

# RECORD OF ORDINANCES

Ordinance No. 9-25-2017-4

Passed SEPTEMBER 25 2017

## AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE QUIT CLAIM DEEDS FOR THE TRANSFER OF UNVERIFIED LEASEHOLD AND/OR FEE INTERESTS IN PRIVATELY OWNED PARCELS, AND THE DECLARATION OF AN EMERGENCY

WHEREAS, a question has arisen through a title search to privately held real property, as to whether the Village of Baltimore may have a leasehold and/or fee interest in the following parcels of real property: Parcel No. 0240148900 currently owned by Kay Annette Hammer; and Parcel Nos. 0240148600, 0240148700 and 0240148800 currently owned by Thomas E. & Renate T. Lilly, due in part to the discovery of a pre-existing 99-year lease approved by the Village in 1988; and,

WHEREAS, the Fairfield County Auditor's Office does not indicate any fee ownership in the above parcels by the Village of Baltimore; and,

WHEREAS, the Village of Baltimore may have had a leasehold and/or fee interest in a portion of the above parcels when the town square was first platted, since a plat map for "New Market" from 1825 shows a larger town square area at the intersection of Market Street and Main Street, than currently exists, which larger town square area may have incorporated a portion of the above parcels; and,

WHEREAS, plat maps recorded subsequent to 1825, including plat maps from 1919, indicate a smaller town square at the intersection of Market Street and Main Street; and,

WHEREAS, the Village of Baltimore desires, in order to clear title to the above parcels, to approve the execution of Quit Claim Deeds transferring any leasehold and/or fee interest, which interest is unverified and speculative, to the current owners of the parcels; and,

WHEREAS, as the current owners of the above parcels are attempting to clear title to the parcels so that they may be sold, and the buildings on said parcels are in disrepair, this ordinance needs to be adopted on an emergency basis,;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: The Village hereby declares the parcels described above to be of questionable marketable title due to the Village's unverified and speculative interest therein, and of no substantive value to the Village, the Village therefore authorizes the Village Administrator and Fiscal Officer to execute Quit Claim Deeds transferring any interest that the Village may have in the parcels, if any, to the current owners of the parcels.

SECTION 2: The Village shall reserve all rights to public utilities and road and alley rights of way.

SECTION 3: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. This ordinance shall become effective upon its passage by Council.

  
Brad Nicodemus, Mayor

DATE OF PASSAGE: 9-25-2017

EFFECTIVE DATE: 9-25-2017

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ATTEST:



Brian Bibler, Fiscal Officer

SPONSOR:

**HOCHRADEL**

APPROVED AS TO FORM:



Jeffrey Feyko, Village Solicitor

