

Sponsor: None

First Reading:	December 9, 2019
Second Reading:	Suspended, 2019
Third Reading:	Suspended, 2019
Adopted:	December 9, 2019

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
RESOLUTION NO. 2019-R-43**

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AFFIDAVIT OF TITLE REGARDING PROPERTY COMMONLY KNOWN AS 788 BYRD AVENUE, LINCOLN HEIGHTS, OHIO

WHEREAS, Council for the Village of Lincoln Heights, Hamilton County, Ohio previously passed Resolution No. 2019-R-33 authorizing the sale of property commonly known as 788 Byrd Avenue, Lincoln Heights, Ohio ("Property") to Mr. Edwin Miller;

WHEREAS, The Quit Claim Deed transferring the Property ("Deed") contains a reverter clause requiring Mr. Miller to obtain permits for rehabilitating the dilapidated structure on the Property by December 23, 2019 ("Condition 1"), and to obtain a certificate of occupancy by September 23, 2020 ("Condition 2");

WHEREAS, The Village's Zoning Specialist and former Chief Building Official, Don Mercer, has inspected the dilapidated structure on the Property and determined that no permits are required for the rehabilitation of the dilapidated structure on the Property, and therefore no need to obtain a certificate of occupancy.

NOW, THEREFORE, BE IT RESOLVED, by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I. The Village Manager, Anthony Dukes, is hereby authorized to execute an Affidavit of Title in substantially the same form attached hereto as **Exhibit A** indicating that Condition 1 and Condition 2 are satisfied and to deliver the same to Mr. Miller for filing with the Hamilton County Recorder's Office.

SECTION II. The provisions of Section I, notwithstanding the requirement that Mr. Miller complete rehabilitation of the dilapidated structure on the Property on or before September 23, 2020, as explained more particularly in the Deed, remains in full force and effect.

SECTION III. This Resolution is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to remove any cloud on title to the Property due to Condition 1 and Condition 2.

PASSED this 9th day of December, 2019.


Mayor, Village of Lincoln Heights
Attested:


Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ruby Kinsey-Mumphrey	X	—	—	—
Vice-Mayor Jeannie Stinson	X	—	—	—
Linda Childs-Jeter	X	—	—	—
Daronce Daniels	X	—	—	—
Kathy A. Goodwin-Williams	—	X	—	—
Tonya Key	X	—	—	—
LaVerne Mitchell	—	—	X	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on December 10th, 2019 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) Seven Hills Seniors; 3) Friendship Plaza; 4) Centennial Apartments; and 5) Oak Park.


Clerk of Council