

City of Cincinnati

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An Ordinance No. _____ - 2021

ESTABLISHING priority order of property tax exemptions granted for parcels of real property located south of Columbia Parkway along Walworth Avenue in the East End neighborhood of Cincinnati, within Cincinnati's Eastern River Incentive District (Eastern River TIF District), in connection with a redevelopment project undertaken by East End Development LLC.

WHEREAS, by Ordinance No. 512-2019, passed on December 18, 2019, this Council created the District 26 - Eastern River Incentive District, and declared certain improvements to parcels therein to be exempt from real property taxation pursuant to Section 5709.40(C) of the Ohio Revised Code (the "District 26 TIF" and the "District TIF Ordinance," as applicable); and

WHEREAS, by an ordinance passed by this Council prior to the passage of this ordinance, this Council authorized a *Development Agreement* between the City and East End Development LLC, pertaining to a redevelopment project located south of Columbia Parkway along Walworth Avenue, as more particularly described in Attachment A to this ordinance (the "Property"), all or parts of which are contained within the District 26 TIF; and

WHEREAS, by Ordinance No. 540-2019, passed on December 18, 2019, this Council declared improvements to the Property to be a public purpose and exempt from real property taxation pursuant to Section 5709.40(B) of the Ohio Revised Code (the "Project TIF Ordinance"), all in furtherance of the City's Eastern River Tax Increment Financing (TIF) Plan for the District 26 TIF and to create or preserve jobs and improve the economic welfare of the people of the City; and

WHEREAS, pursuant to the provisions of Section 5709.911 of the Ohio Revised Code, City Council desires to establish the priority order of the real property tax exemptions granted by the District TIF Ordinance and the Project TIF Ordinance; now, therefore,

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

Section 1. That this Council hereby finds and determines that improvements to the property located south of Columbia Parkway along Walworth Avenue in Cincinnati, as more particularly described in Attachment A to this ordinance (the "Property"), shall be subject to exemption from real property taxes in the following order: (a) the exemption granted by Ordinance No. 540-2019, passed on December 18, 2019, which declared the improvements to

the Property to be a public purpose and exempt pursuant to Section 5709.40(B) of the Ohio Revised Code, shall have priority over (b) the exemption granted by Ordinance No. 512-2019, passed on December 18, 2019, which created the District 26 - Eastern River Incentive District, and declared certain improvements to parcels therein to be exempt from real property taxation pursuant to Section 5709.40(C) of the Ohio Revised Code.

Section 2. That the Clerk is hereby directed to forward a copy of this ordinance to the Hamilton County Auditor.

Section 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

ATTACHMENT A



**Abercrombie
& Associates, Inc.**

Civil Engineering + Surveying

NOVEMBER 7, 2019

**LEGAL DESCRIPTION
7.3888 ACRES**

SITUATE IN SECTION 31, TOWN 4, FRACTIONAL RANGE 2, COLUMBIA TOWNSHIP, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF HOFF AVENUE WITH THE WESTERLY RIGHT OF WAY OF LEVASSOR STREET (UNIMPROVED), BEING WITNESSED BY AN EXISTING $\frac{5}{8}$ " IRON PIN (BENT) WHICH IS 0.28 FEET NORTH; THENCE ALONG THE WESTERLY RIGHT OF WAY OF LEVASSOR STREET (UNIMPROVED), SOUTH $17^{\circ}51'18''$ WEST, 16.23 FEET TO A SET $\frac{5}{8}$ " IRON PIN AND CAP (#7862); THENCE LEAVING THE WESTERLY RIGHT OF WAY OF LEVASSOR STREET (UNIMPROVED), SOUTH $72^{\circ}08'42''$ EAST, 40.00 FEET TO A SET $\frac{5}{8}$ " IRON PIN AND CAP (#7862) AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF KATE'S PLACE WITH THE EASTERLY RIGHT OF WAY OF LEVASSOR STREET (UNIMPROVED) AND THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING SOUTH $72^{\circ}08'42''$ EAST, 152.02 FEET A POINT; THENCE NORTH $17^{\circ}51'18''$ EAST, 30.00 FEET TO A POINT; THENCE NORTH $72^{\circ}08'42''$ WEST, 37.01 FEET TO A POINT; THENCE NORTH $17^{\circ}51'18''$ EAST, 50.00 FEET TO A POINT; THENCE SOUTH $80^{\circ}10'27''$ EAST, 90.49 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 61.00 FEET, A DISTANCE OF 78.24 FEET, THE CHORD OF SAID CURVE BEARS SOUTH $43^{\circ}25'39''$ EAST, 72.99 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 2,181.00 FEET; A DISTANCE OF 260.64 FEET, THE CHORD OF SAID CURVE BEARS SOUTH $62^{\circ}06'46''$ EAST, 260.49 FEET TO A POINT; THENCE SOUTH $58^{\circ}41'21''$ EAST, 981.48 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 61.00 FEET; A DISTANCE OF 52.84 FEET, THE CHORD OF SAID CURVE BEARS NORTH $86^{\circ}41'34''$ EAST, 51.21 FEET TO A POINT; THENCE SOUTH $33^{\circ}30'04''$ WEST, 92.70 FEET TO A POINT; THENCE SOUTH $52^{\circ}55'30''$ EAST, 51.57 FEET TO A POINT; THENCE SOUTH $32^{\circ}51'05''$ EAST, 54.94 FEET TO A POINT; THENCE SOUTH $53^{\circ}44'08''$ EAST, 754.19 FEET TO A POINT; THENCE SOUTH $36^{\circ}59'59''$ WEST, 22.32 FEET

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TO A POINT; THENCE NORTH 58°41'21" WEST, 1,869.41 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 2,000.00 FEET, A DISTANCE OF 469.70 FEET, THE CHORD OF SAID CURVE BEARS NORTH 65°25'02" WEST, 468.62 FEET TO A POINT; THENCE NORTH 72°08'42" WEST, 18.42 FEET TO A POINT; THENCE NORTH 17°51'18" EAST, 108.10 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 7.3888 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

FILE:17-0138.LD7-7.3888AC