

City of Cincinnati

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An Ordinance No. 221

- 2022

AMENDING Ordinance No. 13-2008, to remove certain real property located at 2117 Dana Avenue in the Evanston neighborhood of Cincinnati from the tax increment financing (TIF) exemption area created by that ordinance.

WHEREAS, the City and Neyer Properties, Incorporated (“Developer”) are parties to a certain *Development Agreement* dated February 5, 2007, pertaining to the multi-phase mixed-use development commonly known as Keystone Parke located in the Evanston neighborhood of Cincinnati (the “Development Site”); and

WHEREAS, Developer now desires to convey a portion of the Development Site, being a vacant parcel located at 2117 Dana Avenue, as more particularly described on Attachment A hereto (the “Property”), to Cincinnati Public Radio (“CPR”) to facilitate the construction of a new office building to serve as CPR’s new headquarters (the “Project”); and

WHEREAS, on January 16, 2008, City Council passed Ordinance No. 13-2008 (the “TIF Ordinance”), to exempt certain real property, including, without limitation, the Property, from real property taxation pursuant to Section 5709.40(B) of the Ohio Revised Code (the “TIF Area”); and

WHEREAS, the City and Developer entered into a *Service Agreement* dated June 27, 2007, which was amended and supplemented by an *Amended and Restated Service Agreement* dated April 14, 2008, and a *Second Supplement to Service Agreement* dated April 25, 2016 (as amended, the “Service Agreement”), which requires owners of the parcels constituting the Development Site to make service payments in lieu of taxes pursuant to Section 5709.42 of the Ohio Revised Code; and

WHEREAS, CPR desires to obtain a real property tax exemption for the Property based on its intent to exclusively use the Property for charitable purposes, and has; therefore, asked the City to remove the Property from the TIF Area; and

WHEREAS, in order to enable CPR to file for a separate real property tax exemption for the Property, Council has determined to amend the TIF Ordinance to remove the Property from the TIF Area, and authorize the City Manager to execute an amendment to the Service Agreement to remove the obligation of CPR to pay service payments in lieu of taxes as it relates to the Property; now, therefore,

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

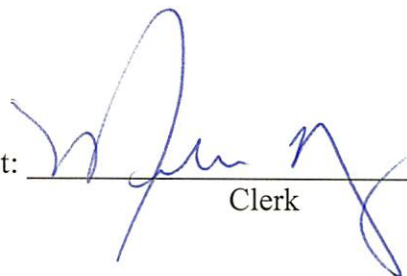
Section 1. That Ordinance No. 13-2008, passed on January 16, 2008 (the "TIF Ordinance"), is hereby amended to remove certain real property located at 2117 Dana Avenue, as more particularly described on Attachment A hereto (the "Property"), from the property tax exemption area created thereby.

Section 2. That the TIF Ordinance, except as amended herein, shall remain in full force and effect.

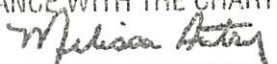
Section 3. That the proper City officials are hereby authorized to take all necessary and appropriate actions to fulfill the provisions of this ordinance, including, without limitation, amending that certain Service Agreement dated June 27, 2007, which was amended and supplemented by an Amended and Restated Service Agreement dated April 14, 2008, and a Second Supplement to Service Agreement dated April 25, 2016, to remove the obligation to pay service payments in lieu of taxes as it relates to the Property.

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

Passed: June 29, 2022

Attest: 
Clerk


Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 221-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 7-12-2022

CLERK OF COUNCIL