

RESOLUTION NO. 2019-36

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

A RESOLUTION OF NECESSITY DECLARING THE INTENT TO APPROPRIATE AND ACQUIRE TITLE TO CERTAIN PROPERTY TITLED TO DANNY AUYEUNG, BEARING PERMANENT PARCEL NO. 722-01-112 AND KNOWN AS 2115 S. TAYLOR ROAD, UNIVERSITY HEIGHTS, OHIO AND AS MORE FULLY DESCRIBED HEREIN, FOR THE PURPOSE OF ELIMINATING BLIGHTED PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, City Council deems it necessary to appropriate certain property known as 2115 S. Taylor Road, University Heights, Ohio for the purpose of eliminating blighted property, and wishes to present the results of an appraisal of said property to the owner thereof, and wishes to present the owner thereof with a Notice of Intent to Acquire said property, and wishes for negotiations to be conducted in connection with the acquisition of same, and wishes to ratify any of the foregoing;

WHEREAS, the subject property is environmentally distressed and in need of remediation in order to eliminate its blighted condition;

WHEREAS, Council has previously declared the subject property to be a public nuisance;

WHEREAS, over the course of several years of ownership, the owner of the subject property has taken no substantive steps to eliminate the public nuisance or remediate the environmental conditions thereon;

WHEREAS, it is in the interests of the health, safety and welfare of the City's citizens that the City eliminate blighted property by undertaking ownership of Permanent Parcel No. 722-01-112 located at 2115 S. Taylor Road, University Heights, Ohio.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, COUNTY OF CUYAHOGA, STATE OF OHIO, THAT:

Section 1. Council hereby declares its intent to appropriate and acquire title to certain property known as 2115 S. Taylor Road, University Heights, Ohio, Permanent Parcel No. 722-01-112 (the "Property"), declares the appropriation of the Property to be a necessity, and states that the public purpose of said acquisition shall be eliminating blighted property. A legal description of the above-referenced Property is attached hereto as Exhibit A and is incorporated herein by reference as if fully re-written.

Section 2. The Clerk shall mail a copy of this Resolution of Necessity to the owner of the Property by certified mail. The City has caused a Notice of Intent to Acquire to be sent to the owner of the Property, in the form required by R.C. Section 163.041, and hereby ratifies said action.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. This Resolution is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and its residents, the emergency being the need to commence negotiations and acquisition of the Property as quickly as possible, since the Property is continuously deteriorating. Accordingly, for the reasons set forth in this Resolution, the City must move to eliminate the blighted property as soon as possible. Therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by the Council and approved by the Mayor, otherwise from and after the earliest period allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO


MICHAEL DYLAN BRENNAN, MAYOR

PASSED: 06/17/2019

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR

EXHIBIT A

Site Address: 2115 S. Taylor Road, University Heights, OH

Legal Description:

Situated in the City of University Heights County of Cuyahoga and State of Ohio: and known as being Sublot No. 112 in the Cedar Heights Land Co's Cedarbrook Allotment No. 3 of part of Original Euclid Townships Lots Nos. 16, 24 and 57, as shown by the recorded plat in Volume 68 of Maps, Page 26 of Cuyahoga County Records and being 119.95 feet front on the Easterly side of South Taylor Road, 54.46 feet on the curved turnout between said Easterly side and the Northwesterly side of Raymont Boulevard, 119.95 feet on the Northwesterly side of Raymont Boulevard, 71.15 feel [sic] on the Northerly line and 71.14 feet on the Northeasterly line as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 722-01-112