

Ordinance No. 721-2025

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights at several City-owned properties located near Horseshoe Lake Park in the cities of Cleveland Heights and Shaker Heights and declaring the easement rights not needed for the City's public use.

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORSD") is constructing its Doan Brook Restoration Project as part of NEORSD's "Regional Stormwater Management Program" with a goal to restore the Doan Brook waterway located in Horseshoe Lake Park within the Cities of Cleveland Heights and Shaker Heights to a more natural ~~states~~ state and remove the non-compliant Horseshoe Lake dam; and

WHEREAS, NEORSD's Doan Brook Restoration Project through NEORSD's Regional Stormwater Management Program has determined that Horseshoe Lake and Horseshoe Lake dam ("Project Area") do not provide sufficient flood control benefits. Removal of the non-compliant Horseshoe Lake dam and realignment of the North Branch and the Middle Branch of Doan Brook waterway in the Project Area to match its historic alignment will provide improved conveyance of stormwater while re-establishing flood plains and wetlands within the Project Area; and

WHEREAS, the Doan Brook Restoration Project will also include greater pedestrian and multimodal transportation throughout the 60 acre Horseshoe Lake Park; and

WHEREAS, the City is the owner of certain parcels of land within the Cities of Cleveland Heights and Shaker Heights that make up the Horseshoe Lake Park, including the Horseshoe Lake dam. The City leased the various parcels to the Cities of Cleveland Heights and Shaker Heights pursuant to a long-term lease; and

WHEREAS, the Horseshoe Lake dam was not maintained and has been identified by the Ohio Department of Natural Resources as a non-compliant Class I High Hazard which is a direct threat to public safety in the event that the dam should fail;

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WHEREAS, NEORSD is seeking the donation of permanent and temporary easement rights from the City in order to have access to the Project Area for the construction, renovation and maintenance in furtherance of the Doan Brook Restoration Project;

WHEREAS, NEORSD is pursuing funding through the Ohio Environmental Protection Agency (OEPA) Water Resource Restoration Sponsorship Program (WRRSP), which funds dam removals, and is seeking to place an OEPA approved environmental covenant over the restoration project area for the purpose of restoring, maintaining, and protecting, in perpetuity, the conservation values of Doan Brook.

WHEREAS, NEORSD has requested the City through its Director of Finance to convey certain permanent easement rights and temporary easement rights in property located within various City owned properties and known as Permanent Parcel Nos. 687-31-001 and 732-01-001; and

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, it is found and determined that easement interests in the following described properties are not needed for the City’s public use:

Permanent Stormwater Easement_687-31-001-P1
Parcel 687-31-001
12.8687 Acres
Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Nos. 23 and 24. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4” pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

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Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, South 00° 45' 04" East, 66.60 feet to the corporation line of the City of Cleveland Heights;

Thence, along the corporation line of the City of Cleveland Heights, South 82° 13' 42" East, 112.03 feet to the **True Point of Beginning** for the easement herein described;

Thence, leaving the corporation line of the City of Cleveland Heights, North 67° 35' 28" East, 364.18 feet;

Thence, South 89° 02' 36" East, 262.88 feet;

Thence, South 77° 05' 32" East, 239.92 feet;

Thence, South 77° 20' 50" East, 576.78 feet;

Thence, North 87° 50' 53" East, 886.17 feet;

Thence, South 57° 53' 16" East, 228.37 feet;

Thence, South 87° 18' 20" East, 165.19 feet;

Thence, North 89° 44' 53" East, 245.08 feet;

Thence, along the arc of a curve which deflects to the right, 37.13 feet, said curve having a radius of 160.80 feet, a central angle of 13° 13' 54", and a chord of 37.05 feet which bears South 42° 31' 44" East;

Thence, along the arc of a curve which deflects to the right, 46.55 feet, said curve having a radius of 75.38 feet, a central angle of 35° 23' 07", and a chord of 45.82 feet which bears South 16° 18' 23" East;

Thence, along the arc of a curve which deflects to the right, 74.71 feet, said curve having a radius of 291.92 feet, a central angle of 14° 39' 51", and a chord of 74.51 feet which bears South 08° 55' 25" West;

Thence, South 63° 39' 27" West, 105.63 feet;

Thence, South 80° 29' 36" West, 174.77 feet to the corporation line of the City of Cleveland Heights;

Thence, along the corporation line of the City of Cleveland Heights, North 82° 13' 42" West, 2669.06 feet to the point of beginning.

