

ORDINANCE NO. 2024-33

AN ORDINANCE AUTHORIZING THE MAYOR TO INITIATE A PETITION FOR TRANSFER OF DELINQUENT REAL ESTATE LOCATED WITHIN THE VILLAGE OF DEGRAFF, OHIO AND DECLARING AN EMERGENCY IN THE VILLAGE OF DEGRAFF, OHIO.

WHEREAS, the Logan County Prosecutor certified the delinquent real estate described in Exhibit A, known as Permanent Parcel No.: 26-117-06-12-003-000 (the "Real Estate") as being twice offered for sheriff's sale, which remains unsold, and is subject to forfeiture pursuant to R.C. §5723.01(A).

WHEREAS, the Logan County Common Pleas Court has notified the Village of DeGraff of the pending forfeiture of the Real Estate to the State of Ohio.

WHEREAS, the Logan County Common Pleas Court has offered to forfeit the Real Estate to the Village of DeGraff within ten (10) days of its September 24, 2024 Judgment Entry of Pending Forfeiture of Delinquent Parcels and Ordering Notice filed in *Rhonda Stafford v. Heirs of Phyllis Morris, et al.*, Case No. 24-02-0063.

WHEREAS, the Village of DeGraff seeks to Petition the Logan County Common Pleas Court in *Rhonda Stafford v. Heirs of Phyllis Morris, et al.*, Case No. 24-02-0063 for transfer of the Real Estate to the Village of DeGraff, Ohio in lieu of forfeiture to the state of Ohio, while acknowledging in the event of multiple petitions, the Land Bank has broader statutory authority to act on behalf of electing subdivisions.

WHEREAS, if successful, the Village of DeGraff acknowledges that it may be responsible for Court costs associated with *Rhonda Stafford v. Heirs of Phyllis Morris, et al.*, Case No. 24-02-0063.

WHEREAS, if successful, and the Village of DeGraff sells the Real Estate at issue inside of one year after transfer to the Village of DeGraff, the Village of DeGraff may be responsible for a certain portion of unpaid real estate taxes on the Real Estate, payable through Logan County.

NOW, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF DEGRAFF, OHIO:

SECTION I: The Mayor is permitted and authorized to Petition the Logan County Common Pleas Court in *Rhonda Stafford v. Heirs of Phyllis Morris, et al.*, Case No. 24-02-0063 for transfer of the Real Estate to the Village of DeGraff, Ohio in lieu of forfeiture to the state of Ohio, while acknowledging in the event of multiple petitions, the Land Bank has broader statutory authority to act on behalf of electing subdivisions.

SECTION II: The Mayor has authority to expend not more than \$2,500.00 from the General Fund to cover court costs associated with the Real Estate in *Rhonda Stafford v. Heirs of Phyllis Morris, et al.*, Case No. 24-02-0063 should the Real Estate be transferred to the Village in connection with said Petition.

SECTION III: That this Ordinance is hereby declared to be an emergency measure made necessary to protect the health, safety and welfare of the Village of DeGraff, Ohio, provide for its continuous uninterrupted services, and to allow for the acquisition of property as a donation at the earliest possible time: and it shall, therefore, be in force and take effect immediately upon its passage and signature by the Mayor.

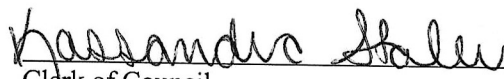
PASSED: 10-1-2024


President of Council

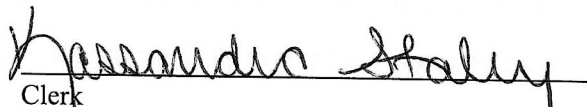
APPROVED: 10-1-2024


Mayor

ATTEST: 10-1-2024


Clerk of Council

I, Kassandra Staley, Clerk of the Village of DeGraff, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance _____ 2024-33. Passed by Council of said Village on the 1 day of October, 2024.


Clerk

IN THE COMMON PLEAS COURT
OF LOGAN COUNTY, OHIO
GENERAL DIVISION

RHONDA STAFFORD
LOGAN COUNTY TREASURER

Plaintiff,

-vs-

HEIRS OF PHYLLIS MORRIS, et al.

Defendants.

LOGAN COUNTY
COMMON PLEAS COURT
FILED
2024 SEP 24 AM 9:37
JACKIE PRATER
CLERK

CASE NO. CV 24 02 0063

JUDGMENT ENTRY OF PENDING
FORFEITURE OF DELINQUENT PARCELS
AND ORDERING NOTICE

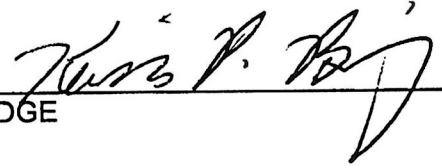
The Court finds the Prosecutor certified the delinquent real estate described in Exhibit A, known as Permanent Parcel No.: 26-117-06-12-003-000, has been twice offered for sheriff's sale, remains unsold, and is subject to forfeiture pursuant to R.C. §5723.01(A). The Ohio Department of Medicaid and Village of DeGraff were also lienholders.

