

Ordinance No. 568-2021

By Council Member McCormack

FOR PASSAGE
July 14, 2021

AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to purchase property for park purposes located at the intersection of Starkweather and Professor Avenues; to name the park “Lucky Park”; and authorizing a property adoption agreement with Tremont West Development Corporation for park maintenance.

WHEREAS, the City of Cleveland wishes to purchase Permanent Parcel No. 004-17-098 located at the intersection of Starkweather Avenue and Professor Avenue from Tremont West Development Corporation, or its designee (“Tremont West”) for the development of “Lucky Park”; and

WHEREAS, the City wishes to enter into a property adoption agreement for Lucky Park with Tremont West; 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, the Commissioner of Purchases and Supplies and the Mayor are authorized to purchase the following described property from Tremont West for park purposes located at the intersection of Starkweather and Professor Avenues:

Legal Description for 004-17-098

And known as being the Southerly part of SubLot No. 105 in William Slade, Jr.’s Subdivision of a part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and being a triangular parcel of land 67 feet front on the Southwesterly side of Professor Street and extending back 93.8 feet on the Northwesterly line, 104 feet on the Southeasterly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. 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 3. That the consideration to be paid for this property shall not exceed fair market value of \$80,000.

Section 4. That all costs of acquiring, accepting, and recording the land shall be paid from funds approved by the Director of Finance.

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Section 5. That, once acquired by the City, the park situated at the intersection of Starkweather and Professor Avenues is named “Lucky Park.”

Section 6. That the Director of Public Works is authorized to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques, and other references necessary to reflect the naming of Lucky Park.

Section 7. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a property adoption agreement with Tremont West to maintain and improve the above-described property for a term of twenty (20) years.

Section 8. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of the Director of Public Works.

Section 9. That the Director of Public Works is authorized to accept the gift of any improvements and maintenance made to the property.

Section 10. That the property adoption agreement shall be prepared by the Director of Law.

Section 11. 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.

SM:nl
7-14-2021
FOR: Council Member McCormack

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**REPORT
after second Reading**

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READ FIRST, SECOND AND THIRD TIME

	READ FIRST TIME	REPORTS
and referred to		
	_____ CITY CLERK	
	READ SECOND TIME	APPROVED BY CITY PLANNING COMMISSION
	_____ CITY CLERK	_____ Secretary
	<u>READ THIRD TIME on JULY 14, 2021</u>	
	_____ PRESIDENT	
	_____ CITY CLERK	
	APPROVED	
	_____ MAYOR	

Recorded Vol. **108** Page _____

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