Containing within said bounds 12.8687 acres (560,560 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Access Easement_687-31-001-P2
Parcel 687-31-001
0.6086 Acres

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

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Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, along the arc of a curve which deflects to the right, 67.79 feet to the southerly right of way of N. Park Boulevard (50 feet wide), said curve having a radius of 40.00 feet, a central angle of 97° 06' 26", and a chord of 59.97 feet which bears North 47° 48' 09" East;

Thence, along the southerly right of way of N. Park Boulevard, along the arc of a curve which deflects to the left, 293.35 feet, said curve having a radius of 779.86 feet, a central angle of 21° 33' 08", and a chord of 291.62 feet which bears North 85° 34' 48" East;

Thence, continuing along the southerly right of way of N. Park Boulevard, North 74° 48' 14" East, 165.00 feet to the **True Point of Beginning** for the easement herein described;

Thence, continuing along the southerly right of way of N. Park Boulevard, along the arc of a curve which deflects to the right, 170.71 feet, said curve having a radius of 875.18 feet, a central angle of 11° 10' 33", and a chord of 170.44 feet which bears North 80° 23' 30" East;

Thence, leaving the southerly right of way of N. Park Boulevard, South 73° 42' 24" East, 81.55 feet;

Thence, South 66° 47' 05" East, 73.71 feet;

Thence, along the arc of a curve which deflects to the right, 161.12 feet, said curve having a radius of 435.03 feet, a central angle of 21° 13' 13", and a chord of 160.20 feet which bears South 58° 37' 27" East;

Thence, North 77° 05' 32" West, 239.92 feet;

Thence, North 89° 02' 36" West, 262.88 feet;

Thence, North 43° 09' 25" East, 67.05 feet to the point of beginning.

Containing within said bounds 0.6086 acres (26,510 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Stormwater Easement_732-01-001-P1
Parcel 732-01-001
0.5791 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 22. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 858.25 feet;

Thence, leaving the centerline of Lee Road, South 89° 14' 56" West, 30.00 feet to the westerly right of way of Lee Road and the True Point of Beginning for the easement herein described;

Thence, along the westerly right of way of Lee Road, South 00° 45' 04" East, 125.90 feet;

Thence, leaving the westerly right of way of Lee Road, North 83° 16' 47" West, 202.79 feet;

Thence, North 00° 07' 03" West, 125.72 feet;

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Thence, South 83° 16' 47" East, 201.39 feet to the point of beginning.

Containing within said bounds 0.5791 acres (25,226 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Stormwater Easement_732-01-001-P2
Parcel 732-01-001
20.2281 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Nos. 23 and 24. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, South 00° 45' 04" East, 127.19 feet to the **True Point of Beginning** for the easement herein described;

Thence, leaving the easterly right of way of Lee Road, North 67° 35' 28" East, 119.20 feet to the corporation line of the City of Shaker Heights;

Thence, along the corporation line of the City of Shaker Heights, South 82° 13' 42" East, 2669.06 feet;

Thence, leaving the corporation line of the City of Shaker Heights, South 80° 29' 36" West, 365.66 feet;

Thence, North 74° 29' 31" West, 635.60 feet;

Thence, South 65° 22' 44" West, 266.08 feet;

Thence, South 49° 41' 36" East, 600.80 feet;

Thence, North 83° 34' 22" East, 677.22 feet;

Thence, along the arc of a curve which deflects to the right, 178.56 feet, said curve having a radius of 546.87 feet, a central angle of 18° 42' 29", and a chord of 177.77 feet which bears South 10° 14' 06" East;

Thence, along the arc of a curve which deflects to the right, 45.12 feet, said curve having a radius of 353.15 feet, a central angle of 7° 19' 13", and a chord of 45.09 feet which bears South 15° 53' 10" West;

Thence, along the arc of a curve which deflects to the right, 138.24 feet, said curve having a radius of 616.86 feet, a central angle of 12° 50' 25", and a chord of 137.95 feet which bears South 30° 23' 42" West;

Thence, South 82° 22' 37" West, 379.17 feet;

Thence, North 78° 33' 09" West, 165.61 feet;

Thence, North 79° 59' 58" West, 269.47 feet;

Thence, North 61° 30' 53" West, 315.03 feet;

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Thence, North 34° 21' 19" West, 216.92 feet;

Thence, North 60° 21' 50" West, 256.30 feet;

Thence, North 13° 33' 12" West, 147.29 feet;

Thence, North 21° 20' 40" East, 155.77 feet;

Thence, North 77° 08' 47" West, 186.67 feet;

Thence, South 59° 58' 08" West, 136.67 feet;

Thence, North 87° 10' 56" West, 464.92 feet;

Thence, South 65° 18' 51" West, 201.92 feet;

Thence, North 84° 28' 15" West, 266.66 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, North 00° 45' 04" West, 255.89 feet to the point of beginning.

Containing within said bounds 20.2281 acres (881,137 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Access Easement_732-01-001-P3
Parcel 732-01-001
0.7948 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Nos. 23 and 24. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 1152.33 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the intersection of the easterly right of way of Lee Road and the northerly right of way of S. Park Boulevard (60 feet wide);

Thence, along the northerly right of way of S. Park Boulevard the following seven courses;

Along the arc of a curve which deflects to the left, 123.96 feet, said curve having a radius of 100.00 feet, a central angle of 71° 01' 18", and a chord of 116.17 feet which bears South 36° 15' 43" East;

Thence, along the arc of a curve which deflects to the left, 303.91 feet, said curve having a radius of 1036.87 feet, a central angle of 16° 47' 37", and a chord of 302.82 feet which bears South 80° 10' 10" East;

Thence, South 88° 33' 58" East, 278.65 feet;

Thence, along the arc of a curve which deflects to the right, 511.82 feet, said curve having a radius of 683.83 feet, a central angle of 42° 53' 00", and a chord of 499.95 feet which bears South 67° 07' 28" East;

