

Resolution No. 931-17

AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of Grand Avenue S.E., East 64th Place and East 65th Street.

Council Members Cleveland, K. Johnson and Brancatelli (by departmental request)

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of Grand Avenue S.E., East 64th Place and East 65th Street, as described; and

WHEREAS, this resolution 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:

Vacation of a Portion of East 64th Place (30 feet wide)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original 100 Acre Lot No. 328.

Commencing at the intersection of the northeasterly right of way of Kinsman Road (width varies) and the northwesterly right of way of Grand Avenue;

Thence, along the northwesterly right of way of Grand Avenue, North 35° 10' 58" East, 72.77 feet to the westerly right of way of East 64th Place and the **True Point of Beginning** for the Vacation herein described;

Thence, along the westerly right of way of East 64th Place, North 35° 10' 58" East, 252.18 feet;

Thence, continuing along the westerly right of way of East 64th Place, North 00° 25' 27" West, 235.76 feet to the northerly line of Felix Nicola and W.E. Judson's Re-subdivision of a part of Original 100 Acre Lot No. 328 as recorded in Volume 13, Page 9 of the Cuyahoga County Map Records;

Thence, leaving the westerly right of way of East 64th Place, along the northerly line of Felix Nicola and W.E. Judson's Re-subdivision, North 89° 30' 13" East, 30.00 feet to the easterly right of way of East 64th Place;

Thence, leaving the northerly line of Felix Nicola and W.E. Judson's Re-subdivision, along the easterly right of way of East 64th Place, South 00° 25' 27" East, 245.44 feet;

Thence, continuing along the easterly right of way of East 64th Place, South 35° 10' 58" West, 239.61 feet to the northerly right of way of Grand Avenue;

Thence, leaving the easterly right of way of East 64th Place, along the westerly extension of the northerly right of way of Grand Avenue, South 88° 40' 22" West, 37.32 feet to the point of beginning.

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Containing within said bounds 0.3351 acre of land (14,595 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in September 2015. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

Vacation of a Portion of East 65th Street (30 feet wide)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original 100 Acre Lot No. 329.

Beginning at the intersection of the northerly right of way of Grand Avenue (60 feet wide) and the westerly right of way of East 65th Street;

Thence, along the westerly right of way of East 65th Street, North 18° 15' 42" West, 436.88 feet to the southerly right of way of Bushnell Avenue (width varies);

Thence, leaving the westerly right of way of East 65th Street, along the southerly right of way of Bushnell Avenue, North 88° 20' 08" East, 31.30 feet to the easterly right of way of East 65th Street;

Thence, leaving the southerly right of way of Bushnell Avenue, along the easterly right of way of East 65th Street, South 18° 15' 42" East, 432.34 feet to the northerly right of way of Grand Avenue;

Thence, leaving the easterly right of way of East 65th Street, along the northerly right of way of Grand Avenue, South 69° 49' 02" West, 13.99 feet;

Thence, continuing along the northerly right of way of Grand Avenue, South 88° 40' 22" West, 16.75 feet to the point of beginning;

Containing within said bounds 0.3002 acre of land (13,076 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in September 2015. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

Vacation of a Portion of Grand Avenue (60 feet wide)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original 100 Acre Lot Nos. 328 and 329.

Beginning at the intersection of the northeasterly right of way of Kinsman Road (width varies) and the northwesterly right of way of Grand Avenue;

Thence, along the northwesterly right of way of Grand Avenue, North 35° 10' 58" East, 72.77 feet to a point in the westerly extension of the northerly right of way of Grand Avenue;

Thence, along said westerly extension and the northerly right of way of Grand Avenue, North 88° 40' 22" East, 587.18 feet;

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Thence, continuing along the northerly right of way of Grand Avenue, North 69° 49' 02" East, 203.75 feet to the westerly line of land conveyed to Norfolk Southern Railway (Norfolk and Western Railway) as recorded in Deed Volume 11345, Page 267 of the Cuyahoga County Records;

Thence, along Norfolk Southern's westerly line, South 00° 46' 50" East, 63.61 feet to the southerly right of way of Grand Avenue;

Thence, along the southerly right of way of Grand Avenue, South 69° 49' 02" West, 192.58 feet;

Thence, continuing along the southerly right of way of Grand Avenue, South 88° 40' 22" West, 566.90 feet to the southeasterly right of way of Grand Avenue;

Thence, along the southeasterly right of way of Grand Avenue, South 35° 10' 58" West, 42.62 feet to the northeasterly right of way of Kinsman Road;

Thence, along the northeasterly right of way of Kinsman Road, North 54° 44' 02" West, 60.00 feet to the point of beginning.

Containing within said bounds 1.1473 acres of land (49,974 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in September 2015. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

Legal Description approved by Greg Esber, 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.

MS:gje
8-16-17

FOR: Director Spronz

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REPORT
after second Reading

**Council Members Cleveland, K. Johnson and Brancatelli
(by departmental request)**

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READ FIRST TIME on AUGUST 16, 2017
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
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 _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

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

FILED WITH COMMITTEE

