

# Ordinance No. 935-17

**Council Members McCormack, Brancatelli and Kelley (by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid 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.

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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 Commissioner of Purchases and Supplies is authorized to acquire from and re-convey to, CAC Project 2014 Limited Liability Company, or its designee, for a price 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:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being known as part of Original Two Acre Lot Nos. 156 and 157, bounded and described as follows:

Beginning on the Southerly line of Euclid Avenue, 99 feet wide, at a point distant 114.21 feet Easterly, measured along the Southerly line of Euclid Avenue, from its intersection with the Southwesterly line of said Original Lot No 156, said place of beginning being also the intersection of the Southerly line of Euclid Avenue with the Westerly face of the westerly wall of the Cleveland Athletic Building, situated on the premises herein described:

Thence Easterly along the Southerly line of Euclid Avenue, 150.07 feet to the Westerly line of East 12th Place, 16-1/2 feet wide;

Thence Southerly along the westerly line of East 12th Place, 99.55 feet to the Northwesterly line of Barn Court S.E., 16-1/2 feet wide;

Thence Southwesterly along the Northwesterly line of Barn Court S.E., 153.07 feet to its intersection with the Westerly face of the Westerly wall of the Cleveland Athletic Club Building, as aforesaid, said intersection being also distant 55.48 feet Northeasterly, measured along the Northwesterly line of Barn Court S.E. from its intersection with the Southwesterly line of said Original Lot No. 156;

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Thence Northeasterly along the Westerly face of the Westerly wall of the Cleveland Athletic Club Building, 130.10 feet to the place of beginning, according to a survey dated November, 1977 made by Edward C. O'Rourke & Associates Land Surveyors.

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 properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

Section 3. That this Council finds that the conveyances constitute a public purpose.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor 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.

RB:SM:nl  
8-16-17

FOR: Interim Director Ebersole

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**REPORT  
after second Reading**

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**READ FIRST TIME on AUGUST 16, 2017**

**REPORTS**

and referred to **DIRECTORS** of Economic Development,  
City Planning Commission, Finance, Law;  
**COMMITTEES** on Development Planning and Sustainability, Finance

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**CITY CLERK**

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**READ SECOND TIME**

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**CITY CLERK**

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**READ THIRD TIME**

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**PRESIDENT**

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**CITY CLERK**

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**APPROVED**

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**MAYOR**

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

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE**

FILED WITH COMMITTEE

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