

Ordinance No. 751-2020

By Council Members: B. Jones, Brancatelli and Kelley (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 CC Superior Holding, LLC, or its designee, located at East 21st Street and Superior Avenue 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.

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 Chapters 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, CC Superior Holding, LLC, 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 and more fully described as follows:

Legal Description

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, described as follows:

Parcel No. 1 (PPN 102-25-001):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot No.136 in O.H. Payne's Allotment of part of Original 10 Acre Lots Nos. 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Superior Avenue, N.E., and extending back 175.37 feet deep on the Easterly line and 175.50 feet deep on the Westerly line, which is also the Easterly line of East 21st Street (formally North Perry St.) and being 43.40 feet wide in the rear along the Northerly line of Hazard Ct. N.E. Together with that portion of Hazard Court, N.E., adjacent thereto as vacated by City of Cleveland Ordinance No. 1337-96, be the same, more or less, but subject to all legal highways.

Parcel Number: 102-25-001

Property Address: 2104 Superior Avenue, Cleveland, OH 44114

Parcel No. 2 (PPN 102-25-002):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot Nos. 137 and 138 in O.H. Payne's Allotment of part of Original 10 Acre Lots Nos. 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 100 feet on the Southerly side of Superior Avenue, N.E. and extending back of equal width 175 feet to an alley. Together with that portion of Hazard Court, N.E., adjacent thereto as vacated by City of Cleveland Ordinance No. 1337-96, be the same, more or less, but subject to all legal highways.

Parcel Number: 102-25-002

Property Address: 2110 Superior Avenue, Cleveland, OH 44114

Parcel No. 3 (PPN 102-25-003):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows: Being Sublots Numbered 139 and 140 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records.

Parcel Number: 102-25-003

Property Address: 2130 Superior Ave., Cleveland, OH 44114

Parcel No. 4 (PPN 102-25-004):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows: Sublot Numbers 141 and 142 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land, 92.25 feet front on the Southerly side of Superior Street (now known as Superior Avenue N.E.), 175.5 feet deep on the Easterly line along the Westerly side of Hazard Street (now known as East 22nd Street), 175.37 feet deep on the Westerly line and 98.85 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel Number: 102-25-004

Property Address: 2140-60 Superior Ave., Cleveland, OH 44114

Parcel No. 5 (PPN 102-25-016, PPN 102-25-017, PPN 102-25-018, PPN 102-25-032, and PPN 102-25-043):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as Block "A" in the Consolidation and Lot Split for The Chilcote Company as shown by the recorded plat in Volume 306, Page 9 of Cuyahoga County Records.

Parcel Number: 102-25-016

Property Address: 2163 Payne Ave., Cleveland, OH 44114

Parcel No. 6 (PPN 102-25-025):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows: And known as being Sublot No. 143 in O.H. Payne's Allotment of

part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and being 46 feet front on the Southwesterly side of East 22nd Street (formally Hazard Street), 150.11 feet deep on the Northwesterly line, 150 feet deep on the Southeasterly line and 51.65 feet in the rear, which is also the Northeasterly line of a 16 foot alley, now known as Hazard Court N.E.

Parcel Number: 102-25-025
Property Address: Cleveland, OH 44114

Parcel No. 7 (PPN 102-25-026):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot No.144 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 22nd Street and extending back of equal width 150 feet to the Easterly line of Hazard Court N.E.

Parcel Number: 102-25-026
Property Address: Cleveland, OH 44114

Parcel No. 8 (PPN 102-25-027):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot Nos. 145 and 146 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records and together forming a parcel of land having a frontage of 80 feet on the Southwesterly side of East 22nd Street (formally Hazard Street), and extending back of equal width 150 feet to the Northeasterly line of Hazard Court N.E.

Parcel Number: 102-25-027
Property Address: E. 22nd Street, Cleveland, OH 44114

Parcel No. 9 (PPN 102-25-028):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot No. 147 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 22nd Street and extending back of equal width 150 feet.

Parcel Number: 102-25-028
Property Address: E. 22nd Street, Cleveland, OH 44114

Parcel No. 10 (PPN 102-25-029, PPN 102-25-030):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot Nos. 148 and 149 in O.H. Payne's Allotment of part of Original 10 Acre Lots 106, 107 and 108 as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records.

Parcel Number: 102-25-029 & -030

Property Address: E. 22nd Street, Cleveland, OH 44114

Parcel No. 11 (PPN 102-25-031):

SITUATED in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Block "B" in the Consolidation and Lot Split for the Chilcote Company fka The Chilcote Realty Company, as shown by the recorded plat in Volume 306 of Maps, Page 9 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel Number: 102-25-031

Property Address: E. 22nd Street, Cleveland, OH 44114

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 employ and to cause CC Superior Holding, LLC, or its designee, 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 division (B)(1) of Section 5709.41 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 conveyance 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.

Referred to the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development, Planning and Sustainability; and Finance.