

**AN ORDINANCE AUTHORIZING THE VILLAGE OF BREWSTER TO PURCHASE  
1.526 ACRES FROM THE FAIRLESS BOARD OF EDUCATION**

**WHEREAS**, Brewster Village Council desires to purchase 1.526 acres of property from the Fairless Local School District to provide access to and to meet legal requirements for an adjacent twelve-acre tract of land proposed for the installation of a Solar Field which will supplement the electric power supply of the Village Electric Utility, and

**WHEREAS**, Brewster Village Council has worked with the Fairless Board of Education and Fairless Superintendent Bidlack to negotiate a purchase favorable to both the Fairless Local School District and Brewster.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:

**SECTION 1:** The 1.526 acres to be purchased is a portion of two parcels owned by the Fairless Local School District. These two parcels are Village designated Outlot 81 (Stark County designated parcel 7080162) and Village designated Lot 1491. In accordance with specifications provided by Buckeye Surveying Services, Inc. the newly created parcel will be situated on the west boundary line of the two parcels, will be 1329.54 feet in length, and will be 50 feet in width at the frontage on Seventh Street W.

**SECTION 2:** The Village of Brewster will purchase at a negotiated cost as outlined in the Real Estate Purchase Agreement prepared by the Village Solicitor and agreed upon by the Fairless Board of Education and Brewster Village Council. This Real Estate Purchase Agreement will be on file in the Office of the Village Clerk-Treasurer. The negotiated cost as outlined in the Real Estate Purchase Agreement is as follows:

“Subsequent to the closing of this transaction the Purchaser, at Purchaser’s expense, shall make improvements to the lane which provides access to the Fairless softball field and the Village Water Tower, shall install certain drainage piping and catch basins adjacent to the lane. The Village will involve Fairless Officials and representatives in all planning for the access lane improvements, the placement of any appropriate gating to restrict use of the lane or adjoining areas, and the planning and installation of drainage and catch basins. The Village will be responsible for any additional costs that may be incurred for the above stated improvements. In addition, Brewster will be responsible for the cost of trimming any trees that may prove to be in conflict with the installation or use of the above project. Brewster will also work with AMP Partners and NextEra to provide an educational component for Fairless Schools as a part of the Solar Field installation on the 12 acre parcel that will adjoin the 1.52 acres being acquired by Brewster from Fairless Schools.”

The purchase and sale shall be according to the terms and conditions of the purchase agreement which is hereby approved and adopted as if fully rewritten herein

**SECTION 3:** The Village Administrator and Village Clerk are authorized to take all steps necessary to enter into a contract for the purchase of the property as stated above. Funds to cover any expense involved in the purchase shall be appropriated from the Village Electric Fund as directed by Council.

**SECTION 4:** This ordinance shall be in full force and effect at the earliest date provided by law.

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Mayor Michael E. Schwab

ATTEST:

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Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on July 17, 2017

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Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

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Clerk K. Kris King