

ORDINANCE NO. 2018-3

AUTHORIZING THE CITY MANAGER TO TRADE CITY-OWNED REAL PROPERTY CONSISTING OF PORTIONS OF SUMMIT PARK PARCELS 612-0120-0187 AND 612-0120-0188 WITH NEIGHBORHOODS AT SUMMIT PARK REAL PROPERTY CONSISTING OF A PORTION OF PARCEL 612-0120-0203 AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ACCEPT A PARKING COVENANT; AND DECLARING AN EMERGENCY

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio, provides the method under the City Manager shall enter into contracts, including transactions associated with real property; and

WHEREAS, Section 113.01(d) of the Blue Ash Code of Ordinances provides the method under which real property owned by the City may be sold, donated, disposed of, transferred, or traded; and

WHEREAS, the Neighborhoods at Summit Park is a private, mixed-use development occurring along Summit Park's southern border by Summit View Development LLC; and

WHEREAS, in order to maximize interaction between Summit Park and the Neighborhoods at Summit Park, it is necessary to trade property between the developments; and

WHEREAS, it is the desire of City Council to authorize conveyance of an approximately 0.0575-acre portion of parcel 612-0120-0187 and an approximately 0.1454-acre portion of parcel 612-0120-0188, which is no longer needed for municipal purposes, to Summit View Development, LLC; and

WHEREAS, it is the desire of City Council to authorize acceptance of an approximately 0.4861-acre portion of parcel 612-0120-0203 from Summit View Development, LLC; and

WHEREAS, in order for the City to recover parking spaces affected by the land trade, a parking covenant requiring twenty (20) 2-hour signed parking spaces within the mixed-use portion of the development shall be recorded; and

Be it ordained by the Council of the City of Blue Ash, Ohio,

SECTION I.

In accordance with Section 113.01(d) of the Blue Ash Code of Ordinances, the City Manager is hereby authorized to convey City-owned property, which is no longer needed for municipal purposes, specifically portions of parcels 612-0120-0187 and 612-0120-0188 to Summit View Development, LLC. The City Manager, as the City's chief executive officer, is hereby authorized to execute all documents associated with the conveyance of this property.

SECTION II.

In accordance with Section 113.01(d) of the Blue Ash Code of Ordinances, the City Manager is hereby authorized to accept real property, specifically a portion of parcel 612-0120-0203 from Summit View Development, LLC. The City Manager, as the City's chief executive officer, is hereby authorized to execute all documents associated with the acceptance of this property.

SECTION III.

The City Manager is hereby authorized to execute and/or accept a parking covenant agreement with SP Apartments, LLC for twenty (20) 2-hour signed parking spaces within the mixed-use portion of the Neighborhoods at Summit Park Development.

SECTION IV.

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City of Blue Ash, Ohio; the reason for the emergency being the need to trade real property for the benefit of the Summit Park and Neighborhoods at Summit Park Developments and the citizens of the City of Blue Ash, Ohio. Therefore, this ordinance shall take effect and be in force from and after its passage.

PASSED this 8th day of March, 2018.

Thomas C. Adamec, Mayor

Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

Bryan E. Pacheco, Solicitor