

ORDINANCE NO. 2021-30

Introduced by Monty Tapp

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE OF PARCELS OF REAL PROPERTY FROM SAWMILL CREEK LLC; APPROVING A RECONVEYANCE TO SAWMILL CREEK LLC AS PROVIDED BY SECTION 5709.41(B) OF THE OHIO REVISED CODE; AUTHORIZING A TRANSFER AND INDEMNIFICATION AGREEMENT IN CONNECTION WITH SUCH LAND TRANSFER; AND DECLARING AN EMERGENCY.

WHEREAS, Sawmill Creek LLC, an Ohio limited liability company (the “Developer”), or its affiliates, is actively pursuing the development and redevelopment of certain real property located in the City of Huron, Ohio (the “City”), which real property is more particularly described on Exhibit A attached hereto (the “Property”); and

WHEREAS, the Developer desires to develop and redevelop the Property for a hotel and resort development (the “Project”), in accordance with the terms, conditions, covenants and warranties in the Development Agreement that has been previously authorized by the City; and

WHEREAS, the Project will be in furtherance of the City’s urban redevelopment activities, and accordingly the City anticipates providing project-based tax increment financing for the Project, to be authorized by a separate ordinance pursuant to Ohio Revised Code (“R.C.”) Section 5709.41; and

WHEREAS, in order to take the actions related to the tax-increment financing for the Project, the City must hold title to the Property prior to the adoption of the tax increment financing ordinance, pursuant to R.C. Section 5709.41(B); and

WHEREAS, the City wishes to accept conveyance of the Property from Sawmill Creek LLC and to reconvey such Property to Sawmill Creek LLC; and

WHEREAS, the City has determined that it is necessary and appropriate and in the best interest of the City to accept such conveyance and to reconvey the Property as described above; and

WHEREAS, in order to facilitate the conveyance and reconveyance, the City intends to enter into a Transfer and Indemnification Agreement; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that it is in the public interest and proper public purpose for the City to support economic development and improve the economic and general well-being of the people of the City to create or preserve jobs and employment opportunities; and

WHEREAS, an emergency exists in that, for the immediate preservation of the public peace, property, health and safety, it is necessary that this ordinance be immediately effective in order to

provide for the necessary improvements, and by reason thereof, this ordinance shall take effect forthwith upon its passage.

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

Section 1. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.41(B), this Council hereby authorizes the acceptance of the conveyance of the Property to the City and approves the reconveyance of the Property to Sawmill Creek LLC.

Section 2. The City Manager is hereby authorized and directed, acting on behalf of the City, to accept the conveyance of the Property and to execute and deliver a quit claim deed reconveying the Property to Sawmill Creek LLC.

Section 3. The City Manager, Finance Director, Law Director, or any other officials of the City, as appropriate, are authorized and directed to sign any other documents, instruments or certificates, including but not limited to the Transfer and Indemnification Agreement, and take such actions as are necessary or appropriate to consummate or implement the actions described in or contemplated by this Ordinance.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including R.C. Section 121.22.

Section 5. For the reasons set forth in the last preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect immediately upon its passage and due authentication by the Mayor and the Clerk of the City Council.

ATTEST: *Jeri Wellbener*
Clerk of Council

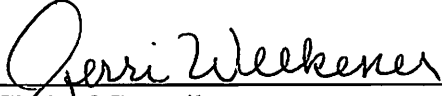
Sam Artino
Sam Artino, Mayor

ADOPTED: 24 AUG 2021



CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. 30-2021 duly adopted by the Council of the City of Huron, Ohio on August 24, 2021.



Clerk of Council
City of Huron, Ohio

EXHIBIT A

DESCRIPTION OF PROPERTY

Permanent Parcel Nos: 39-01076.029, 39-01076.000, 39-01076.004, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, and 39-00864.001.

