

ORDINANCE NO. 2012-\_\_\_\_\_

**AN ORDINANCE AMENDING THE PURCHASE AGREEMENT BETWEEN THE CITY OF KENT AND FAMILY AND COMMUNITY SERVICES OF PORTAGE COUNTY, INC. DATED MAY 21, 2001, ORDINANCE NO. 2001-43, PASSED MAY 2, 2001, TO AMEND THE BALLOON PAYMENT THAT IS SCHEDULED FOR MAY 1, 2012 TO A PAYMENT SCHEDULE OF \$1,000.00 PER YEAR OVER A TEN (10) YEAR PERIOD THAT WILL BE DUE ON THE FIRST DAY OF MAY EACH YEAR, BEGINNING MAY 1, 2012, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Kent City Council authorizes the Amendment to the Purchase Agreement between the City of Kent and Family & Community Services of Portage County, Inc. to amend the balloon payment that is scheduled for May 1, 2012 to a payment schedule of \$1,000.00 per year over a ten (10) year period that will be due on the first day of May each year, beginning May 1, 2012; and

**WHEREAS**, the Kent City Council wishes to accept the Amendment to the Purchase Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

**SECTION 1.** That Council does hereby accept the Amendment to the Purchase Agreement between City of Kent and Family & Community Services of Portage County, Inc. to amend the balloon payment that is scheduled for May 1, 2012 to a payment schedule of \$1,000.00 per year over a ten (10) year period that will be due on the first day of May each year, beginning May 1, 2012, a copy attached hereto and incorporated herein, marked as Exhibit "A"

**SECTION 2.** That 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 of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediate after passage.

PASSED: 04/18/2012 \_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR AND PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2012- 43 was duly enacted this 18 day of  
April, 2012, by the Council of the City of Kent, Ohio.

\_\_\_\_\_  
CLERK OF COUNCIL

**EXHIBIT "A"**

**AMENDMENT TO PURCHASE AGREEMENT**  
**DATED MAY 21, 2001**

Now comes the City of Kent, Ohio ("Seller") and Family and Community Services of Portage County, Inc. ("Buyer"), who wish to amend the Purchase Agreement they entered into on the 21<sup>st</sup> day of May, 2001. The original agreement was for the purchase of parcel #17-028-00-00-015-000.

By agreement of the parties, the contract is amended as follows:

- 1) The \$10,000.00 final balloon payment referenced in Section II Purchase Price, of the original Purchase Agreement is no long due on May 1, 2012. The \$10,000.00 will be paid to the Seller over ten (10) years, with \$1,000.00 being due on May 1, 2012, and \$1,000.00 will be due every May 1<sup>st</sup> thereafter, until paid in full.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_ day of April, 2012.

IN THE PRESENCE OF:

**"SELLER"**  
**CITY OF KENT, OHIO**

By \_\_\_\_\_  
Dave Ruller, City Manager

By \_\_\_\_\_  
David Coffee,  
Budget & Finance Director

**"BUYER"**  
**FAMILY & COMMUNITY SERVICES**  
**OF PORTAGE COUNTY, INC.**

By \_\_\_\_\_  
President

**Approved as to Form:**

\_\_\_\_\_  
James R. Silver, Law Director

**Approved by Kent City Council on**  
**April 18, 2012**