

Ordinance No. 129-17

Council Members Polensek, 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 at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site.

WHEREAS, the Director of Capital Projects has requested the sale of the City-owned property to the Northeast Ohio Regional Sewer District (the "Redeveloper") no longer needed for public use and located at Argus Avenue and East 133rd Street for purposes of accessing its Heights Hilltop interceptor site; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for public use:

Legal Description for Sublot No. 149

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Sublot No. 149 in the Bratenahl Allotment of part of Original 100 Acre Lots, No. 351 as shown by the recorded plot in Volume 54 of Maps, Page 1 of Cuyahoga County Records.

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 property to the Redeveloper at a price not less than the appraised value of \$4,225.00, which is determined to be fair market value, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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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 Capital Projects 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.

RC:bg
2-6-17

FOR: Director Spronz

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READ FIRST TIME on FEBRUARY 6, 2017
and referred to **DIRECTORS** of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **104** Page _____

Published in the City Record _____

**REPORT
after second Reading**

**PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE
