



Legislation Text

File #: O-258-18, **Version:** 1

Marina District Public Access Modification
Department of Development
Bill Burkett (x1692)
Revised

Authorizing the Mayor to execute and deliver needed instruments for the partial release, modification, vacation, and/or assignment of the public purpose restriction with respect to “City of Toledo, Lot A” of the Marina District plat, City of Toledo, Lucas County, Ohio, for the purpose of facilitating redevelopment of the Marina District; and declaring an emergency.

SUMMARY & BACKGROUND:

In 2008, the City of Toledo certified the Marina District Plat and establishing as part of said plat “City of Toledo Lot A” covering a majority of the development site between the east bank of the Maumee River and Riverside Drive. This lot was designated for use by the general public for public purposes.

In 2011 the City of Toledo, pursuant to Ordinance 175-11, sold a majority of the Marina District, including Lot “A”, in trust to Dashing Pacific Group Ltd. (Dashing). As part of the conveyance, the City reserved a public access easement. Said easement is of record as instrument no. 20081008-0049841.

Dashing subsequently conveyed its ownership to the Marina District and the current owners intend to commence redevelopment and put the property to a beneficial use. In order to facilitate redevelopment, and in recognition of the fact that the vast majority of Lot “A” will be owned and operated as a park district by the Metropolitan Park District of the Toledo area, the developers have requested that the City release, modify, and/or assign the public purpose restriction established by Plat as well as by easement 20110705-0025804. Amending the public access easement to correspond to the development plans is contemplated in Paragraph 1 of the easement.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor and the Department of Business & Economic Development are authorized to execute and deliver any needed instruments for the release modification, vacation, or assignment of the public purpose restriction upon such terms and conditions as approved by the Director of Business & Economic Development and the Director of Law.

SECTION 2. That it is found and determined that all formal actions of Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that result in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

SECTION 3 That this Ordinance is hereby declared to be an emergency measure and shall take effect

and be in force immediately from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of public property, and for the further reason that this Ordinance must be immediately effective to timely facilitate the redevelopment of the "Marina District" property can commence as soon as possible.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council