

THE VILLAGE OF RIPLEY, OHIO

ORDINANCE NO. 1034

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THAT REAL ESTATE COMMONLY KNOWN AS THE OLD RIPLEY ELEMENTARY SCHOOL AND RELATED REAL ESTATE IN FURTHERANCE OF A PLAN OF URBAN RENEWAL FOR THE VILLAGE OF RIPLEY AND DECLARING AN EMERGENCY

WHEREAS, the Village of Ripley has acquired that real estate formerly owned and occupied by the Board of Education of Ripley Union Lewis Huntington School District as the Old Ripley Elementary School Building, said real estate (the "Real Estate") being more fully described as follows:

Situate in the Village of Ripley, Township of Union, County of Brown and State of Ohio and being more particularly described as follows:

Being all of that Lot known and designated as the Public Square on the recorded plat of the Town of Staunton (now the Village of Ripley), Volume 33, page 796 of the Official Records of Brown County, Ohio.

ALSO, THE FOLLOWING DESCRIBED REAL ESTATE:

Situate in the Incorporated Village of Ripley, Brown County, Ohio, and being part of Inlot No. Six (6) as the same is known and designated on the recorded plat of said village (Official Records Volume 33, Page 796) and bounded and described as follows, to-wit: Beginning at a point $43\frac{1}{2}$ feet northwesterly of the line between Inlots Nos. 5 and 6 on Front Street, said point being the present dividing line between that part of Inlot No. 6 owned by H.K. Shaw and that part of Inlot No. 6 owned by J.R. & F.A. Stivers; thence northeasterly and parallel with the side lines of said inlots end with said present dividing line 180 feet more or less to Easton Street; thence northwesterly with Easton Street and binding thereon, two (2) feet; thence paralleling first mentioned line 180 feet more or less to Front Street; thence with Front Street and binding thereon Southeasterly two (2) feet to the beginning being a strip of ground two (2) feet wide by 180 feet long on the west side of that part of Inlot No. 6 ($43\frac{1}{2}$ feet front and extending that width to Easton Street, being tract 2 herein in this deed described) now owned by the said J.R. & F.A. Stivers, on which said $43\frac{1}{2}$ feet front part is located a large brick warehouse building extending $43\frac{1}{2}$ feet front from Front Street to Easton Street. Being the same real estate conveyed to J.R. & F.A. Stivers by H.K. Shaw and wife by deed dated December 1, 1926, and recorded in Deed Book 18, page 319, Deed Records of Brown County, Ohio.

Also the following described real estate, situate in the State, County and Village aforesaid, known and designated on the recorded plat thereof (Official Records Volume 33, Page 796) as part of

Inlot No. Six (6) and bounded and described as follows: Beginning at the most westerly corner of Inlot No. 5 on Front Street, running thence northeast with the line between Inlots Nos. 5 and 6, one hundred and eighty (180) feet more or less to Easton Street; thence a northwest course with Easton Street and binding thereon forty three feet and six inches ($43\frac{1}{2}$ feet); thence at right angles southwest and parallel with said first described line 180 feet more or less to Front Street; thence with Front Street southeast and binding thereon forty three feet and six inches ($43\frac{1}{2}$ feet) to the beginning, on which is a large brick warehouse. Being the same real estate described in a deed of H.N. Wiles and wife to Katherine Stivers et al dated Nov. 9, 1895, and recorded in Deed Book No. 81, pages 200 and 201; also described in a deed of J.R. Stivers and wife to F.A. Stivers dated April 23, 1894, and recorded in Deed Book C. No. 80, pages 221 to 224, being the second tract of said last mentioned deed.

Prior Deed Reference: See deed recorded in Deed Book 89, Page 229, Brown County Deed Records.

ALSO THE FOLLOWING DESCRIBED REAL ESTATE:

Situated in the Incorporated Village of Ripley, Union Township, Brown County, State of Ohio, to-wit: In-lot Number Thirty-three (No. 33) as known and designated on the recorded plat of said Village of Ripley, Ohio (Official Records Volume 33, Page 796). Being the following described lot, piece or parcel of land situated on the west side of Second Street between Main and Market Streets, and bounded and described as follows: On the east side or front by Second Street; on the south side by Bank Alley; on the north side by the Public Square, and on the west side or rear end on Easton Street; fronting sixty (60) feet on Second and Easton Streets each.

Prior Deed Reference: See deed recorded in Deed Book A-1, Page 580, Brown County Deed Records.

This being the same real estate conveyed to the Village of Ripley by the Board of Education of Ripley Union Lewis Huntington School District by Quit Claim Deed recorded at Volume 44, Page 152 of the Official Records of Brown County, Ohio; and

WHEREAS, the Council of the Village of Ripley has determined that it would be in furtherance of its plan for the urban renewal of the Village of Ripley if said Real Estate were developed into a productive asset of the community for the betterment of the entire Village of Ripley; and

WHEREAS, by the passage of Ordinance No. 1022 on February 13, 1996, the Council of the Village of Ripley authorized the granting of an Option to Purchase (the "Option") said Real Estate to Ripley Schoolhouse Apartments, L.P., an Ohio Limited Partnership, based on its proposed plan for the development said Real Estate which was consistent with the Council's plan of urban renewal for the Village of Ripley; and

WHEREAS, Ripley Schoolhouse Apartments, L.P. has notified the Village of Ripley that it desires to exercise the Option and purchase said Real estate from the Village of Ripley; and

WHEREAS, by agreement of the Village of Ripley and Ripley Schoolhouse Apartments, L.P., the Village of Ripley shall retain ownership of the southerly most twenty-five (25) feet of In-Lot No. 33 described, above.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Ripley, two-thirds (2/3) or more of all members thereof concurring as follows,

SECTION 1. That the Village of Ripley shall sell and convey the above described Real Estate (save and except the southerly most twenty-five (25) feet of In-Lot No. 33) to Ripley Schoolhouse Apartments, L.P. in accordance with terms of said Option.

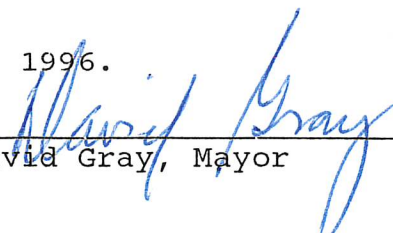
SECTION 2. That the Village Administrator and the Clerk of the Village of Ripley shall be and hereby are authorized and directed to execute such deed of conveyance on behalf of the Village of Ripley.

SECTION 3. That the deed hereby authorized shall contain a new legal description of the Real Estate, as the same shall be prepared by a licensed surveyor at the cost and expense of the purchaser, as provided in said Option.

SECTION 4. That this Ordinance and the conveyance hereby authorized are hereby declared to be in furtherance of a plan for the urban renewal of the Village of Ripley in accordance with the provisions of the Ohio Revised Code pursuant to which the requirements of competitive bidding may be and hereby are waived.

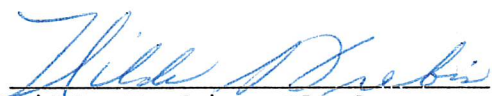
SECTION 5. That this Ordinance is hereby declared to be an emergency ordinance necessary for the health, safety or welfare of the inhabitants of the Village of Ripley and more particularly in furtherance of the plan of urban renewal of the Village of Ripley and this Ordinance shall be in full force and effect immediately upon its adoption.

Adopted this 8th day of October, 1996.



David Gray, Mayor

ATTEST:



Hilda Frebis, Clerk