



DEPARTMENT OF PLANNING & DEVELOPMENT
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May 18, 2009

Members of City Council
City of Lakewood
12650 Detroit Avenue
Lakewood, Ohio 44107

RE: Acquisition and Sale of 1667-1669 Waterbury via \$1 HUD Home Program

Dear Members of Council:

This afternoon, the City of Lakewood acquired its first home through HUD's \$1 Home Program. The program has proven to be more challenging than promised, though thanks to the efforts of the Division of Community Development and the legislation authorizing participation in the \$ Home Program, this property will become more productive in a short time.

The property is located on the corner of Waterbury Road and Madison Avenue, directly behind three commercial structures. It is a double, and its small units have two bedrooms and one bath each. The property has been vandalized; all copper plumbing and light fixtures have been removed. It was first in foreclosure in 2005, and has been under-rented and uncared for since. It sits on a narrow lot and immediately abuts a two car garage which is part of the corner commercial parcel on Madison. There is no side yard to act as a buffer to either the commercial structure or multi-family dwelling on the opposite (driveway) side.

The Department of Planning and Development plans to deconstruct and sell the empty parcel to one of the three abutting commercial building owners mentioned above. This approach will add value to the mixed commercial and residential area by providing a buffer between commercial and residential neighborhoods, as well as providing off street parking to improve the viability of abutting commercial properties.

Please consider the attached legislation authorizing the sale of the property. Further, I respectfully request the authorization to make the property available for sale through the month of August, requiring its passage before Council recess.

Respectfully,


Nathan Kelly

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing and directing the Director of Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property located at 1667-1669 Waterbury Road for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances.

WHEREAS, the City is the owner of real property located at 1667-1669 Waterbury Road; and

WHEREAS, this Council has determined it is in the best interest of the City to sell said real property and that such sale shall further the interest of the City and its residents; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 & 13 of the SECOND AMMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal department in that this property is currently vacant and immediate action is required. Now, Therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Director of Planning and Development (Director) is hereby authorized and directed, on behalf of the City, to solicit proposals from licensed real estate brokers and to enter into an agreement with the broker deemed most responsive determined by the Director, to market real property located at 1667-1669 Waterbury Road for a period not to exceed 120 days, pursuant to Section 155.07 of the Codified Ordinances.

Section 2. That Director is hereby authorized and directed to enter into an agreement for the sale of said real property upon presentation of an acceptable offer as determined by the Director.

Section 3. That Director specifically is authorized to negotiate and or make counter proposals to any offer to purchase said real property, and shall, upon the close of the transaction, report to Council the details of the sale.

Section 4. That Director shall make no representations or warranties concerning the conditions of the property, including, but not limited to mechanical systems, dry basement, foundation, structural, or compliance with code, zoning or building requirements.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such 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.

Section 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk

Approved _____

Mayor