

Proposed: 05/04/2020

ORDINANCE NO. 44-2020 (PD)

By Council Member

An Ordinance adopting procedures for the transfer of certain City-owned real property, received through the City of Cleveland Heights Land Reutilization Program, to FutureHeights, Inc.; declaring the property no longer needed for a public purpose; and declaring an emergency.

WHEREAS, pursuant to Ordinance No. 33-2009, this Council adopted and implemented the procedures set forth in Chapter 5722 of the Ohio Revised Code for a Land Reutilization Program, known as the Cleveland Heights Land Reutilization Program; and

WHEREAS, the City of Cleveland Heights (“City”) currently owns certain real property located at 3158 Berkshire Road, Permanent Parcel No. 684-23-079 (“Property”); and

WHEREAS, the City obtained the Property through its Land Reutilization Program; and

WHEREAS, the City has determined that it has no need for the Property and therefore the Property does not serve a public purpose; and

WHEREAS, FutureHeights, Inc. (“FutureHeights”) is a non-profit corporation, which promotes a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement; and

WHEREAS, pursuant to Resolution No. 97-2018, the City and FutureHeights entered into a development services agreement with FutureHeights to perform services as a community development corporation for the City; and

WHEREAS, pursuant to the City’s agreement with FutureHeights, transferring of the Property to FutureHeights would be in the best interest of; and

WHEREAS, Section 110.04 of the Cleveland Heights Codified Ordinances authorizes Council to adopt by ordinance, procedures for the conveyance of real property not needed for public purpose.

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

SECTION 1. This Council hereby determines that the City-owned real property located at 3158 Berkshire Road, Permanent Parcel No. 684-23-079 (“Property”), is not needed for a public purpose.

SECTION 2. Pursuant to the authority of City Council set forth in Section 110.04 of the

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Codified Ordinances of the City of Cleveland Heights, this Council hereby authorizes the City Manager to transfer the Property to FutureHeights, Inc. upon receipt of necessary approvals, forms, terms, and conditions deemed appropriate by the City Manager.

SECTION 3. Documents implementing the above transaction shall be approved as to form by and subject to the final approval of the Director of Law.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately 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 transfer the property to begin rehabilitation work at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five or 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.

JASON S. STEIN, Mayor
President of Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED: