

Proposed: 12/5/22

ORDINANCE NO. 180-2022 (PD), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to execute an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City is the owner of approximately 1.91 acres of property located at 2228 Noble Road, 890 Woodview Road, 868 Woodview Road, and 860 Woodview Road, Permanent Parcel Nos. 681-38-080, 681-38-012, 681-38-010, 681-38-009, 681-38-008, in the City of Cleveland Heights (the “Property”); and

WHEREAS, TWG Development, LLC (“TWG”), an Indiana limited liability company, is interested in the potential purchase of said property for the construction of an affordable-housing residential development; and

WHEREAS, the City desires to grant an interest in the property to TWG sufficient to allow TWG to submit applications and/or otherwise explore tax credits and other funding sources for its desired project; with the understanding that no property transfer will occur until the City and TWG enter into a development agreement satisfactory to both parties; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to proceed with the execution of a purchase agreement.

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

SECTION 1. The Mayor is hereby authorized to execute a purchase agreement with TWG Development, LLC for the sale of certain real property located at located in the vicinity of Noble Road and Woodview Road identified as Permanent Parcel Nos. 681-38-080, 681-38-012, 681-38-010, 681-38-009 and 681-38-008 (the “Property”). The purchase price for the Property, shall be the sum of Two Hundred Eighteen Thousand, Three Hundred Dollars (\$218,300.00) plus reasonable closing costs, or such other amount as may be negotiated by the parties in the context of a development agreement and approved by further Ordinance of this Council. The purchase agreement shall provide that a condition precedent to closing shall be the execution by the City and TWG of a development agreement satisfactory to both parties.

SECTION 2. Documents implementing the above transaction shall be approved as to form by and subject to the final approval of the Director of Law.

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SECTION 3. This Council hereby determines that the Property identified in Section (1) hereinabove is not needed for municipal purposes.

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 4. 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 permit TWG to submit applications and otherwise explore funding sources for its proposed residential development. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take immediate 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.

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MELODY JOY HART  
President of Council

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ADDIE BALESTAR  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor