

✓ AGREEMENT ON FILE IN COUNCIL OFFICE. DELIVERED OCT 22 2020

CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2020- 84

Introduced By: Mayor Matthew Castelli

**AN ORDINANCE  
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO  
AN AGREEMENT FOR THE PURCHASE AND RETENTION OF CERTAIN  
REAL ESTATE IN THE CITY OF MIDDLEBURG HEIGHTS KNOWN AS  
BALDWIN CREEK PRESERVE**

WHEREAS, the City of Middleburg Heights has or will submit an application for Clean Ohio Conservation Grant Funding for the purchase and protection of the Baldwin Creek Preserve property; and

WHEREAS, the preservation of the Baldwin Creek Preserve will protect approximately 15 acres of forested riparian land adjacent to Baldwin Creek and containing tributary streams to Baldwin Creek, thereby protecting water quality in the Rocky River watershed; and

WHEREAS, the Mayor and Council desire to permanently preserve the Baldwin Creek Preserve as a public park for passive recreation providing a tremendous natural and recreational amenity for residents of the City of Middleburg Heights.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That the Mayor and Finance Director are hereby authorized to enter into a purchase agreement, a copy of which is attached hereto and marked "Exhibit A", for the purchase and retention of the approximately 15-acre property known as Baldwin Creek Preserve.

Section 2: That City Council hereby consents to appropriate sufficient funds, subject to the successful awarding of Grant Funds for the Baldwin Creek Preserve, to implement this Ordinance.

Section 3: 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 any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 10/27/20

*David Bortolotto*  
President of Council

Attest: M. Meola  
Clerk of Council

Approved On: 10-28-2020

Presented to Mayor: 10/28/20

*Matthew Casella*  
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>ABSTAIN</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Grech	<u>X</u>	_____

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2020-84 adopted by the Council of the City of Middleburg Hts., on 10/27/20 was posted for a period of fifteen days, beginning 10/28/20 and remained so posted for fifteen days at the two posting places as designated by Charter.

*Mary Ann Meola*  
Clerk

**CERTIFICATE**

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2020-84 passed on the 27<sup>th</sup> day of October 2020 by said Council.

*Mary Ann Meola*  
Clerk of Council