

# CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 06 - 15 - 08

**AN ORDINANCE APPROVING AND AUTHORIZING THE TRANSFER OF TWO PIECES OF PUBLIC PROPERTY TOTALING 0.036 ACRES AND BEARING PARCEL I.D. NUMBERS M60 00204 0003 AND M60 00204 0004 TO CAROL A. WARDLE FKA CAROL A. SMITH AND LEE J. WARDLE AND DECLARING AN EMERGENCY**

**WHEREAS**, upon staff recommendation, Council, via enactment of Ordinance No. O-11-14-19 on December 4, 2014, authorized the City Manager to enter into a license agreement with Carol Smith to enter upon real estate in order to demolish the former fire department garage located on Salem Road and remove same and Council further authorized the transfer of .02 acres of public property bearing Parcel I.D. number M60 00204 0003 to Carol Smith; and

**WHEREAS**, the former fire department garage, partially located on the property of Carol Smith nka Carol Wardle, located at 32 E. Salem Road in the City of Clayton has now been demolished and removed; and

**WHEREAS**, City staff, in preparing to transfer by deed the aforementioned .02 acres of public property to Carol Smith, nka Carol Wardle, determined that the above identified public property is comprised of two pieces of public property – (1) .032 acres in size (incorrectly identified in Ordinance No. O-11-14-19 as .02 acres); and (2) .004 acres of landlocked public property; and

**WHEREAS**, staff recommends transferring by deed to Carol A. Wardle fka Carol A. Smith and her husband, Lee J. Wardle by deed the two pieces of public property referenced herein; and

**WHEREAS**, in order to proceed in a timely fashion with transfer of the property referenced herein to Carol A. Wardle fka Carol A. Smith and her husband Lee J. Wardle, and for the preservation of the public health, safety and welfare, it is necessary that this Ordinance take effect at an early date.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the City of Clayton hereby approves and authorizes the City Manager to transfer by Deed the public property specified herein to Carol A. Wardle fka Carol A. Smith and her husband Lee J. Wardle.

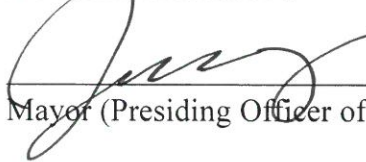
2. That this Ordinance shall repeal any prior ordinances inconsistent herewith and shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.

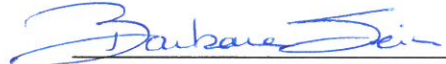
3. That in accordance with Charter Section 4.031(B) the requirement that this ordinance be read on two (2) different days is dispensed with by affirmative vote of at least five (5) of the members of Council.

4. That unless this Ordinance is immediately enacted the public peace, health, safety and welfare will be detrimentally affected because in order to timely transfer the property referenced herein, it is necessary that this Ordinance take effect at an early date. Accordingly, pursuant to Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

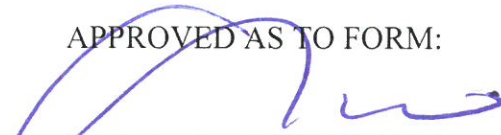
ADOPTED BY COUNCIL ON JUNE 18, 2015.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council


APPROVED AS TO FORM:

  
\_\_\_\_\_  
Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper                      Date of publication  
Englewood Independent      June 25, 2015

  
Clerk