

ORDINANCE NO. 2022 – 41

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO EXECUTE AN AGREEMENT FOR CONVEYANCE AND TO TRANSFER PROPERTY LOCATED AT 8699 LYNNHAVEN DRIVE IN THE CITY OF PARMA HEIGHTS TO THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION [CCLRC], AND DECLARING AN EMERGENCY, AS AMENDED

WHEREAS, the Parma Heights Land Reutilization Program acquired the property located at 8699 Lynnhaven Drive [PPN 472-21-083] after foreclosure; and

WHEREAS, the City is desirous of transferring the property to the Cuyahoga County Land Reutilization Corporation (CCLRC); and

WHEREAS, the Planning Commission met on December 19, 2022 and recommended to the Council and the Administration that it transfer the property located at 8699 Lynnhaven Drive [PPN 472-21-083] to the CCLRC.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: The Administration is hereby authorized and directed to execute documents necessary to transfer the property located at 8699 Lynnhaven Drive [PPN 472-21-083] to the Cuyahoga County Land Reutilization Corporation (CCLRC) including an Agreement for Conveyance, under terms further described in Exhibit “A” attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Ordinance is declared to be an emergency measure immediately necessary for the public peace, health, and safety of the Municipality and for the further reason that it is necessary to transfer the land as soon as possible to the Cuyahoga County Land Reutilization Corporation; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: 2-13-23 Thomas Rounds
PRESIDENT OF COUNCIL

ATTEST: Barbara S. Allen 2-13-23
CLERK OF COUNCIL APPROVED

FILED WITH THE MAYOR: 2-13-23 Marie Gallo
MAYOR MARIE GALLO

EXHIBIT A

Agreement for Conveyance

[From Third Party to CCLRC]

This Agreement, dated this ____ day of _____, 2023 (this "*Agreement*"), is by and between the City of Parma Heights ("*Grantor*") and the Cuyahoga County Land Reutilization Corporation ("*Grantee*") under the following circumstances:

Whereas, Grantor is the owner of the parcel(s) of land described in Exhibit A attached hereto and made a part hereof (the "*Land(s)*") which Grantor desires to gift or transfer to Grantee as set forth herein; and

Whereas, Grantee is a county land reutilization corporation organized and existing under Ohio Revised Code ("*R.C.*") Sections 1724.01 et seq. and 1702 .01 et seq., to the extent not inconsistent with R.C. Sections 1724.01 et seq; and

Whereas, Grantee is authorized by R.C. Sections 5722.01 et seq. and 1724.01 et seq. to receive the Land.

Now, therefore, in consideration of the mutual covenants made herein and other good and valuable consideration, the receipt of which is hereby acknowledged by the parties hereto, Grantor and Grantee agree as follows:

1. **Title and Prorations**: For \$1.00 and other good and valuable consideration, Grantor, shall deliver by warranty or fiduciary deed(s) free and clear marketable title in and to the Land to Grantee except for easements, restrictions and covenants of record.
2. **Conveyance and Closing**. This transaction shall close on or about the ____ day of _____, 202__ (the "*Closing*"), whereupon Grantor shall deliver warranty or fiduciary deed(s) to the Land(s), and Grantee shall pay to Grantor the consideration required herein.
3. **No Warranties or Representation**. Grantor makes no warranties or representations whatsoever as to the condition or quality of the Land(s), all of which Grantee agrees shall be conveyed in its current "AS IS, WHERE IS" condition.
4. **Law**. This Agreement shall be governed by the laws of the State of Ohio.

Grantee: Cuyahoga County Land
Reutilization Corporation
By: Ricardo León, Chief Operating Officer
Date: _____

Grantor: City of Parma Heights
By: _____
Date: _____

EXHIBIT A
LEGAL DESCRIPTION

Situated in the City of Parma Heights, County of Cuyahoga and State of Ohio:

And known as being Sublot No. 455 in the Precision Housing Corporation's Ridgewood Park Subdivision No. 7 of part of Original Parma Township Lot No. 2, Ely Tract, as shown by the recorded plat of said subdivision recorded in Volume 145, Page 16 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 472-21-083

**Permanent Parcel No. 472-21-083
8699 Lynnhaven Drive
Parma Heights, Ohio 44130**