

# Ordinance No. 1040-2022 AS AMENDED

By Council Members McCormack, Hairston  
and Griffin (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 Peninsula MFH Owner, LLC, or its designee, located at 1951, 1953, 1955, 1957, 1959, and 1961 Carter Road 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 for the Scranton Peninsula / Carter Road Residential Apartment Project.

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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, Peninsula MFH Owner, 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. The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

### EXHIBIT "A"

#### LEGAL DESCRIPTION

##### **LOT 5**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Lot No. 5 (7.4421 acres) in Lot Split No. 2 for Carter Peninsula, LLC, being a part of Original Brooklyn Township Lot No. 70, as shown by the recorded Plat in AFN No. 201708010464 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 property and to cause Peninsula MFH Owner, LLC, or its designee, to employ, and to pay all fees for, title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the property.

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

Section 4. That the conveyances 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  
10-10-22

FOR: Director Jackson

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**REPORT  
after second Reading**

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**READ FIRST TIME** **REPORTS**  
and referred to \_\_\_\_\_  
by the council \_\_\_\_\_

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

**READ SECOND TIME**  
by the council \_\_\_\_\_

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

**READ THIRD TIME**  
by the council \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT**

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

**APPROVED**  
\_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

Recorded Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Published in the City Record \_\_\_\_\_