

**Village of Mantua, Ohio**  
**Ordinance 2013-80**

**AN ORDINANCE ACCEPTING THE BID OF RALPH W. ZOLLER II FOR THE SALE OF REAL PROPERTY OWNED BY THE VILLAGE, AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PROPERTY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village of Mantua, Ohio owns real estate consisting of approximately 0.0353 acres of land, located in Lot 40 of Mantua Village, comprised of the Village-owned portion of the former public right-of-way known as the vacated portion of College Street, vacated pursuant to Ordinance 2013-07 (the "Real Estate"); and

**WHEREAS**, pursuant to Ordinance 2013-64, this Council determined that the Real Estate is not needed for any municipal purpose and should be offered for sale in the manner authorized by law; and

**WHEREAS**, the offer to sell said Real Estate has been advertised once a week for five (5) consecutive weeks in a newspaper of general circulation within the Village of Mantua, Ohio, pursuant to Ohio Revised Code Section 721.03; and

**WHEREAS**, a public bid opening was conducted at 1:00 p.m. on September 20, 2013, and only one bid was received for the Real Estate, from Ralph W. Zoller II in the amount of \$1,050.00; and

**WHEREAS**, this Council desires to accept the bid of Ralph W. Zoller, II and authorize conveyance of the Real Estate to him.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of the members elected thereto concurring, that:

**SECTION 1:** It is hereby found that the offer to sell Real Estate owned by the Village, being the northern half of the vacated portion of College Street, as authorized by Ordinance 2013-64, has been duly advertised pursuant to Ohio Revised Code Section 721.03.

**SECTION 2:** A public bid opening relating to the offer to sell the Real Estate was held on September 20, 2013.

**SECTION 3:** One bid was received for the Real Estate, from Ralph W. Zoller, II, in the amount of One Thousand Fifty Dollars (\$1,050.00).

**SECTION 4:** The bid of Ralph W. Zoller, II was in conformance with the specifications for bidding set forth in the advertisement for bids, and was not defective.

**SECTION 5:** This Council hereby accepts the bid of Ralph W. Zoller, II for the Real Estate offered for sale and more fully described in "Exhibit A", attached hereto and incorporated herein by reference, in the amount of One Thousand Fifty Dollars (\$1,050.00).

**Village of Mantua, Ohio**  
**Ordinance 2013-80**

**SECTION 6:** The Mayor of the Village of Mantua is hereby authorized and directed to execute a Quit-Claim Deed conveying the Real Estate described in Exhibit A to Ralph W. Zoller, II, and is further authorized to do all other things necessary to effect the conveyance of said property.

**SECTION 7:** It is hereby 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 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 Section 121.22 of the Ohio Revised Code.

**SECTION 8:** This Ordinance is hereby declared to be an emergency measure, necessary to expedite the conveyance of Real Estate not needed for any municipal purpose, and shall take effect immediately upon the affirmative vote of two-thirds of the members of the Mantua Village Council, and to further ensure the health, safety, and morals of the Village of Mantua.

PASSED AS EMERGENCY this 15<sup>th</sup> day of October, 2013.

ATTEST:

\_\_\_\_\_  
Mayor Linda Clark

\_\_\_\_\_  
Jenny August, Clerk of Council

I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio, on the \_\_\_\_\_ day of October, 2013.

Approved as to Legal Form:

\_\_\_\_\_  
Jenny August, Clerk of Council

\_\_\_\_\_  
Michele A. Stuck  
Solicitor, Village of Mantua

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“EXHIBIT A”

Situated in the Village of Mantua, County of Portage, State of Ohio, and being further described as follows:

Beginning at a point on the west line of Main Street (60'), said point being North 40° 30' 00" East, 15.00 feet from a 3/4" iron pin found at the northeast corner of Lot 3 of D. Atwater Original Survey as recorded in Volume 68, Page 506 of Portage County Record of Deeds (currently conveyed to R. Zoller by Portage County Image # 200533930) and also being the south line of vacated College Street (30') and the west line of said Main Street,

thence North 89° 58' 45" West, along a new line, a distance of 102.75 feet to a 5/8" capped rebar set;

thence North 4° 30' 00" East, along a new line, a distance of 15.00 feet to a 5/8" capped rebar set on the north line of said vacated College Street and the south line of Lot 2 of said D. Atwater Original Survey (currently conveyed to Mantua Village by Portage county Image # 200435285);

thence South 89° 58' 45" East, along the north line of said vacated College Street and south line of said Lot 2, a distance of 102.75 feet to a point on the west line of said Main Street and southeast corner of said Lot 2;

thence South 4° 30' 00" West, along the west line of said Main Street and passing over a 5/8" iron pin found at 0.09 feet, a distance of 15.00 feet to the point of beginning and containing 0.0353 acres of land as surveyed in January, 2013 by Clifford H. McGuire, Professional Surveyor No. 7770. The basis of bearing was taken from Survey Plat P-1252. All rebars set were 5/8" x 30" with I.D. cap, "C. H. McGuire, P.S. 7770".

Subject to all easements, restrictions and zoning regulations. The described property represents the northern one-half of that portion of College Street vacated per Mantua Village Ordinance 2013-07.