

# Resolution No. 615-2023

By Council Members Spencer, Bishop and Hairston (by departmental request)

## AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of an unnamed alley south of Train Avenue, between West 56<sup>th</sup> Street and Cantor Avenue.

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of an unnamed alley south of Train Avenue, as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and known as being part of the J.M. Hoyt's Subdivision of S.W. Corner of Original Lot No. 48 as recorded in Plat Volume 3, Page 15 of the Cuyahoga County Records and being further bounded and described as follows:

Commencing at a drill hole in stone in a monument box found at the intersection of the southerly right-of-way line of Train Avenue SW (width varies) and the centerline of Cantor Avenue (width varies) as recorded in Plat Volume 127, Page 39 of the Cuyahoga County Records; thence South 61°19'21" West, along the southerly right-of-way line of said Train Ave., passing over a 5/8" iron pin (capped "Lewis Land Professionals") set at 20.00 feet, a distance of 220.17 feet to the northwesterly corner of Sublot 49 of said J.M. Hoyt's Subdivision, said point being the TRUE PLACE OF BEGINNING for the parcel of land herein described;

Thence South 28°29'14" East, along the westerly line of said Sublot 49, a distance of 82.11 feet to a point;

Thence South 01°22'02" East, continuing along the westerly line of said Sublot 49, a distance of 26.74 feet to a point;

Thence North 74°41'40" East, along the southerly line of said Sublot 49 and along the southerly line of Sublots 48 and 47 of said J.M. Hoyt's Subdivision, a distance of 136.09 feet to a 5/8" iron pin (capped "Lewis Land Professionals") set;

Thence South 28°37'39" East a distance of 14.39 feet to a 5/8" iron pin (capped "Lewis Land Professionals") set;

Thence South 74°41'40" West, along the northerly line Sublots 50 through 54 of said J.M. Hoyt's Subdivision, and along the northerly line of a vacated 12' Alley as vacated by Ordinance No. 557-72 in Plat Volume 210, P. 49 of the Cuyahoga County Records, a distance of 155.25 feet to a point;

Thence North 01°22'02" West, along the easterly line of said Sublots 57 and 58 of said J.M. Hoyt's Subdivision, a distance of 41.25 feet to a point;

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Thence North 28°29'14" West, continuing along the easterly line of said Sublot 58, and along the easterly line of Sublot 59 of said J.M. Hoyt's Subdivision, a distance of 79.18 feet to a point;

Thence North 61°19'21" East, along the southerly right-of-way line of said Train Ave., a distance of 12.00 feet to the PLACE OF BEGINNING and containing 0.0784 acres of land, more or less, as surveyed by Louis J. Giffels, Registered Surveyor No. 7790 in April 2023, for and on behalf of Lewis Land Professionals, Inc.

The Basis of Bearing for this description is Grid North of the Ohio State Plane Coordinate System, NAD83 (2011), North Zone as established by GPS Observation.

Legal Description approved by Eric Westfall, Section Chief,  
Plats, Surveys and House Numbering Section.

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

JD:ebw  
5-15-2023  
FOR: Director DeRosa

