

# Ordinance No. 788-2023 AS AMENDED

By Council Members McCormack, Hairston  
and Griffin (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Apartment 92-The Apollo, LLC, and/or its designee, located at 1250 Riverbed Street, for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Kaplan Shanman Building Mixed Use Development Project.

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WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to, Apartment 92-The Apollo, LLC, and/or its designee, for a nominal consideration of one dollar and other valuable consideration determined to be fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. The Real Property, located at 1250 Riverbed Street, Cleveland, Ohio, may subsequently be replatted, re-numbered, or revised: , and is more fully described as follows:

### Legal Description

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and known as being parts of Sub Lots Nos. 388, 389, 390, 391, 392, 393, 394 and an unnumbered lot lying next Northerly of Sub Lot No. 388 in Block P in the Buffalo Company's Allotment of part of Original Brooklyn township Lots Nos. 51 and 70, as sown by the recorded plat in Volume 3 of Maps, Page 51 of Cuyahoga County Records, and part of Riverbed Street, N.W., (formerly River Street), now vacated, and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Sycamore Street, N.W., 66 feet wide, at its intersection with the Southeasterly line of Superior Avenue, N.W., 80 feet wide, (Formerly The Viaduct); thence Easterly, along the Southerly line of Sycamore Street, N.W., about 47.54 feet to the present Northwesterly line of Riverbed Street, N.W., said line being also the Southeasterly line of the portion of Riverbed Street, N.W. vacated by Ordinance No. 644-48 of the City of Cleveland, passed April 26, 1948; thence Southwesterly, along the present Northwesterly line of Riverbed Street, N.W., to the Northeasterly corner of land conveyed to Allan Mencin by Deed dated December 29, 1972; recorded in Volume 13172, Page 417 of Cuyahoga County Records; thence Northwesterly, along the Northeasterly line of said land conveyed to Allan Mencin, 65.48 feet to the Southeasterly line of Superior Avenue, N.W., as aforesaid; thence Northeasterly, along said Southeasterly line of Superior Avenue, N.W. to the principal place of beginning, be the same more or less, but subject to all legal highways.

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Also known as being: 1250 Riverbed Street, Cleveland, OH 44113

Permanent Parcel No. 003-19-007''.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to cause Apartment 92-The Apollo, LLC, and/or its designee, to employ, and to pay all fees for, title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the property.

Section 3. That this Council finds the conveyances are in compliance with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section and the subject property is located in a blighted area of an impacted City as required by Section 5709.41 of the Revised Code.

Section 4. That the conveyances shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SMa:nl  
7-12-2023  
FOR: Interim Director Hamilton Brown

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**REPORT  
after second Reading**

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and referred to **READ FIRST TIME** **REPORTS**

by the council \_\_\_\_\_

\_\_\_\_\_  
**CITY CLERK**

by the council **READ SECOND TIME**

\_\_\_\_\_  
**CITY CLERK**

by the council **READ THIRD TIME**

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED**

\_\_\_\_\_  
**MAYOR**

Recorded Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Published in the City Record \_\_\_\_\_