

RESOLUTION NO. 68-2022

Introduced by Joe Dike

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE ERIE COUNTY LAND REUTILIZATION CORPORATION AND THE CITY OF HURON RELATING TO ASBESTOS ABATEMENT AND DEMOLITION OF THE STRUCTURE LOCATED AT 624 BERLIN ROAD, HURON, OHIO.

WHEREAS, the City of Huron owns the property located at 624 Berlin Road, Huron, Ohio bearing Erie County, Ohio Permanent Parcel Number 39-00529.000 (hereinafter, the "Property"); and

WHEREAS, the Erie County Land Reutilization Corporation has received funding to demolish the structure and abate any asbestos located on the Property through the Delinquent Tax and Assessment Collection; and,

WHEREAS, the parties' Memorandum of Understanding will allow the City of Huron to complete a larger park project on the Property.

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

SECTION 1. The Huron City Council authorizes the City Manager to execute the Memorandum of Understanding between the Erie County Land Reutilization Corporation and the City of Huron relating to asbestos abatement and demolition of the structure at 624 Berlin Road, Huron, Ohio, said Memorandum of Understanding to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST: *Jeri Welkener*
Clerk of Council

Monty Tapp
Monty Tapp, Mayor

ADOPTED: 09 AUG 2022



Memorandum of Understanding

This Memorandum of Understanding ("MOU") is made on and entered into on this _____ day of _____, 2022, ("Effective Date") between the Erie County Land Reutilization Corporation, an Ohio non-profit corporation, ("County") located at 2900 Columbus Ave., Sandusky, Ohio, 44870, and the City of Huron, a municipal corporation of the State of Ohio, ("City") located at 417 Main St., Huron, Ohio, 44839.

WHEREAS the City owns the property at 624 Berlin Road, Huron, Ohio ("Property"), and

WHEREAS the County has received funding to demolish the structure and abate any asbestos located on the Property through the Delinquent Tax and Assessment Collection, and

WHEREAS the Parties' MOU will allow the City of Huron to complete a larger park project on the property

THEREFORE, in consideration of the mutual covenants herein set out, the City and the County agree as follows:

I. City's Obligations

- a. The City shall bid and manage the entire demolition project, which shall include but is not limited to all asbestos surveying and mitigation needs, as well as grading and reseeded the property.
- b. The City shall complete the entire demolition project by no later than December 31, 2022.
- c. The City shall provide the County with documentation of the demolition project including bids and invoices.

II. County's Obligations

- a. The County shall reimburse the City for all costs related to the demolition project including asbestos surveying and mitigation needs, demolition, grading and reseeded the property.

III. Term

- a. This MOU shall become effective on the Effective Date and shall expire on the completion of the demolition project.

IV. Modifications

- a. This MOU may be amended by either party. All amendments must be in writing and signed by both parties.

V. Governing Law

- a. This MOU shall be governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes, and other matters in question between the City, its agents and employees, and the County, its contractors, subcontractors and agents arising out of or relating to this MOU or its breach will be decided in a court of competent jurisdiction within the County of Erie, State of Ohio.

VI. Merger.

Erie County Land Reutilization Corporation
MOU for 624 Berlin Road

- a. The provisions of this MOU shall supersede all previous agreements and understandings between the Parties concerning the subject matter hereof.

VII. Severability

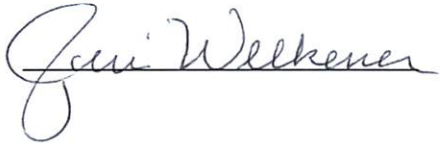
- a. If any of the provisions of this MOU are found or deemed by a Court of competent jurisdiction to be invalid or unenforceable, they shall be considered severable from the remainder of this Agreement and shall not cause the remainder to be invalid or unenforceable.

SIGNATURE PAGE TO FOLLOW


Erie County Land Reutilization Corporation
MOU for 624 Berlin Road

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be duly executed
in their respective names, all as of the date hereinbefore written.

WITNESSES:



CITY OF HURON:



Matthew Lasko, City Manager

WITNESSES:

Erie County Land Reutilization Corporation
