

EMERGENCY

City of Cincinnati

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An Ordinance No. 76

- 2025

AUTHORIZING the City Manager to take any and all steps as may be necessary in order to vacate as public right-of-way and retain approximately 0.0759 acres of real property, being a portion of Goose Alley in the Over-the-Rhine neighborhood of Cincinnati.

WHEREAS, the City of Cincinnati (the "City") owns approximately 0.0759 acres of public right-of-way known as a portion of Goose Alley in the Over-the-Rhine neighborhood of Cincinnati, which property is more particularly described on Attachment A and depicted on Attachment B to this ordinance, which are incorporated herein by reference (the "Property"), and which is under the management and control of the City's Department of Transportation and Engineering ("DOT"); and

WHEREAS, the City, Christian Community Health Services ("Crossroad"), and Cincinnati Center City Development Corporation ("3CDC") are partnering on the redevelopment of certain real property generally bound by Vine Street, Bardes Alley, Goose Alley, and Findlay Street (the "Project Site"), including the existing Over-the-Rhine Recreation Center currently located thereon, into an approximately 21,000 square foot public health center and surface parking facilities consisting of drive aisles and approximately 109 parking spaces (the "Project"); and

WHEREAS, to facilitate the Project, the City has determined to vacate as public right-of-way and retain the Property as part of the consolidated Project Site; and

WHEREAS, the City is supportive of the Project because of the economic development, financial, and societal benefits that the City will achieve from the Project; and

WHEREAS, Angela L. Hahn, a reputable attorney practicing in Hamilton County, Ohio, has provided an Attorney's Certificate of Title, certifying as to the owner(s) of all real property abutting the Property; and

WHEREAS, if applicable, all necessary abutters will have consented to the City's vacation of the Property by executing and delivering quitclaim deeds prior to the City Manager vacating the Property; and

WHEREAS, pursuant to Ohio Revised Code Section 723.05, the City may, by ordinance and without petition, vacate streets or alleys if it has determined that there is good cause for the vacation and that the vacation will not be detrimental to the general interest; and

WHEREAS, the City Manager, in consultation with DOT, has determined that: (i) the Property is not needed for transportation purposes, (ii) there is good cause to vacate the Property as public right-of-way, and (iii) the vacation of the Property will not be detrimental to the general interest; and

WHEREAS, the City believes that the Project is in the vital and best interests of the City and the health, safety, and welfare of its residents; and is in accordance with the public purposes and provisions of applicable federal, state, and local laws and regulations; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the vacation of the Property as public right-of-way at its regularly scheduled meeting on January 17, 2025; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to do all things necessary to vacate as public right-of-way and retain approximately 0.0759 acres, being a portion of public right-of-way known as Goose Alley, which property more particularly described on Attachment A and depicted on Attachment B to this ordinance (the "Property"), to facilitate the construction of a new public health center and corresponding parking facilities in the Over-the-Rhine neighborhood of Cincinnati (the "Project"), in the area generally bound by Vine Street, Bardes Alley, Goose Alley, and Findlay Street.

Section 2. That the Property is not needed for transportation purposes, that there is good cause to vacate the Property, and that such vacation will not be detrimental to the general interest.

Section 3. That, pursuant to Ohio Revised Code Section 723.041, any affected public utility shall be deemed to have a permanent easement in the Property to maintain, operate, renew, reconstruct, and remove its utility facilities and for purposes of access to said facilities.

Section 4. That Council authorizes the proper City officials to take all necessary and proper actions to fulfill the terms of this ordinance, including, without limitation, executing all agreements, deeds, easements, conveyance documents, plats, amendments, and other documents to effectuate the vacation of the Property.

Section 5. That the City Solicitor shall cause an authenticated copy of this ordinance to be duly recorded in the Hamilton County, Ohio Recorder's Office.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is to vacate the Property at the earliest possible time to meet the financial closing deadline and facilitate commencement of construction of the Project, thereby creating jobs and completing the development of the public health center for the benefit of the Over-the-Rhine neighborhood and the general public at the earliest possible date.

Passed: April 2, 2025

Attest: [Signature]
Clerk

[Signature]
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 76-2025
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 4/15/2025
[Signature]
CLERK OF COUNCIL

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