHEREAS**, upon approval of a Petition to Receive Property pursuant to R.C. 5723.01, all the right, title, claim, and interest of the former owner of the forfeited properties will be transferred to and vested in the Village of Russells Point, Ohio.

**WHEREAS**, this Council has determined by reviewing all pertinent information that authorizing the Solicitor to execute any documents necessary to accept the forfeited properties is necessary and in the best interest of the Village of Russells Point;

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Village of Russells Point, Ohio:

**SECTION I:** The Solicitor is hereby authorized to execute any documents necessary to petition the Court to receive the real estate which is the subject of this Ordinance (hereinafter referred to as the “Properties”) and is described as follows:

*Situated in the Township of Washington, County of Logan, in the State of Ohio, and in the Village of Russells Point, and bounded and described as follows:*

*Being Lot Number Sixty Eight as the same is known and delineated on the recorded plat of said Village of Russells Point, Ohio.*

*Parcel No. 52-032-10-02-018-000*

*Commonly known as: 121 Warren Street, Russells Point, Ohio 43348*

AND

*Situated in the Village of Russells Point, Township of Washington, County of Logan, and State of Ohio, and bounded and described as follows:*

*Being Lot No. One Hundred Five (105) of the Village of Russells Point, according to the new numbering of lots in said village heretofore being known as Lot. No. Seventy-four (74) of Cain’s Park Addition to the Village of Russells Point as known and designated in Plat Book B, Volume 2, Page 43, Logan County Plat Records.*

*Parcel No. 52-032-09-08-024-000 (Lot 105)*

*Commonly known as: 149 Clermont Avenue, Russells Point, Ohio 43348*

**SECTION II:** The Village shall pay any court costs due to the Logan County Court of Common Pleas in connection with the foreclosure case regarding the Properties.

**SECTION III:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

**SECTION IV:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Russells Point so that the Solicitor may file the petition to receive property in a timely manner as required by the Revised Code. This ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of Village Council.

\_\_\_\_\_  
Dave Leonard  
President Pro Tem of Council

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Robin Reames  
Mayor

Attested: \_\_\_\_\_  
Jeff Weidner  
Fiscal Officer

Approved as to Form:  
\_\_\_\_\_  
Robert N. Eshenbaugh Jr.  
Village Solicitor