



Legislation Details (With Text)

**File #:** ORD-0086-2003      **Version:** 1      **Name:** Terminate Deed Restrictions - 4491 East Johnstown Road  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/21/2003      **In control:** Finance Committee  
**On agenda:**      **Final action:** 5/5/2003  
**Title:** TO AUTHORIZE THE MAYOR TO SIGN A RELEASE AND TERMINATION OF DEED RESTRICTIONS FOR PROPERTY AT 4491 EAST JOHNSTOWN ROAD; AND TO DECLARE AN EMERGENCY.  
**Sponsors:**  
**Indexes:** DEED, ORDINANCE  
**Code sections:**  
**Attachments:** 1. 2003-ORD-0086.pdf

Date	Ver.	Action By	Action	Result
5/5/2003	1	City Council	Adopted as an Emergency	Pass
4/28/2003	1	Finance Committee	Recommended for Adoption, Consent	
4/21/2003	1	City Council	Introduced,	

TO AUTHORIZE THE MAYOR TO SIGN A RELEASE AND TERMINATION OF DEED RESTRICTIONS FOR PROPERTY AT 4491 EAST JOHNSTOWN ROAD; AND TO DECLARE AN EMERGENCY.

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WHEREAS, certain deed restrictions exist on the City owned property at 4491 East Johnstown Road; and

WHEREAS, these came deed restrictions that limit development of property exist on 7 other parcels of land in the immediate vicinity; and

WHEREAS, all current owners of the lots desire to terminate all of the deed restrictions set forth in the deeds and they desire to release all of the lots from the effect of all such deed restrictions; and

WHEREAS, the City is selling the aforementioned land to Portrait Homes LLC, and for them to be able to develop the property as they desire to do, the deed restrictions must be terminated; and

WHEREAS, the deed restrictions are no longer appropriate as they do not permit the highest and best use of the lots by all the owners; and

WHEREAS, it is imperative to move forward with removing these deed restrictions in a timely fashion so that the project can continue to work its way through the approval process; all for the preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That the Mayor is hereby authorized to execute the Release and Termination of Deed Restrictions on the

property at 4491 East Johnstown Road, as attached in Exhibit A, and made a part of this ordinance.

Section 2. That, for the reasons set forth in the preamble herein above, this ordinance is declared emergency legislation and shall be in full force and effect immediately after passage by this Council and on date of signature approval by the Mayor.