

# County Council of Cuyahoga County, Ohio

## Resolution No. R2018-0030

Sponsored by: **County Executive Budish/Department of Public Works**

Co-sponsored by: **Councilmembers Schron and Jones**

**A Resolution** authorizing the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71<sup>st</sup> Street, Cuyahoga Heights, for a public purpose; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Public Works has recommended the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71<sup>st</sup> Street, Cuyahoga Heights, for a public purpose; and

WHEREAS, the County of Cuyahoga owns a tract of land located east of Interstate 77, which is excess property that was purchased in the County's name for the construction of Interstate 77, located east of the interstate and north of Canal Road in Cuyahoga Heights; and

WHEREAS, the County would like to transfer the property to Village of Cuyahoga Heights since the Village is currently maintaining the site; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71<sup>st</sup> Street, Cuyahoga Heights, for a public purpose.

**SECTION 2.** That the County Executive or his authorized designee is authorized to take all actions, exercise any options, and to execute, acknowledge,

deliver and/or file for record (as and where appropriate) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County, the preservation of public peace, health, or safety in the County, and any additional reasons set forth in the preamble. Provided that this Ordinance 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. Schron, seconded by Mr. Jones, the foregoing Resolution was duly adopted.

Yeas: Houser, Simon, Baker, Miller, Tuma, Gallagher, Schron, Jones, Brown and Brady

Nays: None

*James R. Brady*  
County Council President

2-28-18  
Date

*[Signature]*  
County Executive

3-1-18  
Date

*James M. Schrotz*  
Clerk of Council

2/27/2018  
Date

First Reading/Referred to Committee: February 13, 2018  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: February 21, 2018.

Additional Sponsorship Requested on the Floor: February 27, 2018

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