

Ordinance No. 7-2021**By Council Member:** McCormack**An emergency ordinance designating the Consolidated Fruit Auction Company Building as a Cleveland Landmark.**

WHEREAS, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission") has proposed to designate the Consolidated Fruit Auction Company Building as a landmark; and

WHEREAS, the owner of the Consolidated Fruit Auction Company Building has been properly notified and has consented in writing to the proposed designation; and

WHEREAS, the Commission has recommended designation of the Consolidated Fruit Auction Company Building 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 Consolidated Fruit Auction Company Building, whose street address in the City of Cleveland is 601 Stone's Levee S.W. (AKA 601 Stones Levee S.W.), Cuyahoga County Auditor's Permanent Parcel Number is 122-20-014, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a portion of Sublot Nos. 433 through 459 as shown in S.S. Stone's Survey of Central Tract and recorded in Volume 2 of Maps, Page 31 of the Cuyahoga County Map Records, together with a portion of West 6th Street (formerly Toronto Street), 50 feet wide, vacated per City Ordinance No. 23912-A, all being part of Original Cleveland Township 100 Acre Lot No. 487 and Two Acres Lot Nos. 218, 219 and 220, being more fully bounded and described as follows:

Beginning at a Stone found at the centerline intersection of West 3rd Street (formerly Central Way), 70 feet wide, and Stone's Levee, 70 feet wide, thence South 46°37'46" West along the centerline of said Stone's Levee, a distance of 295.71 feet to an angle point, thence continuing along said centerline South 41°18'58" West, a distance of 211.80 feet to a found stone in a monument box assembly, being river stone #116, at an angle point; thence South 54°51'00" East, a distance of 35.20 feet to an angle point in the southerly right of way of said Stone's Levee, being referenced by a found 5/8" rebar with cap "Hoy 7119", thence South 28°58'55" West along said Southerly right of way, a

distance of 55.79 feet to a set 5/8" x 30" rebar with cap "Langan", said point also being the Principal Place of Beginning for the parcel of land herein described;

Course No. 1, thence South 34°32'28" East along a Southwesterly line of said vacated West 6th Street, a distance of 390.91 feet to a set 5/8" X 30" rebar with cap "Langan" set at an angle point thereon;

Course No. 2, thence North 55°25'56" East along a new division line, a distance of 31.15 feet to a set 5/8" x 30" rebar with cap "Langan" at a Westerly corner of Cuyahoga County parcel 122-20-012 now or formerly owned by Allied Corporation Inc. as recorded in AFN 201405080352 of the Cuyahoga County records;

Course No. 3, thence South 34°34'04" East along a Southwesterly line of said Allied land, a distance of 126.34 feet to a set 5/8" x 30" rebar with cap "Langan" at an angle point thereon;

Course No. 4, thence South 55°25'56" West along a Northwesterly line of said Allied land, a distance of 107.46 feet to a point of cusp along a Northeasterly line of Cuyahoga County parcel 122-20-011 now or formerly owned by Mid-Continent Coal and Coke Company as recorded in Volume 14802, Page 291 of the Cuyahoga County records, being referenced by a set 5/8" x 30" rebar with cap "Langan";

Course No. 5, thence along a Northeasterly line of said Mid-Continent land and along the arc of a curve deflecting to the right, a distance of 9.09 feet to a set 5/8" x 30" rebar with cap "Langan", said curve having a radius of 3809.83 feet, a delta of 0°08'12", and a chord distance of 9.09 feet bearing North 34°36'43" West;

Course No. 6, thence North 34°32'36" West along a Northeasterly line of said Mid-Continent land, a distance of 470.20 feet to the Southeasterly right of way of said Stone's Levee, said point being referenced by a P.K. nail found 0.24 feet East and 0.08 feet South thereof;

Course No. 7, thence North 28°58'55" East along the Southeasterly right of way of said Stone's Levee, a distance of 85.22 feet to a point, said point also being the Principal Place of Beginning, said parcel containing 0.9629 acres, 41,944 square feet of land according to a survey by Anthony L. Maione, P.S., registered surveyor No. 8544, of Langan Engineering and Environmental Services dated October 2016 and being the same more or less and being subject to all legal highways and easements.

The above described premises further known as Parcel "B" in Lot Split & Consolidation Plat made for Flats South Cleveland LLC as shown by the recorded plat filed August 27, 2020 in/as Instrument No. 202008270095 of Cuyahoga County Records.

Legal Description approved by Eric Westfall, Acting 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.

**Referred to the Directors of City Planning Commission; and Law;
Committee on Development, Planning and Sustainability.**