

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A GROUND LEASE WITH THE CUYAHOGA COUNTY PUBLIC LIBRARY FOR A PARCEL OF REAL ESTATE IN CAHOON MEMORIAL PARK LOCATED AT 27400 WOLF ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the Cuyahoga County Public Library operates a public library branch in Bay Village; and

WHEREAS, Cuyahoga County Public Library desires to construct a new public library branch in the City; and

WHEREAS, the City believes a new public library branch will be a benefit to the residents of the City; and

WHEREAS, the Cahoon Memorial Park is a desirable site for a public library branch; and

WHEREAS, the City requested a determination by the Cuyahoga County Probate Court whether the use of a portion of Cahoon Memorial Park as a public library branch is consistent with the language of and permitted under the Cahoon Will; and

WHEREAS, in Cuyahoga County Common Pleas, Probate Division, Case number 2017 ADV 225460, the Cuyahoga County Probate Court has found said use is consistent with and permitted by the Cahoon Will;

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and is hereby authorized to enter into a Ground Lease Agreement on behalf of the City with the Cuyahoga County Public Library, a county library district and political subdivision of the State of Ohio, whose office is located at 2111 Snow Road, Parma, Ohio 44134 for the use of a parcel of land located in Cahoon Memorial Park and generally identified as 27400 Wolf Road, as more fully described in said Lease.

SECTION 2. That the term of said Lease shall be and is for an initial term of 40 years, and the initial term may be extended by the Tenant for two consecutive terms of 20 years each and a third term being 19 years, subject to all the terms and conditions of said Lease, for a total potential term of 99 years.

SECTION 3. That said Lease is subject to approval by the Cahoon Memorial Park Trustees.

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of

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this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 5. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to execute said Ground Lease Agreement, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: March 2, 2020


CLERK OF COUNCIL


VICE PRESIDENT OF COUNCIL

APPROVED: March 2, 2020


MAYOR

022120 jt