Thence, South 45° 40' 58" East, 136.02 feet;

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Thence, along the arc of a curve which deflects to the left, 644.19 feet, said curve having a radius of 1452.80 feet, a central angle of 25° 24' 20", and a chord of 638.92 feet which bears South 58° 23' 08" East;

Thence, along the arc of a curve which deflects to the left, 303.39 feet to the **True Point of Beginning** for the easement herein described, said curve having a radius of 1004.20 feet, a central angle of 17° 18' 37", and a chord of 302.24 feet which bears South 79° 44' 36" East;

Thence, leaving the northerly right of way of S. Park Boulevard, North 33° 55' 36" East, 34.35 feet;

Thence, North 11° 12' 16" East, 74.89 feet;'

Thence, South 78° 33' 09" East, 165.61 feet;

Thence, North 82° 22' 37" East, 379.17 feet;

Thence, along the arc of a curve which deflects to the right, 108.40 feet to the northerly right of way of S. Park Boulevard, said curve having a radius of 246.57 feet, a central angle of 25° 11' 23", and a chord of 107.53 feet which bears South 46° 59' 33" West;

Thence, along the northerly right of way of S. Park Boulevard the following three courses;

Along the arc of a curve which deflects to the right, 129.94 feet, said curve having a radius of 2316.05 feet, a central angle of 3° 12' 52", and a chord of 129.92 feet which bears South 84° 31' 02" West;

Thence, South 82° 54' 36" West, 213.52 feet;

Thence, along the arc of a curve which deflects to the right, 152.33 feet to the point of beginning, said curve having a radius of 1004.20 feet, a central angle of 8° 41' 29", and a chord of 152.18 feet which bears South 87° 15' 21" West.

Containing within said bounds 0.7948 acres (34,621 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City’s public use:

Temporary Easement_687-31-001-T1
Parcel 687-31-001
0.8233 Acres

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4” pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

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Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road and being the **True Point of Beginning** for the easement herein described;

Thence, along the easterly right of way of Lee Road, along the arc of a curve which deflects to the right, 67.79 feet to the southerly right of way of N. Park Boulevard (50 feet wide), said curve having a radius of 40.00 feet, a central angle of 97° 06' 26", and a chord of 59.97 feet which bears North 47° 48' 09" East;

Thence, along the southerly right of way of N. Park Boulevard, along the arc of a curve which deflects to the left, 293.35 feet, said curve having a radius of 779.86 feet, a central angle of 21° 33' 08", and a chord of 291.62 feet which bears North 85° 34' 48" East;

Thence, continuing along the southerly right of way of N. Park Boulevard, North 74° 48' 14" East, 165.00 feet;

Thence, leaving the southerly right of way of N. Park Boulevard, South 43° 09' 25" West, 67.05 feet;

Thence, South 67° 35' 28" West, 364.18 feet to the corporation line of the City of Cleveland Heights;

Thence, along the corporation line of the City of Cleveland Heights, North 82° 13' 42" West, 112.03 feet to the easterly right of way of Lee Road;

Thence, leaving the corporation line of the City of Cleveland Heights, along the easterly right of way of Lee Road, North 00° 45' 04" West, 66.60 feet to the point of beginning.

Containing within said bounds 0.8233 acres (35,863 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_687-31-001-T2
Parcel 687-31-001
4.0390 Acres

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Nos. 23 and 24. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, along the arc of a curve which deflects to the right, 67.79 feet to the southerly right of way of N. Park Boulevard (width varies), said curve having a radius of 40.00 feet, a central angle of 97° 06' 26", and a chord of 59.97 feet which bears North 47° 48' 09" East;

Thence, along the southerly right of way of N. Park Boulevard the following three courses;

Along the arc of a curve which deflects to the left, 293.35 feet, said curve having a radius of 779.86 feet, a central angle of 21° 33' 08", and a chord of 291.62 feet which bears North 85° 34' 48" East;

Thence, North 74° 48' 14" East, 165.00 feet;

Thence, along the arc of a curve which deflects to the right, 170.71 feet to the **True Point of Beginning** for the easement herein described, said curve having a radius of 875.18 feet, a central angle of 11° 10' 33", and a chord of 170.44 feet which bears North 80° 23' 30" East;

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Thence, continuing along the southerly right of way of N. Park Boulevard the following nine courses;

Along the arc of a curve which deflects to the right, 305.31 feet, said curve having a radius of 875.18 feet, a central angle of 19° 59' 17", and a chord of 303.77 feet which bears South 84° 01' 35" East;

Thence, South 74° 01' 56" East, 362.80 feet;

Thence, along the arc of a curve which deflects to the left, 537.93 feet, said curve having a radius of 1111.12 feet, a central angle of 27° 44' 20", and a chord of 532.69 feet which bears South 87° 54' 06" East;

Thence, North 78° 13' 44" East, 206.46 feet;

Thence, along the arc of a curve which deflects to the right, 137.64 feet, said curve having a radius of 2262.28 feet, a central angle of 3° 29' 10", and a chord of 137.62 feet which bears North 79° 58' 19" East;

Thence, along the arc of a curve which deflects to the right, 228.47 feet, said curve having a radius of 226.00 feet, a central angle of 57° 55' 18", and a chord of 218.86 feet which bears South 69° 19' 27" East;

