

*Village of New Lexington*

ORDINANCE No. 18-28

**ORDINANCE AUTHORIZING CONVEYANCE OF MUNICIPAL PROPERTY TO  
BOARD OF COUNTY COMMISSIONERS PER REVERSIONARY CLAUSE**

**Whereas**, the Village of New Lexington, on or about October 14, 1999, received conveyance of certain property from the Board of County Commissioners, Perry County, Ohio, for the purposes of utilizing such land for a fire department; and

**Whereas**, the Deed of Conveyance, a copy of which is attached hereto and incorporated herein by reference, contained a reversionary clause pursuant to which if “there is no progress or activity or groundbreaking or actual construction of a fire station on this property within five years from the date of this deed, the property shall revert back to the Board of Perry County Commissioners;” and

**Whereas**, more than five years have passed since the Deed of Conveyance by the Board of Perry County Commissioners and the subject property has not been utilized by the Village of New Lexington for the purpose of a fire station;

**Whereas**, Ohio Revised Code § 721.29 provides municipal corporations the special power to sell convey real estate belonging to the municipal corporation, to a board of county commissioners, when such real estate is not needed for any municipal purpose, on such lawful terms as are agreed upon between the municipal corporation and the board of county commissioners, without competitive bidding; and

**Whereas**, in accordance with the reversionary clause pursuant to which the Village of New Lexington accepted conveyance of the subject real estate, and in accordance with Ohio Revised Code §721.29, the Village of New Lexington desires to convey the real property described in the attached Deed to the Board of County Commissioners, Perry County, Ohio.

**NOW THEREFORE**, two thirds (2/3) of the members of the Council of the Village of New Lexington, Perry County, Ohio, concurring therein, **IT IS THEREFORE ORDAINED**:

**Section 1:** That the real property owned by the Village of New Lexington, consisting of approximately 1.3437 acres and being part of the Southeast Quarter of Section 9, Pike Township, Perry County and more fully described as set forth in the attached Deed, has not been utilized for a fire station or department, is no longer needed for any municipal purpose and is therefore declared surplus real property.

**Section 2:** That in accordance with the reversionary clause contained in the Deed on Conveyance of such property to the City of New Lexington in October 1999, and in accordance with the provisions of Ohio Revised Code § 721.01 and § 721.29, the Council authorizes and directs the Village Administrator to convey said real property to the Board of County Commissioners, Perry County, Ohio.

**Section 3:** That the Village Administrator is authorized to execute the Deed of Conveyance to the Board of County Commissioners, Perry County, Ohio, on behalf of the Village of New Lexington, and to deliver said Deed of Conveyance to the Board of County Commissioners, Perry County, Ohio, for transfer and recording of said Deed with the Perry County Auditor's and Recorder's Offices.

1<sup>st</sup> Reading: 11-8-18

2<sup>nd</sup> Reading: 11-19-18

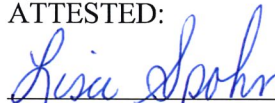
Passed: 11-19-18

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Kevin Ratliff, Sr., Mayor



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Dan Bethel, Council President

ATTESTED:

  
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Lisa Spohn, Council Clerk