Therefore, the Court notifies the Logan County Land Reutilization Corporation ("LCLRC"), Village of DeGraff, the Mental Health, Drug & Alcohol Services Board of Logan & Champaign Counties (MHDAS), and Riverside Local School District of the pending forfeiture to the State of Ohio.

The Court offers to forfeit the property to any other eligible subdivision upon a petition received within 10 days of this entry; and takes judicial notice Plaintiff is a statutory representative of LCLRC therefore mailed notice to LCLRC is unnecessary.

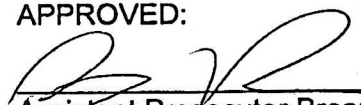
The Clerk of Courts shall send copies by regular mail to DeGraff c/o Village Solicitor Zeb Wagner, 1111 Rush Ave., Bellefontaine, Ohio, MHDAS c/o Executive Director, PO Box 765, West Liberty, OH 45537 and to the Riverside Local School District, c/o Treasurer, 2094 County Road 24 S., DeGraff, Ohio 43318, and Ohio Department of Medicaid c/o Stanley R. Evans, PO Box 499, Sidney, OH 45365. Plaintiff's counsel may supplement the regular mail by phone or e-mail to facilitate timely responses.

SO ORDERED.



JUDGE

APPROVED:



Assistant Prosecutor Breanne N. Parcels (# 0089370)

EC: Logan County Prosecutor, Logan County Treasurer

RM: Village of DeGraff, MHDAS, Riverside Local School District, Ohio Department of Medicaid

IN THE COMMON PLEAS COURT
OF LOGAN COUNTY, OHIO
GENERAL DIVISION

RHONDA STAFFORD
LOGAN COUNTY TREASURER

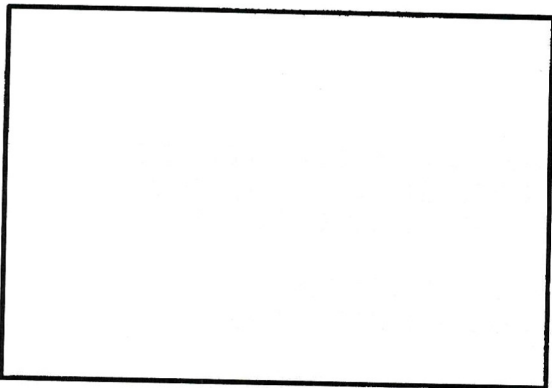
Plaintiff,

-vs-

HEIRS OF PHYLLIS MORRIS, et al.
Defendants.

CASE NO. CV 24 02 0063

PETITION TO TRANSFER DELINQUENT
REAL ESTATE BY R.C. 5723.02(A)(3)



*TO POLITICAL SUBDIVISION REPRESENTATIVE: CONTACT YOUR LEGAL COUNSEL IF YOU HAVE QUESTIONS. **YOU DO NOT HAVE TO COMPLETE OR SUBMIT THIS PETITION.** YOUR ENTITY WAS NOTIFIED TO COMPLY WITH THE FORFEITURE STATUTE AND HAS **10 DAYS TO FILE.** IF THE PROPERTY IS FORFEITED TO THE STATE BECAUSE NO OTHER ENTITY FILED A PETITION WITHIN 10 DAYS OF NOTICE, YOUR ENTITY MAY COORDINATE WITH THE LOGAN COUNTY LAND BANK IF YOUR ENTITY IS NOT IMMEDIATELY ABLE TO CONSIDER ACQUISITION OF THE PROPERTY.*

You may file this petition with the Logan County Clerk of Courts, 101 S. Main St., Room 218, Bellefontaine, OH 43311, with a copy to the Logan County Prosecutor, 117 E. Court St., Bellefontaine, OH 43311.

WHEREAS, the Court duly notified the Logan County Land Reutilization Corporation ("Land Bank") and eligible political subdivisions and school district of the pending forfeiture of the delinquent real estate known as Permanent Parcel No.: 26-117-06-12-003-000 to the state of Ohio pursuant to R.C. 5723.01(A) and therefore, on

_____ (date), I, [name] _____,

the authorized representative of [entity] _____

PETITION the Court pursuant to R.C. 5723.01(A)(3) for transfer in lieu of forfeiture to the state of Ohio, while acknowledging in the event of multiple petitions, the Land Bank has broader statutory authority to act on behalf of electing subdivisions.

Respectfully submitted,

(sign) _____

print name: _____

Provide subdivision's tax mailing address and all contact information below:

EXHIBIT A

Situated in the Township of Miami, County of Logan, State of Ohio, and in the Incorporated Village of DeGraff, and being Lot Number ONE HUNDRED THREE (103) in Bogg's Addition to the Village of DeGraff.

