

Ordinance No. 1441-2019

Council Member(s) Brancatelli and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on Wade Park, East 89th Street, and Crawford Road to Kenmore Commons Limited Partnership, Ltd., or its designee, for purposes of redeveloping Kenmore Commons.

WHEREAS, the Director of Community Development has requested the sale of the City-owned property to Kenmore Commons Limited Partnership, Ltd., or its designee, (the “Redeveloper”) no longer needed for the City’s public use and located on Wade Park, East 89th Street, and Crawford Road, for purposes of redeveloping Kenmore Commons; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described properties, Permanent Parcel No. 107-15-243 on Wade Park, Permanent Parcel No. 107-15-030 on East 89th Street, and Permanent Parcel No. 107-17-027 at 1600 Crawford Road, are no longer needed for the City’s public use:

PPN 107-15-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sub Lot No. 2 in Cody Brothers' Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 16 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 89th St., at a point distant 43.20 feet Northerly, measured along said Westerly line from its intersection with the Northerly line of Wade Park Ave., N. E.; thence Northerly along said Westerly line of East 89th St., 33.50 feet to a point; thence Westerly on a line parallel with the Northerly line of Wade Park Ave., N. E., 40 feet to a point on the Westerly line of said Sub Lot No. 2; thence Southerly along said Westerly line, 33.50 feet to a point; thence Easterly on a line parallel with the Northerly line of Wade Park Ave., N. E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

PPN 107-15-243

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sub Lot No. 2 in Cody Brothers' Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Vol. 16 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning of the Westerly line of East 89th St. at its intersection with the Northerly line of Wade Park Ave., N. E.; thence Northerly along said Westerly line of East 89th St., 43.20 feet to a point; thence Westerly on a line parallel with the Northerly line of Wade Park Ave., N. E., 40 feet to a point on the westerly line of said Sub Lot No. 2; thence Southerly along said Westerly line of Sub Lot No. 2 about 43.20 feet to the Northerly line of said Wade Park Ave., N. E., thence Easterly along the Northerly line of said Wade Park Ave., N. E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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PPN 107-17-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 82 and, all of Sublot No. 83 in W. J. Crawford and James Parmelee's Subdivision of part of Original -100 Acre Lot No.392, as shown by the recorded plat in Volume 14 of Maps, **Page** 19 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northwestern line Of Crawford Road, N.E., at the most Easterly corner of said Sublot No. 83; thence Southwesterly along the Northwestern line of Crawford Road, N.E., 42 feet to the most Southerly corner of Sublot No. 83, thence Northwesterly along the Southwesterly line of Sublot No. 83 and the Northwesternly prolongation thereof, 160 feet to the Northwesternly line of said Sublot No. 82; thence Northeasterly along the Northwesternly line of Sublot No. 82, 42.69 feet to the most Northerly corner thereof; thence Southeasterly along the Northeasterly line of Sublots **Nos.** 82 and 83, 160 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to **all** legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described properties to the Redeveloper at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Community Development is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

GEP:nl
11-18-19

FOR: Director Menesse

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REPORT
after second Reading

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READ FIRST TIME on November 18, 2019
and referred to DIRECTORS of Community Development, Finance, Law;
COMMITTEES on Development Planning and Sustainability, Finance

REPORTS

CITY CLERK

by the council READ SECOND TIME

CITY CLERK

by the council READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. _____ Page _____
Published in the City Record _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

