

Ordinance No. 1021-2021

By Council Members Conwell, Brancatelli and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

To amend Section 559.245 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December 3, 2012, to designate the French American Cultural Garden.

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 Section 559.245 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December 3, 2012, is amended to read as follows:

Section 559.245 ~~Future Garden at 1520 Martin Luther King, Jr. Boulevard~~
French American Garden

~~Proposed Garden Site~~

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original One Hundred Acre Lot No. 385, and also contained within Section "C", Brookway Division of Rockefeller Park, and further bounded and described as follows:

Beginning at a stone monument with drill hole found in the centerline of East 105th St., 60 feet wide, at its intersection with the centerline of Wade Park Ave., 70 feet wide; Thence South 89° 05' 12" West, along the centerline of Wade Park Ave., also being the Southerly line of aforesaid Lot No. 385 a distance of 930.67 feet to a point; Thence North 0° 54' 48" West, a distance of 42.00 feet to a capped iron pin set in aforesaid Section "C" at the principal place of beginning of the parcel of land herein described;

Thence South 89° 05' 12" West, a distance of 221.00 to a capped iron pin set;

Thence North 36° 37' 00" East, a distance of 46.09 feet to a capped iron pin set at a point of curve;

Thence Northeasterly, along a curved line deflecting to the left an arc distance of 163.36 feet to a capped iron pin set at a point of tangency, said curved line having a radius of 180.00 feet, a central angle of 52° 00' 00" and a chord which bears North 10° 37' 00" East, 157.81 feet;

Thence North 15° 23' 00" West, a distance of 142.28 feet to a capped iron pin set at a point of curve;

Thence Northeasterly, along a curved line deflecting to the right an arc distance of 159.39 feet to a capped iron pin set at a point of tangency, said curved line having a radius of 140.00 feet, a central angle of 65° 13' 51" and a chord which bears North 17° 13' 56" East, 150.92 feet;

Thence North 49° 50' 51" East, a distance of 14.36 feet to a capped iron pin set;

Thence South 1° 15' 00" East, a distance of 40.00 feet to a capped iron pin set at a point of curve;

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Thence Southeasterly, along a curved line deflecting to the left an arc distance of 149.97 feet to a capped iron pin set at a point of tangency, said curved line having a radius of 350.00 feet, a central angle of ~~24° 3' 22"~~ 24° 33' 00" and a chord which bears South 13° 31' 30" East, 148.82 feet;

Thence South 25° 48' 00" East, a distance of 173.20 feet to a capped iron pin set;

Thence South 21° 27' 00" East, a distance of 85.00 feet to a capped iron pin set;

Thence South 4° 09' 31" East, a distance of 59.59 feet to the principal place of beginning and containing 1.137 acres (49,539 sq. ft.) of land, as surveyed by Stephen Hovancsek & Associates, Inc., in June, 2012 under the direction of Robert Smoltz, Registered Surveyor No. 6763, State of Ohio, be the same more or less but subject to all legal highways.

The basis of bearing for this description being Ohio State Plane, North Zone, NAD 83 (2007). All capped iron pins set are 5/8-inch diameter rebar, 30 inches long with a plastic cap stamped SH&A 6763.

Section 2. That existing Section 559.245 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December 3, 2012, is repealed.

Section 3. 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.

LW:nl
11-15-2021
FOR: Director Cox