Thence, along the arc of a curve which deflects to the right, 24.28 feet, said curve having a radius of 363.66 feet, a central angle of 3° 49' 34", and a chord of 24.28 feet which bears South 38° 27' 01" East;

Thence, along the arc of a curve which deflects to the left, 369.97 feet, said curve having a radius of 410.00 feet, a central angle of 51° 42' 07", and a chord of 357.55 feet which bears South 62° 23' 18" East;

Thence, along the arc of a curve which deflects to the left, 260.57 feet, said curve having a radius of 3360.00 feet, a central angle of 4° 26' 36", and a chord of 260.50 feet which bears North 89° 32' 20" East;

Thence, leaving the southerly right of way of N. Park Boulevard, along the arc of a curve which deflects to the right, 20.31 feet, said curve having a radius of 139.87 feet, a central angle of 8° 19' 14", and a chord of 20.29 feet which bears South 54° 37' 57" East;

Thence, South 89° 44' 53" West, 245.08 feet;

Thence, North 87° 18' 20" West, 165.19 feet;

Thence, North 57° 53' 16" West, 228.37 feet;

Thence, South 87° 50' 53" West, 886.17 feet;

Thence, North 77° 20' 50" West, 576.78 feet;

Thence, along the arc of a curve which deflects to the right, 161.12 feet, said curve having a radius of 435.03 feet, a central angle of 21° 13' 13", and a chord of 160.20 feet which bears North 58° 37' 27" West;

Thence, North 66° 47' 05" West, 73.71 feet;

Thence, North 73° 42' 24" West, 81.55 feet to the point of beginning.

Containing within said bounds 4.0390 acres (175,939 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_687-31-001-T3
Parcel 687-31-001
0.2698 Acres

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 24. Also being part of the land conveyed to City of

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AS AMENDED

Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, along the arc of a curve which deflects to the right, 67.79 feet to the southerly right of way of N. Park Boulevard (width varies), said curve having a radius of 40.00 feet, a central angle of 97° 06' 26", and a chord of 59.97 feet which bears North 47° 48' 09" East;

Thence, along the southerly right of way of N. Park Boulevard the following three courses;

Along the arc of a curve which deflects to the left, 293.35 feet, said curve having a radius of 779.86 feet, a central angle of 21° 33' 08", and a chord of 291.62 feet which bears North 85° 34' 48" East;

Thence, North 74° 48' 14" East, 165.00 feet;

Thence, along the arc of a curve which deflects to the right, 170.71 feet, said curve having a radius of 875.18 feet, a central angle of 11° 10' 33", and a chord of 170.44 feet which bears North 80° 23' 30" East;

Thence, continuing along the southerly right of way of N. Park Boulevard the following nine courses;

Along the arc of a curve which deflects to the right, 305.31 feet, said curve having a radius of 875.18 feet, a central angle of 19° 59' 17", and a chord of 303.77 feet which bears South 84° 01' 35" East;

Thence, South 74° 01' 56" East, 362.80 feet;

Thence, along the arc of a curve which deflects to the left, 537.93 feet, said curve having a radius of 1111.12 feet, a central angle of 27° 44' 20", and a chord of 532.69 feet which bears South 87° 54' 06" East;

Thence, North 78° 13' 44" East, 206.46 feet;

Thence, along the arc of a curve which deflects to the right, 137.64 feet, said curve having a radius of 2262.28 feet, a central angle of 3° 29' 10", and a chord of 137.62 feet which bears North 79° 58' 19" East;

Thence, along the arc of a curve which deflects to the right, 228.47 feet, said curve having a radius of 226.00 feet, a central angle of 57° 55' 18", and a chord of 218.86 feet which bears South 69° 19' 27" East;

Thence, along the arc of a curve which deflects to the right, 24.28 feet, said curve having a radius of 363.66 feet, a central angle of 3° 49' 34", and a chord of 24.28 feet which bears South 38° 27' 01" East;

Thence, along the arc of a curve which deflects to the left, 369.97 feet, said curve having a radius of 410.00 feet, a central angle of 51° 42' 07", and a chord of 357.55 feet which bears South 62° 23' 18" East;

Thence, along the arc of a curve which deflects to the left, 260.57 feet, said curve having a radius of 3360.00 feet, a central angle of 4° 26' 36", and a chord of 260.50 feet which bears North 89° 32' 20" East;

Thence, leaving the southerly right of way of N. Park Boulevard, along the arc of a curve which deflects to the right, 20.31 feet, said curve having a radius of 139.87 feet, a central angle of 8° 19' 14", and a chord of 20.29 feet which bears South 54° 37' 57" East;

Thence, along the arc of a curve which deflects to the right, 37.13 feet, said curve having a radius of 160.80 feet, a central angle of 13° 13' 54", and a chord of 37.05 feet which bears South 42° 31' 44" East;

Thence, along the arc of a curve which deflects to the right, 46.55 feet, said curve having a radius of 75.38 feet, a central angle of 35° 23' 07", and a chord of 45.82 feet which bears South 16° 18' 23" East;

