

Ordinance No. 1250-2019

Council Member(s) B. Jones, Brancatelli and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Economic Development to enter into a Purchase Agreement and/or an Option to Purchase Agreement with Midtown Cleveland, Inc., or its designee, for the sale of City-owned properties located at East 66th Street and Euclid Avenue for future development as part of the Innovation District Project; and authorizing the Commissioner of Purchases and Supplies to convey the properties, which are no longer needed for the City's public use.

WHEREAS, the City of Cleveland owns certain properties located at East 66th Street and Euclid Avenue, which are no longer needed for the City's public use; 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 City-owned properties located at East 66th Street and Euclid Avenue and known Permanent Parcel Nos. 118-06-028, 118-06-029, and 118-06-049 ("Property") are no longer needed for the City's public use.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is authorized to enter into a Purchase Agreement and/or an Option to Purchase Agreement with Midtown Cleveland, Inc., or its designee, ("Midtown") for the sale of the Property for future development as part of the Innovation District Project.

Section 3. That the consideration paid for the option by Midtown shall be a price determined to be fair market value by the Board of Control.

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Property to Midtown at an appraised price of \$214,285 per acre, which total price shall not exceed \$390,000 for the 1.82 acre-Property, taking into account all restrictions, and encumbrances placed by the City of Cleveland in the deeds of conveyance. The Property is more fully described as follows:

LEGAL DESCRIPTIONS

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PPN 118-06-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot “F” in the New York Life Insurance Co.’s Subdivision No. 1 of part of Original 100 Acre Lots No. 337 and 338, as shown by the recorded plat in Volume 129 of Maps, Page 26 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

PPN 118-06-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being “Parcel A” in the N.Y. Life Insurance Co.’s Subdivision No. 1 of part of Original 100 Acre Lot Nos. 337 and 338 as shown by the recorded plat in Volume 129 of Maps, page 26 of Cuyahoga County Records, and bounded and described as follows: Beginning at the intersection of the Westerly line of East 66 Street with the Northerly line of Euclid Avenue; thence Northerly along the Westerly line of East 66 Street, 104.29 feet to the Northeasterly corner of said Parcel “A”; thence Westerly along the Northerly boundary line of said Parcel “A”, 112.33 feet to an angle therein; thence Westerly continuing along the Northerly boundary line of said Parcel “A”, 87.35 feet to an angle therein; thence Northwesterly continuing along the Northerly boundary line of said Parcel “A”, 39.69 feet to an angle therein; thence Westerly continuing along the Northerly boundary line of said Parcel “A”, 105.90 feet to the Easterly line of East 65 Street; thence Southerly along the Easterly line of East 65 Street, 104.82 feet to the Northerly line of Euclid Avenue; thence Easterly along the Northerly line of Euclid Avenue, 341.28 feet to the place of beginning, as appears by said plat, be the same more or less but subject to all legal highways.

PPN 118-06-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Parcel “E” in the New York Life Insurance Co.’s Subdivision No. 1 of part of Original 100 Acre Lots Nos. 337 and 338, as shown by the recorded plat in Volume 129 of Maps, Page 26 of Cuyahoga County Records.

Section 5. That the conveyances shall be made by official deeds prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deeds 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 parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 6. That the Purchase Agreement and/or the Option to Purchase Agreement and other appropriate documents needed to effectuate this ordinance shall be prepared by the Director of Law.

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Section 7. That the Director of Economic Development is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

Section 8. That the proceeds from the Purchase Agreement and/or the Option to Purchase Agreement, the sale, transfer or disposition of the Property shall be deposited into Fund No. 17 SF 965, Industrial Commercial Land Bank.

Section 9. 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.

RB:nl
10-7-19

FOR: Director Ebersole

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REPORT
after second Reading

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READ FIRST TIME on OCTOBER 7, 2019 **REPORTS**
and referred to DIRECTORS of Economic Development, City Planning Commission,
Finance and Law,
COMMITTEES on Development Planning and Sustainability, Finance

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

