

RESOLUTION NO.: 66-2023
INTRODUCED BY: Mayor Thomas

A RESOLUTION AUTHORIZING AN AMENDMENT TO A DEED RESTRICTION IN FAVOR OF THE CITY OF RICHMOND HEIGHTS RELATED TO ITS TRANSFER OF TITLE TO THE REAL PROPERTY AT 27227 CHARDON ROAD AND THE CORRECTION OF BUILDING CODE VIOLATIONS.

WHEREAS, on September 6, 2022, this Council adopted Resolution 120-2022, which authorized the sale of the real property at 27227 Chardon Road in the City ("Property") to Another Place LLC ("Owner") but with a deed restriction on the transfer of title to the Property which requires the owner of the Property to complete the correction of all of the detailed Building Code violations set forth in the deed by dates certain – i.e., by September 15, 2023 for the most westerly of the two buildings ("Building 1") on the Property and by September 15, 2024 for the most easterly of the two buildings (Building 2") on the Property;

WHEREAS, the Property was sold and transferred by the City to the Owner on September 15, 2022;

WHEREAS, the Owner has requested additional time within which to complete the correction of the Code violations, particularly the outside violations on Building 1 and the violations at Building 2, because of the unforeseen extent of the necessary corrective measures required at Building 1 and the inability to commence business operations at the Property as originally planned;

WHEREAS, the Owner has requested an amendment to the deed restriction language in the Limited Warranty Deed that transferred the Property to Another Place LLC for the purpose of adjusting the deadlines for completion of the Building Code violations for Building 1 to September 30, 2024, and for Building 2 to December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Richmond Heights, Ohio, that:

Section 1: The Mayor is authorized, on behalf of the City of Richmond Heights, to execute an amendment to the Deed Restriction contained in the Limited Warranty Deed which transferred the Property from the City's Land Reutilization Program to Another Place LLC for the purpose of extending the time deadlines to complete the correction of Building Code violations at the Property as follows:

- (a) For Building 1, the extended deadline shall be September 30, 2024; and
- (b) For Building 2, the extended deadline shall be December 31, 2024.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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, including Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 25, 2023

APPROVED: April 25, 2023

ATTEST: Donnie Hunter
Donnie L. Hunter
Clerk of Council

Kim A. Thomas
Kim A. Thomas, Mayor

Bobby Jordan
Bobby Jordan
President of Council