

*Village of Crooksville*

**ORDINANCE NO. 2716**

**ORDINANCE AMENDING ORDINANCE NO. 2680  
AMENDING ORDINANCE NO. 2618 DECLARING CERTAIN REAL PROPERTY  
NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE  
AND AUTHORIZING ITS ADVERTISEMENT FOR SALE**

**Whereas**, on April 16, 2018, the Village of Crooksville did pass Ordinance 2618, Declaring Certain Real Property No Longer Needed for Any Municipal Purpose and Authorizing Its Advertisement for Sale;

**Whereas**, said Ordinance 2618 referred to property the Village commonly refers to and identifies as Reservoirs 1 and 2, and attached a legal description to particularly describe the property the Village declared surplus and intended to sell;

**Whereas**, on September 8, 2020, the Village of Crooksville did pass Ordinance 2680, Amending Ordinance 2618 Declaring Certain Real Property No Longer Needed for Any Municipal Purpose and Authorizing Its Advertisement for Sale, in order to clarify the legal description for the subject real property, noting additionally and particularly an exception for an out-conveyance of approximately 6.2723 acres to Wise at Morgan County O.R. Book 188, Page 289; and

**Whereas**, Ordinance 2680 properly reflected that the Village of Crooksville owns certain real estate consisting of approximately 69.6277 Acres located in Section 23, York Township, Morgan County, Ohio, commonly referred to as "Reservoir 1" and "Reservoir 2" and more fully described as set forth in attached Exhibit A (75.90 Acres less 6.2723 Acres conveyed to Wise at Morgan County O.R. Book 188, Page 289); and

**Whereas**, said Ordinances 2618 and 2680 declared that the minimum bid that the Village of Crooksville would consider for the sale of the real property was \$150,000.00; and

**Whereas**, the Village of Crooksville now desires to amend Ordinance Nos. 2618 and 2680 in order to lower the minimum bid that the Village of Crooksville will consider for sale of "Reservoir 1" and "Reservoir 2" to \$120,000.00; and

**Whereas**, as set forth in Ordinance 2680, Ohio Revised Code § 721.01 provides municipal corporations the special power to sell real estate belonging to the municipal corporation, when such real estate is not needed for any municipal purpose; and

**Whereas**, "Reservoir 1" and "Reservoir 2" are no longer needed for any municipal purpose; and

**Whereas**, the Village of Crooksville wishes to place said real property for sale.

**NOW THEREFORE**, two thirds (2/3) of the members of the Council of the Village of Crooksville,

Perry County, Ohio, concurring therein, **IT IS THEREFORE ORDAINED** that Ordinance Nos. 2618 and 2680 are hereby AMENDED as follows:

**Section 1:** That the real property owned by the Village of Crooksville, consisting of approximately 69.6277 Acres located in Section 23, York Township, Morgan County, Ohio, commonly referred to as "Reservoir 1" and "Reservoir 2" and more fully described as set forth in attached Exhibit A (75.90 Acres less 6.2723 Acres conveyed to Wise at Morgan County O.R. Book 188, Page 289), is no longer needed for any municipal purpose and is therefore declared surplus real property.

**Section 2:** That in accordance with the provisions of Ohio Revised Code § 721.01 and § 721.03, the Council authorizes and directs the Village Administrator and/or Fiscal Officer to place said surplus real property for sale. The Village Administrator and/or Fiscal Officer shall advertise the sale of the real property, commonly known as "Reservoir 1" and "Reservoir 2", for advertisement once a week for five (5) consecutive weeks in a newspaper of general circulation within the Village of Crooksville. The advertisement for sale shall note that "the property shall be sold "AS IS" and subject to any/all requirements imposed by the Ohio Division of Natural Resources (ODNR)." Further, the advertisement for sale shall note that "the minimum bid that the Village of Crooksville will consider for the real property is \$120,000.00; the Village of Crooksville reserves the right to accept or reject any/all bids." Thereafter, the bids shall be brought before Council for acceptance or rejection of the bid made by the highest bidder; provided however, no bid less than \$120,000.00 shall be accepted. If a bid is accepted, Council shall direct the Village Solicitor to prepare a Contract for Sale and the same shall come on before Council for authorization and approval by two thirds (2/3) vote. If a bid is rejected, Council may authorize the Village Administrator and/or Fiscal Officer to re-advertise until such real estate is sold.

**Section 3:** This resolution is hereby declared to be a measure necessary for the immediate preservation of the public peace, health, and safety and welfare of the inhabitants of the Village of Crooksville and requires immediate passage to allow the Village Administrator and/or Fiscal Officer to timely re-advertise until such real estate is sold.

**1<sup>st</sup> Reading:** September 19, 2022


**2<sup>nd</sup> Reading:** October 3, 2022

**3<sup>rd</sup> Reading:** October 17, 2022

**Passed:** October 17, 2022

  
Chris Mohler, Mayor

ATTESTED:

  
Courtney Edwards, Fiscal Officer

**Posting Certification**

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 18<sup>th</sup> day of October, 2022.

Courtney Edwards  
Courtney Edwards, Fiscal Officer