

Ordinance No. 1449-17

AN EMERGENCY ORDINANCE

Designating the Cleveland-Akron Bag Company Building (AKA Halle Brothers Warehouse) as a Cleveland Landmark.

Council Member Dow

WHEREAS, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Cleveland-Akron Bag Company Building (AKA Halle Brothers Warehouse) as a landmark; and

WHEREAS, a public hearing under division (b)(2) of Section 161.04 was held on November 13, 2013 to discuss the proposed designation of the Cleveland-Akron Bag Company Building (AKA Halle Brothers Warehouse) as a landmark; and

WHEREAS, the Commission has recommended designation of the Cleveland-Akron Bag Company Building (AKA Halle Brothers Warehouse) as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That the Cleveland-Akron Bag Company Building (AKA Halle Brothers Warehouse) whose street address in the City of Cleveland is 1858 East 40th Street, Cuyahoga County Auditor's Permanent Parcel Number is 102-40-010, and is also known as the following described property:

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original 10 Acre Lot No. 94 and bounded and described as follows: Beginning in the Westerly line of East 40th Street formerly Case Avenue, as said line was established by agreement between J.H. Wade and W.P. Payne, Mayor of the City of Cleveland and dated September 1, 1875, at a point which South 0 deg. 27' 20" East, 285.29 feet from the intersection of said Westerly line of East 40th Street with the Southerly line of Kelly Avenue NE, 60 feet wide; Thence continuing along said Westerly line of East 40th Street, South 0 deg. 27' 20" East, a distance of 103.09 feet to an angle point in said Westerly line of East 40th Street;

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Thence continuing along said Westerly line of East 40th Street, South 0 deg. 18' 10" West, a distance of 258.57 feet to the point of intersection of said Westerly line of East 40th Street with the Northerly line of Perkins Avenue NE, 70 feet wide.
Thence North 89 deg. 59' 40" West along said Northerly line of Perkins Avenue, 130.00 feet to a point;
Thence North 0 deg. 0' 50" West, 125.09 feet to a point;
Thence North 89 deg. 57' 50" East, 2.14 feet to a stone monument;
Thence North 0 deg. 23' 13" West, 236.89 feet to a point which bears South 0 deg. 25' 13" East. 285.34 feet from the Northeasterly corner of a parcel of land conveyed by J.H. and Ellen G. Wade, to the City of Cleveland by Deed recorded in Volume 1176, Page 300;
Thence South 89 deg. 58' 50" East, 130.18 feet to the place of beginning, according to the survey made by The C.W. Courtney Engineering Company, dated April 2, 1937, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original 10 Acre Lot No. 94 and further bounded and described as follows:

Beginning in the Northerly line of Perkins Avenue NE at the Southeasterly corner of a parcel of land conveyed by The Wade Reality Company to The Cleveland Veterinary Hospital Company, by deed dated July 15, 1914, and recorded in Volume 1545 of Deeds, Page 570 of Cuyahoga County Records;
Thence Westerly along said Northerly line of Perkins Avenue NE, 80 feet;
Thence Northerly parallel with said Westerly line of East 40th Street, about 125 feet to the Southerly line of land conveyed by J.H. Wade to the City of Cleveland, by deed dated December 31, 1908 and recorded in Volume 1176, Page 300 of Cuyahoga County Records;
Thence Easterly along said Southerly line of land so conveyed to the City of Cleveland, about 78.86 feet to a point which is distant 2.14 feet Westerly measured along said Southerly line of land so conveyed to the City of Cleveland from the Southeasterly corner thereof;
Thence Southerly in a direct line, about 125 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section

which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 2. 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.

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READ FIRST TIME on DECEMBER 4, 2017

and referred to DIRECTORS of City Planning Commission, Law;
COMMITTEE on Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. _____ Page _____

Published in the City Record _____

**REPORT
after second Reading**

**PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE
