

EXHIBIT ON FILE IN  
COUNCIL OFFICE

DELIVERED JUL 17 2024

372-30-019  
6875-79 Smith Rd

**CITY OF MIDDLEBURG HEIGHTS, OHIO**

Ordinance No. 2024- **55**

Introduced By: Mayor Matthew Castelli

**AN ORDINANCE  
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A  
PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF CERTAIN REAL  
ESTATE IN THE CITY OF MIDDLEBURG HEIGHTS AS PART OF THE  
MIDDLEBURG HEIGHTS COMMUNITY MASTER PLAN AND REVITALIZATION  
OF SOUTHLAND SHOPPING CENTER AND DECLARING AN EMERGENCY**

WHEREAS, the Middleburg Heights Community Master Plan was adopted by City Council by Ordinance #2022-77 on September 13, 2022, to develop a community vision for the city's future; and

WHEREAS, the Southland Planning Study was incorporated into the Middleburg Heights Master Plan to describe the community vision for the redevelopment of the Southland area; and

WHEREAS, the purchase and acquisition of this approximately 7.275-acre parcel is part of the City's redevelopment of the Southland area pursuant to the Middleburg Heights Community Master Plan and Southland Planning Study.

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 and sale agreement, a copy of which is attached hereto and marked "Exhibit A", and with any changes or revisions as are approved by the Law Director which are in substantially the same form as the agreement marked as "Exhibit A", for the purchase of approximately 7.275 acres along Smith Road in the City of Middleburg Heights.

Section 2: That there is hereby appropriated from the Capital Improvements Fund \$900,000.00 and the Finance Director is hereby authorized to advance the same amount from the General Fund to the Capital Improvements Fund 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.

Section 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of said City. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 7/22/24

*David Bortolotto*  
President of Council

Attest: *M. Meola*  
Clerk of Council

Approved On: 7-22-24

Presented to Mayor: 7/22/24

*Matthew J. Castelli*  
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>ABSENT</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Zakel	<u>X</u>	_____

I, *Mary Ann Meola* Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord 2024-55 adopted by the Council of the City of Middleburg Hts., on 7/22/24 was posted for a period of fifteen days, beginning 7/23/24 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. 2024-55 passed on the 22<sup>nd</sup> day of July 2024 by said Council.

*Mary Ann Meola*  
Clerk of Council