

**CITY OF XENIA, OHIO
ORDINANCE NUMBER 17 – 49**

**APPROVING THE FILING OF A PETITION FOR FORFEITURE OF THE PROPERTY
LOCATED AT 607 EAST SECOND STREET, AUTHORIZING THE EXPENDITURE OF
FUNDS TO ACQUIRE SAID PROPERTY, AND DECLARING AN EMERGENCY**

WHEREAS, the property located at 607 East Second Street in the City of Xenia is currently subject to a tax foreclosure case;

WHEREAS, the Greene County Prosecutor's Office has filed certification with the Greene County Common Pleas Court that the property at 607 E. Second Street was advertised for sale on two separate occasions, but was not sold for want of bidders;

WHEREAS, Section 5732.01 of the Ohio Revised Code requires that the Greene County Court of Common Pleas notify the City that such property was unsold and offer to forfeit said property to the City, upon payment of any outstanding taxes and court costs;

WHEREAS, upon notification from the Greene County Common Pleas Court that the property is available for forfeiture the City must file a petition for forfeiture to acquire the property; and

WHEREAS, this Council finds and determines that it is in the best interest of the health, safety and general welfare of the City of Xenia to acquire the property at 607 E. Second Street through forfeiture,

NOW, THEREFORE, the City of Xenia hereby ordains, at least five (5) members of the City Council concurring, that:

Section 1. This Ordinance is declared to be an emergency for the reason that to acquire the property at 607 E. Second Street by forfeiture, the City must file a petition for forfeiture with the Greene County Common Pleas Court on or before December 27, 2017.

Section 2. The Law Director is hereby authorized, on behalf of the City, to file a Petition for Forfeiture in Green County Court of Common Pleas Case No. 2001CV1150 for the property located at 607 E. Second Street, Xenia, Ohio (Greene County Auditor Parcel ID M40000200110001800).

Section 3. The Finance Director is hereby authorized to expend the funds necessary to complete said forfeiture, which funds shall be paid out of the funds appropriated for such expenditures in the City's 2017 operating budget.

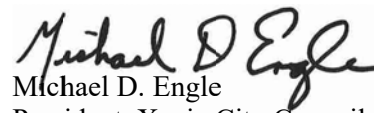
Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

Section 5. This Ordinance shall be effective upon its adoption, in accordance with Section 5.04 of the City Charter.

Passed: December 14, 2017

Attest:


Michelle D. Johnson
City Clerk


Michael D. Engle
President, Xenia City Council