

# Ordinance No. 977-2019

Council Members Brancatelli and Kelley (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by W25d III LLC, or its designee, located at 2605 and 2715 Detroit Avenue for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code.

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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, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to, W25d III LLC, or its designee, for a nominal consideration of one dollar and other valuable consideration determined to be fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

PARCEL I: 003-28-004

Situated in the State of Ohio, County of Cuyahoga, and in the City of Cleveland, and known as Parcel 1, in the Lot Split and Consolidation Plat of Part of Original Brooklyn Township, Lot No. 51, as shown by the recorded plat in Volume 375 of Maps, Page 56 of Cuyahoga County Records.

PARCEL II: 003-28-001

Situated in the State of Ohio, County of Cuyahoga, and in the City of Cleveland, and known as Parcel 2, in the Lot Split and Consolidation Plat of Part of Original Brooklyn Township, Lot No. 51, as shown by the recorded plat in Volume 375 of Maps, Page 56 of Cuyahoga County Records

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and to cause W25d III LLC, or its designee, to pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

Section 3. That this Council finds the conveyances are in compliance with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section and the subject property is located

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in a blighted area of an impacted City as required by Section 5709.41 of the Revised Code.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

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.

SMA:nl  
8-21-19

FOR: Director Ebersole

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**REPORT**  
after second Reading

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**READ FIRST TIME on AUGUST 21, 2019** **REPORTS**  
and referred to **DIRECTORS** of Economic Development, City Planning, Finance, Law;  
**COMMITTEES** on Development Planning and Sustainability, Finance

\_\_\_\_\_  
CITY CLERK

**READ SECOND TIME**

by the council \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

**READ THIRD TIME**

by the council \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
CITY CLERK

**APPROVED**

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MAYOR

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