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AS AMENDED

Thence, along the arc of a curve which deflects to the right, 74.71 feet to the **True Point of Beginning** for the easement herein described, said curve having a radius of 291.92 feet, a central angle of 14° 39' 51", and a chord of 74.51 feet which bears South 08° 55' 25" West;

Thence, North 63° 39' 27" East, 35.40 feet;

Thence, along the arc of a curve which deflects to the right, 120.15 feet, said curve having a radius of 153.32 feet, a central angle of 44° 53' 54", and a chord of 117.10 feet which bears South 32° 41' 20" West;

Thence, along the arc of a curve which deflects to the right, 38.47 feet to the corporation line of the City of Cleveland Heights, said curve having a radius of 140.04 feet, a central angle of 15° 44' 19", and a chord of 38.35 feet which bears South 57° 27' 34" West;

Thence, along the corporation line of the City of Cleveland Heights, North 82° 13' 42" West, 205.07 feet;

Thence, leaving the corporation line of the City of Cleveland Heights, North 80° 29' 36" East, 174.77 feet;

Thence, North 63° 39' 27" East, 105.63 feet to the point of beginning

Containing within said bounds 0.2698 acres (11,752 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_732-01-001-T1
Parcel 732-01-001
0.7694 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 22. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 858.25 feet;

Thence, leaving the centerline of Lee Road, South 89° 14' 56" West, 30.00 feet to the westerly right of way of Lee Road

Thence, along the westerly right of way of Lee Road, South 00° 45' 04" East, 125.90 feet to the **True Point of Beginning** for the easement herein described;

Thence, continuing along the westerly right of way of Lee Road the following two courses;

South 00° 45' 04" East, 150.55 feet;

Thence, along the arc of a curve which deflects to the right, 85.70 feet to the northerly right of way of S. Park Boulevard (50 feet wide), said curve having a radius of 40.00 feet, a central angle of 122° 45' 20", and a chord of 70.22 feet which bears South 60° 37' 36" West;

Thence, along the northerly right of way of S. Park Boulevard, North 57° 59' 44" West, 167.37 feet;

Thence, leaving the northerly right of way of S. Park Boulevard, North 00° 07' 03" West, 120.00 feet;

Thence, South 83° 16' 47" East, 202.79 feet to the point of beginning.

Ordinance No. 721-2025

AS AMENDED

Containing within said bounds 0.7694 acres (33,516 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_732-01-001-T2
Parcel 732-01-001
0.0771 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road

Thence, along the easterly right of way of Lee Road, South 00° 45' 04" East, 66.60 feet to the corporation line of the City of Shaker Heights and being the **True Point of Beginning** for the easement herein described;

Thence, leaving the easterly right of way of Lee Road, along the corporation line of the City of Shaker Heights, South 82° 13' 42" East, 112.03 feet;

Thence, leaving the corporation line of the City of Shaker Heights, South 67° 35' 28" West, 119.20 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, North 00° 45' 04" West, 60.60 feet to the point of beginning.

Containing within said bounds 0.0771 acres (3,357 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_732-01-001-T3
Parcel 732-01-001
9.2491 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 1152.33 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road and being the **True Point of Beginning** for the easement herein described;

Thence, leaving the easterly right of way of Lee Road, South 84° 28' 15" East, 266.66 feet;

Thence, North 65° 18' 51" East, 201.92 feet;

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AS AMENDED

Thence, South 87° 10' 56" East, 464.92 feet;

Thence, North 59° 58' 08" East, 136.67 feet;

Thence, South 77° 08' 47" East, 186.67 feet;

Thence, South 21° 20' 40" West, 155.77 feet;

Thence, South 13° 33' 12" East, 147.29 feet;

Thence, South 60° 21' 50" East, 256.30 feet;

Thence, South 34° 21' 19" East, 216.92 feet;

Thence, South 61° 30' 53" East, 315.03 feet;

Thence, South 79° 59' 58" East, 269.47 feet;

Thence, South 11° 12' 16" West, 74.89 feet;

Thence, South 33° 55' 36" West, 34.35 feet to the northerly right of way of S. Park Boulevard (60 feet wide);

Thence, along the northerly right of way of S. Park Boulevard the following seven courses;

Along the arc of a curve which deflects to the right, 303.39 feet, said curve having a radius of 1004.20 feet, a central angle of 17° 18' 37", and a chord of 302.24 feet which bears North 79° 44' 36" West;

Thence, along the arc of a curve which deflects to the right, 644.19 feet, said curve having a radius of 1452.80 feet, a central angle of 25° 24' 20", and a chord of 638.92 feet which bears North 58° 23' 08" West;

Thence, North 45° 40' 58" West, 136.02 feet;

Thence, along the arc of a curve which deflects to the left, 511.82 feet, said curve having a radius of 683.83 feet, a central angle of 42° 53' 00", and a chord of 499.95 feet which bears North 67° 07' 28" West;

Thence, North 88° 33' 58" West, 278.65 feet;

Thence, along the arc of a curve which deflects to the right, 303.91 feet, said curve having a radius of 1036.87 feet, a central angle of 16° 47' 37", and a chord of 302.82 feet which bears North 80° 10' 10" West;

Thence, along the arc of a curve which deflects to the right, 123.96 feet to the point of beginning, said curve having a radius of 100.00 feet, a central angle of 71° 01' 18", and a chord of 116.17 feet which bears North 36° 15' 43" West.

