

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_  
Voted On \_\_\_\_\_  
Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
PASSED \_\_\_\_\_ DEFEATED \_\_\_\_\_

07/06/2023

## ORDINANCE NO. 2023-10

### **AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY KNOWN AS VACANT LAND, PIKE DRIVE, PERMANENT PARCEL NUMBER 901- 29-015 AND AUTHORIZING THE MAYOR TO TAKE SUCH ACTIONS AS ARE NECESSARY FOR THE VILLAGE TO OBTAIN OWNERSHIP OF SAID PROPERTY, AND DECLARING AN EMERGENCY.**

WHEREAS, Dr. Alice B. Schottenstein ("Dr. Schottenstein") has generously agreed to donate certain real property (the "Property") to Orange Village with fiduciary covenants, said Property being further described in "Exhibit A," appended hereto and incorporated herein by reference, as a gift to the Village; and

WHEREAS, the Village desires to accept the generous gift of Dr. Schottenstein and to express the Village's intent to use of the Property exclusively for a public purpose: specifically, as preserved green space; and

WHEREAS, this Council, by the passage of this legislation, desires to accept the generous donation by Dr. Schottenstein, and hereby authorizes the Mayor to take such steps as are necessary to accomplish the transfer of the Property to the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE,  
COUNTY OF CUYAHOGA, STATE OF OHIO:**

SECTION 1. That the Mayor be and is hereby authorized to accept, by deed, the subject property identified on "Exhibit A" appended hereto, and to take any and all actions necessary to accomplish the transfer of such property to the Village.

SECTION 2. That the acceptance of the Property is conditional in that it shall only be used by the Village for the public purposes of preserving the Property in an undeveloped state as permanent green space.

SECTION 3. That the Village formally declares that it has not paid compensation to Dr. Schottenstein for the property.

SECTION 4. That it is hereby found and determined that each and every formal action of this Council concerning and relating to the adoption of this Ordinance was taken in any open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in each such formal action, were conducted in meetings open to the public and in compliance with all legal requirements, including Chapter 105 of the Orange Village Codified Ordinances.

SECTION 5. That the Clerk of Council shall forthwith transmit a certified copy of this Ordinance to Dr. Schottenstein in appreciation of her donation.

SECTION 6. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Orange Village and, further, for the reason that the passage of this ordinance is necessary to accomplish the transfer of property as rapidly as possible, in order for the donor to realize the greatest value for her generous donation and wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor, provided it receives the affirmative vote of five (5) members of Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 12, 2023

  
\_\_\_\_\_  
Council President


Submitted to the Mayor for approval

on this 12<sup>th</sup> day of July, 2023

Approved by the Mayor this  
12<sup>th</sup> day of July, 2023

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor

CERTIFICATE OF CLERK OF COUNCIL

I, Annamarie Girardi, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Council of Orange Village, State of Ohio, and that I am duly authorized to execute this Certificate.

  
\_\_\_\_\_  
Annamarie Girardi  
Clerk of Council

7-12-2023  
\_\_\_\_\_  
Date

**" Exhibit A"**

Situated in the Village of Orange, County of Cuyahoga and State of Ohio:

and known as being part of Original Orange Township Lot No. 5, Colt Tract, and bounded and described as follows:

Beginning at a point in the Northerly line of land conveyed to Warren W. Ayers by Dood recorded in Volume 4927, Page 7 of Cuyahoga County Records, distant 1650 feet Easterly, measured along the Northerly line of land so conveyed, from the center line of Brainard Road, thence continuing Easterly along the Northerly line of land conveyed to Warren W. Ayers, as aforesaid, 150 feet to a point, thence Southerly parallel to the center line of Brainard Road, 495 feet to a point in the Northerly line of Pike Drive, as shown by the recorded plat in Volume 133 of Maps, Pages 32 and 33 of Cuyahoga County Records, thence Westerly along the Northerly line of Pike Drive, 150 feet to a point, thence Northerly parallel to the center line of Brainard Road, 495 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PERMANENT PARCEL # 901-29-15

*[Handwritten signature]*