

**VILLAGE OF RUSHVILLE**

Resolution No. 3-2025

**RECORD OF RESOLUTION**

Date Passed 3-13-24

**A RESOLUTION APPROVING THE DISPOSITION OF VILLAGE REAL PROPERTY KNOWN AS 0320055100, RICHLAND TOWNSHIP, FAIRFIELD COUNTY, VILLAGE OF RUSHVILLE, OHIO, AND A BRICK STRUCTURE UPON THAT PARCEL, and DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code §721.01 and §721.03 provide for the sale of village real property not needed for any municipal purpose;

**WHEREAS**, the Village of Rushville, Fairfield County, may have a legal interest in a parcel of land known as 0320055100, Richland Township, Fairfield County, Village of Rushville, Ohio, and a brick structure upon that parcel;

**WHEREAS**, the Village of Rushville seeks to divest itself of any interest it may have in that parcel and structure, and to eliminate any expenses incurred by maintaining the parcel and the structure, and to reduce or eliminate any risk of liability that may be incurred through owning any interest in the parcel and structure, in whole or in part;

**WHEREAS**, Ohio Revised Code §4707.02 provides that a public authority may conduct an auction on its own authority;

**WHEREAS**, Ohio Revised Code §7.16 provides for giving notice of a sale of village property through an abbreviated notice process;

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Village of Rushville, Ohio:

Section 1: The Village Administrator shall be and is hereby authorized to place for auction and to sell to the highest bidder real property known 0320055100, Richland Township, Fairfield County, Village of Rushville, Ohio, and a brick structure upon that parcel as such property is unneeded, by sealed bidding.

Section 2: Such auction shall be conducted by the Village Administrator. The terms of sale shall require receipt of payment prior to closing of such real property.

Section 3: Such resolution of Council may establish a minimum price that will be accepted for the sale of the property and may provide for further terms and conditions, including but not limited to the time and manner for advertising the sale, as provided by the Ohio Revised Code, requirements for submitting sealed bids, as provided by the Ohio Revised Code, the date and place of unsealing the bids, and the method of payment and fees and expenses. Any such terms or conditions shall be contained in the advertisement for the sealed bid auction, and shall be made available at the village office to any person upon request. The notice shall further state the following: "All property sold at auction shall be sold 'As is - Where is, and with all faults.' The Village makes no warranty, guaranty, or representation of any kind, expressed or implied, as to the condition, the merchantability, or fitness for any purpose of the property offered for sale. The Village shall not offer or provide a warranty deed upon the sale of the property. The Village shall provide the successful bidder with a Quit Claim Deed."

Section 4: The acceptance of sealed bids shall remain open for a period of not less than ten (10) consecutive days, including Saturdays, Sundays and legal holidays, prior to the date scheduled for unsealing the bids.

Section 5: The Fiscal Officer is hereby authorized and directed to cause the publication of a notice containing a summary of the information pertaining to the sale in the manner accorded by the Ohio Revised Code provisions for abbreviated notice, as provided in §7.16. Either the Lancaster Eagle-Gazette or the Pickerington News, or both, shall be recognized as newspapers of general circulation within the Village of Rushville.

Section 6: This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 7: This Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to comply with the publication and posting requirements of the Ohio Revised Code so as to enable the disposition of real property not needed for municipal purposes and thereby provide for the health, safety and welfare of the citizens of the Village of Rushville, Ohio.

**PASSED:**

Attest/Date: 9-13-25

Clerk-Treasurer: Lindy Lewis

Mayor: John K. Bunge

Approved as to form: Jon M. Browning

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Revised Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

VOTE FOR 5 AGAINST \_\_\_\_\_  
1 abstained