

ORDINANCE NO. 115-2024(F), *First Reading*

Introduced by Mayor Seren

An Ordinance authorizing the inclusion of City-owned parcels 687-06-160 and 687-08-001 in the Cedar Lee Special Improvement District; and further authorizing the Mayor to execute a Memorandum of Understanding with the Cedar Lee Special Improvement District ("Cedar Lee SID") and F & C Development, Inc. or the appropriate affiliated entity with respect to assessments to be paid to the Cedar Lee SID on the aforementioned parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, by law property owned by a political subdivision will not be included in a special improvement district unless the political subdivision has specifically requested that said property be included; and

WHEREAS, the City owns parcels identified as 687-06-160 and 687-08-001 which are under ground lease to F & C Development, Inc. ("F & C") as part of the development currently under construction Development known as the Cedar Lee Meadowbrook Development (the "Development"); and

WHEREAS, Parcels 687-06-160 and 687-08-001 are included in the territory of the Cedar Lee Special Improvement District ("Cedar Lee SID"); and

WHEREAS, the City desires that said parcels 687-06-160 and 687-08-001 be included in the Cedar Lee Special Improvement District ("Cedar-Lee SID"), on the condition that any assessments on said property will be paid by F & C pursuant to a Memorandum of Understanding by and between the Cedar Lee SID, F & C and the City, authorized herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that

SECTION 1. This Council hereby declares that City-owned Parcels No. 687-06-160 and 687-08-001 shall be included in the Cedar Lee Special Improvement District for a period of five years, and the Mayor is hereby authorized to execute any necessary documents to include said Parcels No. 687-06-160 and 687-08-001 in the Cedar Lee Special Improvement District ("Cedar Lee SID"), subject to the execution by the City, Cedar Lee SID and F & C Development, Inc. or appropriate affiliate ("F & C") of a Memorandum of Understanding which sets forth the agreement of the parties that any assessments to be paid on Parcels. 687-06-160 and 687-08-001 will be paid by F & C and which further defines the agreement between the Cedar Lee SID and F & C as to valuation of the parcels and when assessments will commence.

SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepare by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

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SECTION 3. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet filing deadlines for the Cedar Lee Special Improvement District assessments. Wherefore, provided it receives the affirmative vote of five (5) of more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



TONY CUD
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: June 24, 2024

Presented to Mayor: 06/25/2024 Approved: 06/27/2024



KAHLIL SEREN
Mayor