Containing within said bounds 9.2491 acres (402,893 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement_732-01-001-T4
Parcel 732-01-001
8.3810 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Nos. 23 and 24. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows;

Ordinance No. 721-2025

AS AMENDED

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 1152.33 feet;

Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the intersection of the easterly right of way of Lee Road and the northerly right of way of S. Park Boulevard (60 feet wide);

Thence, along the northerly right of way of S. Park Boulevard the following nine courses;

Along the arc of a curve which deflects to the left, 123.96 feet, said curve having a radius of 100.00 feet, a central angle of 71° 01' 18", and a chord of 116.17 feet which bears South 36° 15' 43" East;

Thence, along the arc of a curve which deflects to the left, 303.91 feet, said curve having a radius of 1036.87 feet, a central angle of 16° 47' 37", and a chord of 302.82 feet which bears South 80° 10' 10" East;

Thence, South 88° 33' 58" East, 278.65 feet;

Thence, along the arc of a curve which deflects to the right, 511.82 feet, said curve having a radius of 683.83 feet, a central angle of 42° 53' 00", and a chord of 499.95 feet which bears South 67° 07' 28" East;

Thence, South 45° 40' 58" East, 136.02 feet;

Thence, along the arc of a curve which deflects to the left, 644.19 feet, said curve having a radius of 1452.80 feet, a central angle of 25° 24' 20", and a chord of 638.92 feet which bears South 58° 23' 08" East;

Thence, along the arc of a curve which deflects to the left, 455.72 feet, said curve having a radius of 1004.20 feet, a central angle of 26° 00' 06", and a chord of 451.82 feet which bears South 84° 05' 21" East;

Thence, North 82° 54' 36" East, 213.52 feet;

Thence, along the arc of a curve which deflects to the right, 129.94 feet, said curve having a radius of 2316.05 feet, a central angle of 3° 12' 52", and a chord of 129.92 feet which bears North 84° 31' 02" East;

Thence, leaving the northerly right of way of S. Park Boulevard, along the arc of a curve which deflects to the left, 108.40 feet, said curve having a radius of 246.57 feet, a central angle of 25° 11' 23", and a chord of 107.53 feet which bears North 46° 59' 33" East;

Thence, along the arc of a curve which deflects to the left, 138.24 feet, said curve having a radius of 616.86 feet, a central angle of 12° 50' 25", and a chord of 137.95 feet which bears North 30° 23' 42" East;

Thence, along the arc of a curve which deflects to the left, 45.12 feet, said curve having a radius of 353.15 feet, a central angle of 7° 19' 13", and a chord of 45.09 feet which bears North 15° 53' 10" East;

Thence, along the arc of a curve which deflects to the left, 178.56 feet to the **True Point of Beginning** for the easement herein described, said curve having a radius of 546.87 feet, a central angle of 18° 42' 29", and a chord of 177.77 feet which bears North 10° 14' 06" West;

Thence, South 83° 34' 22" West, 677.22 feet;

Thence, North 49° 41' 36" West, 600.80 feet;

Thence, North 65° 22' 44" East, 266.08 feet;

Thence, South 74° 29' 31" East, 635.60 feet;

Thence, North 80° 29' 36" East, 365.66 feet to the corporation line of the City of Shaker Heights;

Ordinance No. 721-2025
AS AMENDED

Thence, along the corporation line of the City of Shaker Heights, South 82° 13' 42" East, 205.07 feet;

Thence, leaving the corporation line of the City of Shaker Heights, along the arc of a curve which deflects to the right, 17.53 feet, said curve having a radius of 140.04 feet, a central angle of 7° 10' 15", and a chord of 17.51 feet which bears South 68° 54' 51" West;

Thence, along the arc of a curve which deflects to the left, 203.00 feet, said curve having a radius of 2418.22 feet, a central angle of 4° 48' 35", and a chord of 202.95 feet which bears South 73° 37' 29" West;

Thence, along the arc of a curve which deflects to the left, 29.47 feet, said curve having a radius of 80.29 feet, a central angle of 21° 01' 41", and a chord of 29.30 feet which bears South 58° 10' 22" West;

Thence, along the arc of a curve which deflects to the left, 158.90 feet, said curve having a radius of 178.89 feet, a central angle of 50° 53' 31", and a chord of 153.73 feet which bears South 15° 25' 44" West;

Thence, along the arc of a curve which deflects to the left, 58.64 feet, said curve having a radius of 575.00 feet, a central angle of 5° 50' 35", and a chord of 58.61 feet which bears South 16° 20' 21" East;

Thence, South 83° 34' 22" West, 26.85 feet to the point of beginning

Containing within said bounds 8.3810 acres (365,076 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 3a. That the Director of Finance is authorized to enter into an Environmental Covenant with the OEPA and the NEORSD for the purpose of restoring, maintaining, and protecting, in perpetuity, the conservation values of Doan Brook in the following described properties:

Environmental Covenant
Parcel 687-31-001
1.7883 Acres

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows:

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;
Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;
Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road;

