



DEPARTMENT OF PLANNING & DEVELOPMENT  
NATHAN J. KELLY  
DIRECTOR

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5936  
www.onelakewood.com

May 18, 2009

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

**RE: Acquisition and Sale of 1346 Webb Road**

Dear Members of Council:

Last fall, the property located at 1346 Webb Road became a neighborhood eyesore. The property, owned by an absentee landlord who did not insure the property, caught fire and burned beyond repair. The owner was also unable to make his mortgage payments. After aggressively pursuing action on the property, the owner and the bank have agreed to transfer the property to the City.

Last week, the city completed a transfer in lieu of foreclosure to acquire the property. The efforts of the Division of Community Development—using the tools granted by City Council to allow the city to act swiftly to acquire property—will deliver the property into responsible hands. We will eliminate the eyesore and improve the neighborhood.

Tonight, I respectfully request permission to sell the property. Our plan is to deconstruct the uninhabitable property and sell the land to the best owner. Proceeds from the sale, which are expected to be modest, will go towards assisting the City to continue its efforts abating nuisance properties.

Your assistance is needed to move at the quickest possible pace. 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

50-04

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 1346 Webb 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 1346 Webb 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 1346 Webb 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