EXCEPTING THE FOLLOWING DESCRIBED REAL ESTATE:

Situated in the Incorporated Village of DeGraff, County of Logan, State of Ohio, and being further described as follows, to-wit:

Begin a part of Lot Number ONE HUNDRED THREE (103) in said Village bounded as follows:

Beginning at the southeast corner of said Lot No. 103; thence north 12 feet to a stake; thence in a northwesterly direction, 60 feet 7 inches to a stake; thence south 130 feet to the north line of Race Street and the south line of said Lot No. 103; thence east along the north line of Race Street, 60 feet to the place of beginning.

Subject to all conditions, covenants, easements, public highways, reservations, rights-of-way and zoning ordinances of record.

PARCEL I.D. 26-117-06-12-003-000

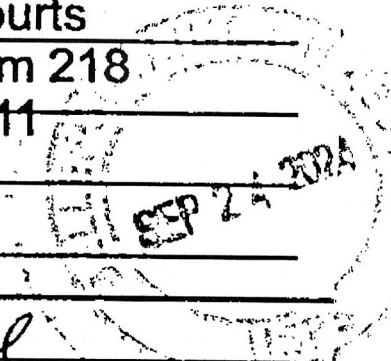
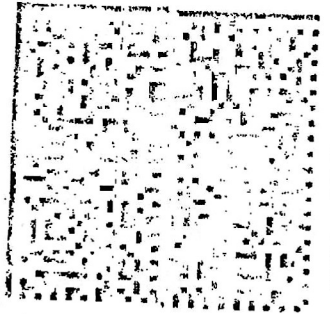
Property Address: 312 Race Street DeGraff, Ohio 43318



**Certificate C
Mailin**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.
This form may be used for domestic and international mail.

From: Logan County Clerk Of Courts
101 South Main Street, Room 218
Bellefontaine, Ohio 43311



To: Riverside Local
School Dist. To Treasurer
2094 Co Rd 24 S.
De Graff OH 43318

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CORRECTION
IN1
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ZIP 43311
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US POSTAGE



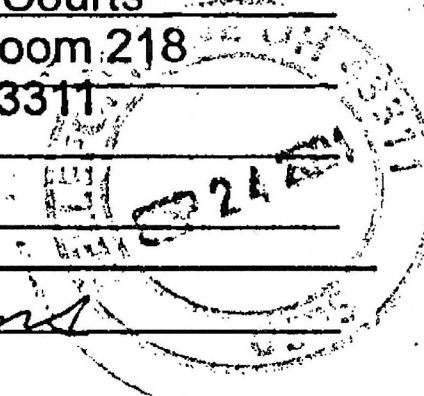
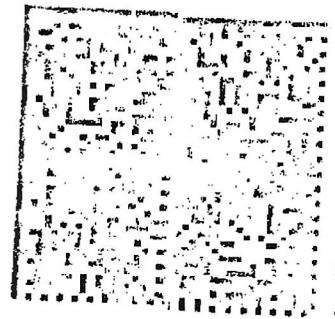
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POSTAL SERVICE®**

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From:

Logan County Clerk Of Courts
101 South Main Street, Room 218
Bellefontaine, Ohio 43311



To:

Stanley R Evans
Atty.
P.O. BOX 499
Sidney OH 45365

quadrant
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ZIP 43311
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US POSTAGE

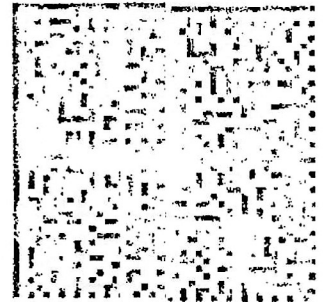


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From: Logan County Clerk Of Courts
101 South Main Street, Room 218
Bellefontaine, Ohio 43311

To: MADAS 40 Exec. Dir.
PO BOX 765
West Liberty OH 43357



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CORRECTION
III
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ZIP 43311
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US POSTAGE



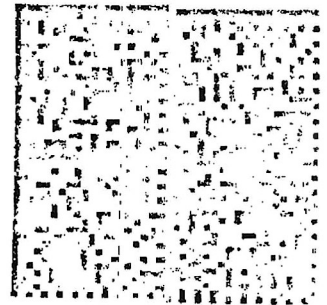
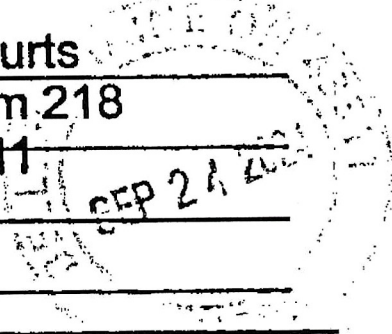
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From:

Logan County Clerk Of Courts
101 South Main Street, Room 218
Bellefontaine, Ohio 43311



To:

Village of De Staff
90 Zeb Wagner - Solicitor
1111 Rush Ave
Bellefontaine OH 43311

quadrant
CORRECTION
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US POSTAGE