Thence, along the easterly right of way of Lee Road, South 00° 45' 04" East, 66.60 feet to the corporation line of the City of Cleveland Heights;

Thence, along the corporation line of the City of Cleveland Heights, South 82° 13' 42" East, 1117.90 feet to the True Point of Beginning for the parcel herein described;

Thence, leaving the corporation line of the City of Cleveland Heights, North 26° 10' 56" East, 126.69 feet;

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AS AMENDED

Thence, along the arc of a curve which deflects to the right, 34.07 feet, said curve having a radius of 100.28 feet, a central angle of 19° 28' 04", and a chord of 33.91 feet which bears North 57° 32' 13" East;

Thence, along the arc of a curve which deflects to the right, 55.09 feet, said curve having a radius of 29.41 feet, a central angle of 107° 19' 44", and a chord of 47.38 feet which bears South 59° 01' 22" East;

Thence, along the arc of a curve which deflects to the left, 51.13 feet, said curve having a radius of 132.13 feet, a central angle of 22° 10' 21", and a chord of 50.82 feet which bears South 17° 00' 06" East;

Thence, along the arc of a curve which deflects to the left, 95.25 feet, said curve having a radius of 98.00 feet, a central angle of 55° 41' 23", and a chord of 91.55 feet which bears South 54° 57' 17" East;

Thence, South 83° 17' 39" East, 136.92 feet;

Thence, along the arc of a curve which deflects to the left, 28.95 feet, said curve having a radius of 30.32 feet, a central angle of 54° 41' 44", and a chord of 27.86 feet which bears North 67° 07' 11" East;

Thence, along the arc of a curve which deflects to the right, 69.49 feet, said curve having a radius of 43.78 feet, a central angle of 90° 56' 36", and a chord of 62.43 feet which bears North 82° 59' 23" East;

Thence, along the arc of a curve which deflects to the left, 41.66 feet, said curve having a radius of 185.19 feet, a central angle of 12° 53' 15", and a chord of 41.57 feet which bears South 61° 23' 54" East;

Thence, along the arc of a curve which deflects to the left, 123.36 feet, said curve having a radius of 128.72 feet, a central angle of 54° 54' 40", and a chord of 118.69 feet which bears North 85° 43' 30" East;

Thence, along the arc of a curve which deflects to the right, 129.26 feet, said curve having a radius of 155.13 feet, a central angle of 47° 44' 26", and a chord of 125.55 feet which bears North 80° 38' 46" East;

Thence, along the arc of a curve which deflects to the left, 88.89 feet, said curve having a radius of 113.78 feet, a central angle of 44° 45' 45", and a chord of 86.65 feet which bears North 82° 47' 37" East;

Thence, North 60° 09' 54" East, 24.71 feet;

Thence, along the arc of a curve which deflects to the right, 97.64 feet, said curve having a radius of 90.31 feet, a central angle of 61° 57' 04", and a chord of 92.96 feet which bears South 88° 51' 16" East;

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AS AMENDED

Thence, along the arc of a curve which deflects to the right, 68.36 feet, said curve having a radius of 107.71 feet, a central angle of 36° 21' 57", and a chord of 67.22 feet which bears South 39° 56' 44" East;

Thence, along the arc of a curve which deflects to the left, 24.27 feet, said curve having a radius of 94.26 feet, a central angle of 14° 45' 17", and a chord of 24.21 feet which bears South 27° 33' 28" East;

Thence, South 35° 00' 56" East, 24.08 feet;

Thence, South 59° 51' 55" West, 66.74 feet;
Thence, North 21° 01' 06" West, 9.97 feet;
Thence, along the arc of a curve which deflects to the left, 74.19 feet, said curve having a radius of 34.47 feet, a central angle of 123° 18' 50", and a chord of 60.68 feet which bears North 83° 59' 16" West;

Thence, along the arc of a curve which deflects to the right, 59.64 feet, said curve having a radius of 63.97 feet, a central angle of 53° 24' 47", and a chord of 57.50 feet which bears South 60° 34' 53" West;
Thence, South 86° 45' 29" West, 19.57 feet;

Thence, along the arc of a curve which deflects to the right, 68.44 feet, said curve having a radius of 130.45 feet, a central angle of 30° 03' 41", and a chord of 67.66 feet which bears North 77° 44' 07" West;

Thence, along the arc of a curve which deflects to the left, 71.60 feet, said curve having a radius of 104.64 feet, a central angle of 39° 12' 22", and a chord of 70.21 feet which bears North 81° 22' 08" West;

Thence, along the arc of a curve which deflects to the left, 27.46 feet to the corporation line of the City of Cleveland Heights, said curve having a radius of 75.93 feet, a central angle of 20° 43' 21", and a chord of 27.31 feet which bears South 66° 16' 34" West;
Thence, along the corporation line of the City of Cleveland Heights, North 82° 13' 42" West, 639.88 feet to the point of beginning.

