

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025- __

By: _____ Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GD3 VENTURES I LLC, TO PROVIDE FOR THE DEVELOPMENT AND SALE OF REAL PROPERTIES OWNED BY THE CITY OF BEREA, WHICH ARE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSES, AND TO EXECUTE ANY AND ALL DOCUMENTS RELATED THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Berea ("City") has been presented with a proposal from GD3 Ventures I LLC. or its affiliate, Front Street Towns, LLC., (the "Developer") for the development of a multi-family residential housing project, (the "Project"); and

WHEREAS, the City, while engaged in urban redevelopment, acquired or will acquire certain parcels of land located within the City that are necessary for the Project (the "Site"); and

WHEREAS, this Council has determined the Project will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of multi-family residential units, to the benefit of the people of the City; and

WHEREAS, this Council has determined the Site is no longer needed for any municipal purposes and the conveyance of the Site to the Developer or an affiliate to enable the Project and the redevelopment of the Site is consistent with the City's desire to promote residential development in the City; and

WHEREAS, an emergency exists in the usual daily operations of the City, that emergency being related to the need to pass this Ordinance as quickly as possible, which will result in the redevelopment of the Site, which improves the health, safety and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, County of Cuyahoga, State of Ohio, that:

SECTION 1. Authorization of Development Agreement. This Council hereby determines that the Project is in the best interest of the City, and that the Project furthers the health, safety and welfare of its residents. The Mayor is hereby authorized, for and in the name of the City and

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on its behalf, to execute and deliver the Development Agreement which shall be and read substantially in the form on file with this Council, with such changes therein as are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Mayor. The approval of such changes, and that such changes are not inconsistent with this ordinance and not substantially adverse to the City, shall be conclusively evidenced by the execution of the Development Agreement by the Mayor.

SECTION 2. Conveyance of the Site. The conveyance of the Site in connection with the Project and consistent with and pursuant to the Development Agreement is hereby approved.

SECTION 3. Further Authorizations. This Council hereby authorizes and directs the Mayor, the Law Director, the Director of Finance, Director of Economic Development or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

SECTION 4. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC 121.22.

SECTION 5. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to enable the timely development of the Project, wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED:

President of Council

ATTEST: _____

Clerk of Council

APPROVED:

APPROVED AS TO FORM

Mayor

Date

Director of Law