

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0080

<p>Sponsored by: County Executive Budish/Department of Public Works</p> <p>Co-sponsored by: Councilmembers Hairston and Jones</p>	<p>A Resolution authorizing the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc.; authorizing the County Executive to execute the quit claim deed and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Section 501.01(B) of the Cuyahoga County Code, notwithstanding any requirements or limitations of the Ohio Revised Code, Ohio Administrative Code, or any other applicable law or regulation, pursuant to the County's home rule powers, the County may enter into any real-estate and real-estate related transactions, and there shall be no limitations on the duration of any such transactions; and

WHEREAS, the County Executive/Department of Public Works has recommended the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc.; and

WHEREAS, it is the intent of the County to transfer to Burten, Bell, Carr Development, Inc. the real property known as Hillside Community Park, Permanent Parcel No. 124-29-010 located at E. 79th Street and Hillside Road, Cleveland, located in County Council District 8, for so long as such property is maintained as a public park; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county development.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc. to be used and maintained as a public park.

SECTION 2. That the County Executive is hereby authorized to execute the quit claim deed and any other documents consistent with the transfer of property and this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Hairston, seconded by Mr. Jones, the foregoing Resolution was duly adopted.

Yeas: Brown, Hairston, Simon, Greenspan, Miller, Germana, Gallagher, Schron, Conwell, Jones and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 12, 2016

Committee(s) Assigned: Community Development

Additional Sponsorship Requested: April 18, 2016

Journal CC022
April 26, 2016