

# RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. ....

Passed ....., YEAR .....

## CITY OF BELPRE

ORDINANCE NO. 5 (2022-23).

### AN ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO EXECUTE A LEASE OF CERTAIN CITY REAL ESTATE TO THE SOUTHEASTERN OHIO PORT AUTHORITY FOR ASSIGNMENT TO OHIO VALLEY RADIO CONTROL CAR CLUB

WHEREAS, pursuant to Chapter 4582 of the Ohio Revised Code, the Southeastern Ohio Port Authority, body corporate and politic, has been legally organized and incorporated under the laws of the State of Ohio, for purposes including advancement, encouragement, and promotion of industrial, economic, commercial, and civic development of Washington County; and

WHEREAS, pursuant to Chapter 4582 of the Ohio Revised Code and as authorized by Resolution No. 20, passed on February 23, 2008, the Southeastern Ohio Port Authority was duly designated by the City of Belpre, Ohio, as the City's agency for industrial, economic, civic, commercial, distribution, and research development; and

WHEREAS, Section 4582.121, Ohio Revised Code, provides for the sale or lease without competitive bidding of City owned personal property or real property determined to be not needed by the City for its purposes, to a port authority to be used by the recipient or lessee for its purposes; and

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BELPRE, OHIO, THAT:

#### SECTION I

This Council does here determine and declare that the real estate described in attached Exhibit A is not required by the City for its purposes.

#### SECTION II

This Council does further determine and declare that the leasing of the real estate described in the attached Exhibit A to the Southeastern Ohio Port Authority for assignment to the Ohio Valley Radio Control Car Club, subject to the terms and conditions hereinafter set out in **SECTION IV** of this Ordinance for construction and operation of a facility providing radio control car racing and recreational activities will promote the welfare of the people of the City of Belpre, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City of Belpre, and will provide additional opportunities for their gainful employment.

#### SECTION III

The Mayor and Safety-Service Director are hereby authorized to execute a Lease of the real estate described in attached Exhibit A to the Southeastern Ohio Port Authority for assignment to the Ohio Valley Radio Control Car Club, subject to the terms and conditions set out in **SECTION IV** of this Ordinance, for construction and operation of a facility providing radio control car racing and recreational activities.

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## SECTION IV

The Lease of this real estate to the Southeastern Ohio Port Authority and the subsequent assignment of said Lease of the real estate described in the attached Exhibit A shall be subject to the following terms and conditions:

- (1) The Lease is executed for the purpose of assignment to the Ohio Valley Radio Control Car Club in conjunction with its construction and operation of a facility providing radio control car racing and recreational activities on City-owned real estate;
- (2) The real estate subject to the Lease can be used for recreational and parking facilities only;
- (3) The lease period shall be for two (2) years;
- (4) Should the leased premises ever cease to be used for recreational purposes, the Lease or any renewed options shall become null and void and use of the property shall revert back to the City of Belpre; and
- (5) Ohio Valley Radio Control Car Club may not assign the Lease without the express written consent of the City of Belpre.

## SECTION V

Other than the \$1.00 per year consideration for the lease of the real estate described in attached Exhibit A, no additional funds shall be paid to the City of Belpre for this lease and assignment. The primary consideration to the City of Belpre is the expectation of industrial and economic development and employment opportunities, and the providing of recreational facilities to the community.

## SECTION VI

It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 VII

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this proposed project through the Southeastern Ohio Port Authority should proceed as quickly as possible. Wherefore, this Ordinance shall be in full force and take effect immediately after its passage by Council and signing by the Mayor.

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Passed \_\_\_\_\_, 20\_\_\_\_

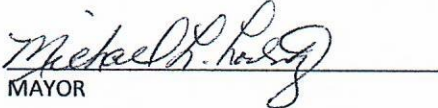


PASSED: August 22, 2022

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: Kimberly Mueslitz

PRESENTED TO MAYOR: 8/23/22

  
\_\_\_\_\_  
MAYOR

APPROVED BY MAYOR: 8/23/22

## CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on August 23, 2022, this Ordinance was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

August 23, 2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
CLERK