

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-176

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO SELL AND TRANSFER PPN 483-06-017 TO CHICKIE INVESTMENTS LLC, OR ITS SUCCESSOR IN INTEREST SQUEAKY CHAIR PRODUCTIONS, LLC, AND DECLARING AN EMERGENCY

WHEREAS: The City owns PPN 483-06-017 consisting of approximately 2.2 acres of land at the far northern end of the Industrial Park; and

WHEREAS: There exists on the parcel a large drainage ditch protected by a drainage channel easement, large areas of wetlands protected by a conservation easement and, as it is, the parcel is land-locked and of no commercial value; and

WHEREAS: Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC, has secured the approvals of both the Planning Commission and the Board of Zoning Appeals for its development project which involves making some modest ancillary use of the land in question; and

WHEREAS: The applicant and prospective owner has agreed to place the land back on the tax duplicate and assume to pay the outstanding assessment thereon henceforward and to maintain in perpetuity the burden of the drainage easement; and

WHEREAS: The City has determined that it has no public purpose for PPN 483-06-017 and that it would be in the best interest of the community to allow it to be consolidated with the adjoining properties to be developed by Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC; and

WHEREAS: The City desires to sell the property to Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC, upon the terms and conditions in the Agreement, Exhibit A, including but not limited to assumption of all obligations and duties set forth in the existing easements; and

WHEREAS: Council desires to authorize the Mayor to enter into the agreement for the sale of said land to Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor is hereby authorized to enter into an agreement with Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten, and any other documents necessary to execute the sale and transfer of the land as approved by the Law Director.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to authorize the Mayor to enter into an agreement with Chickie Investments LLC, or its successor in interest, Squeaky Chair Productions, LLC.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: November 7, 2012

DATE APPROVED: November 8, 2012

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading November 7, 2012  
Amended November 7, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey  
Marnecheck, Muller, Kasaris

NAYS: none