Containing within said bounds 1.7883 acres (77,897 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Environmental Covenant
Parcel 732-01.001
1.4286 Acres

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 23. Also being part of the land conveyed to City of Cleveland, as recorded in Volume 630, Page 346 of the Cuyahoga County Records, being more definitely described as follows:

Ordinance No. 721-2025
AS AMENDED

Commencing at a 3/4" pipe in a monument box found at the intersection of the centerline of Lee Road (60 feet wide) and the northerly line of Original Warrensville Township Lot No. 23;

Thence, along the centerline of Lee Road, South 00° 45' 04" East, 769.25 feet;
Thence, leaving the centerline of Lee Road, North 89° 14' 56" East, 30.00 feet to the easterly right of way of Lee Road

Thence, along the easterly right of way of Lee Road, South 00° 45' 04" East, 66.60 feet to the corporation line of the City of Shaker Heights;

Thence, along the corporation line of the City of Shaker Heights, South 82° 13' 42" East, 1117.90 feet to the **True Point of Beginning** for the parcel herein described;
Thence, continuing along the corporation line of the City of Shaker Heights, South 82° 13' 42" East, 639.88 feet;
Thence, leaving the corporation line of the City of Shaker Heights, along the arc of a curve which deflects to the left, 27.31 feet, said curve having a radius of 75.93 feet, a central angle of 20° 36' 27", and a chord of 27.16 feet which bears South 45° 36' 40" West;

Thence, South 34° 20' 18" West, 12.62 feet;

Thence, along the arc of a curve which deflects to the right, 69.40 feet, said curve having a radius of 82.20 feet, a central angle of 48° 22' 39", and a chord of 67.36 feet which bears South 57° 34' 39" West;

Thence, along the arc of a curve which deflects to the right, 57.67 feet, said curve having a radius of 90.52 feet, a central angle of 36° 30' 06", and a chord of 56.70 feet which bears North 78° 45' 12" West;

Thence, North 61° 32' 24" West, 22.65 feet;
Thence, along the arc of a curve which deflects to the left, 84.61 feet, said curve having a radius of 152.98 feet, a central angle of 31° 41' 12", and a chord of 83.53 feet which bears North 78° 04' 56" West;
Thence, along the arc of a curve which deflects to the left, 39.56 feet, said curve having a radius of 43.78 feet, a central angle of 51° 46' 21", and a chord of 38.23 feet which bears South 58° 21' 21" West;

Thence, along the arc of a curve which deflects to the left, 32.84 feet, said curve having a radius of 66.01 feet, a central angle of 28° 30' 21", and a chord of 32.50 feet which bears South 14° 59' 48" West;

Thence, along the arc of a curve which deflects to the left, 70.82 feet, said curve having a radius of 52.42 feet, a central angle of 77° 24' 25", and a chord of 65.56 feet which bears South 37° 09' 11" East;

Thence, along the arc of a curve which deflects to the right, 62.08 feet, said curve having a radius of 63.94 feet, a central angle of 55° 38' 04", and a chord of 59.67 feet which bears South 47° 32' 41" East;

Thence, South 33° 49' 56" West, 130.47 feet;
Thence, North 32° 50' 47" West, 99.26 feet;

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AS AMENDED

Thence, North 25° 58' 10" West, 83.40 feet;

Thence, along the arc of a curve which deflects to the left, 147.81 feet, said curve having a radius of 386.97 feet, a central angle of 21° 53' 04", and a chord of 146.91 feet which bears North 40° 04' 05" West;

Thence, along the arc of a curve which deflects to the left, 99.98 feet, said curve having a radius of 228.02 feet, a central angle of 25° 07' 23", and a chord of 99.19 feet which bears North 61° 33' 41" West;

Thence, North 73° 45' 36" West, 104.32 feet;

Thence, North 26° 10' 56" East, 20.20 feet to the point of beginning.

Containing within said bounds 1.4286 acres (62,229 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2024.

Bearings are based on Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interests and the exclusive temporary easements to the NEORSD subject to any conditions stated in this ordinance at an appraised price of \$985,000 which is determined to be fair market value. The City will donate the non-exclusive easements and the exclusive temporary easements due to the benefit the public will receive from NEORSD’s Doan Brook Restoration Project.

Section 4. That the purpose of the easements shall be for the construction, renovation and maintenance of Doan Brook Restoration Project.

Section 5. That the duration of the non-exclusive easements shall be perpetual; that the duration of the exclusive temporary easements shall be until the construction and renovation of the Doan Brook Restoration Project is completed; provided, however, that in no case shall such exclusive temporary easements extend beyond five (5) years after the passage of this Ordinance; that the non-exclusive easements and exclusive temporary easements may include reasonable right of entry

Ordinance No. 721-2025

AS AMENDED

rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Director of Finance; that the easements and temporary easements shall require that the NEORS D provide reasonable insurance and pay any applicable taxes and assessments.

Section 6. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Finance on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Finance and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 7. 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.

GB:uo
6-2-2025
FOR: Director Barrett

Ord. No. 721-2025 AS AMENDED

REPORT
after second Reading

By Council Members Bishop and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights at several City- owned properties located near Horseshoe Lake Park in the cities of Cleveland Heights and Shaker Heights and declaring the easement rights not needed for the City’s public use.

READ FIRST TIME
and referred to

by the council

CITY CLERK

READ SECOND TIME
by the council

CITY CLERK

READ THIRD TIME
by the council

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. _____ Page _____
Published in the City Record _____