

Ordinance No. 1053-17

AN EMERGENCY ORDINANCE

Designating the Brown Hoisting Machinery Warehouse as a Cleveland Landmark.

Council Member Jeffrey D. Johnson

WHEREAS, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Brown Hoisting Machinery Warehouse as a landmark; and

WHEREAS, a public hearing under division (b)(2) of Section 161.04 was held on August 24, 2017 to discuss the proposed designation of the Brown Hoisting Machinery Warehouse as a landmark; and

WHEREAS, the Commission has recommended designation of the Brown Hoisting Machinery Warehouse 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 Brown Hoisting Machinery Warehouse whose street address in the City of Cleveland is 1300 East 45th Street, Cuyahoga County Auditor's Permanent Parcel Number is 104-03-004, 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 part of Original Ten Acre Lots Nos. 154 to 164, inclusive, and being a part of Sublot Nos. 572, 573, 574, 575, 576 and part of Sublot Nos. 568, 569, 570 and 571 in Leonard Case's Allotment as recorded in Volume 12, Page 6 of Cuyahoga County Map Records, further bounded and described as follows:

Beginning at a point in the Northerly line of Hamilton Avenue N.E., 60 feet wide, at its intersection with the Easterly line of East 40th Street, 99 feet wide;

Thence North 00 deg. 02' 46" East, along said Easterly line of East 40th Street, 300.00 feet to a nail set therein and the principal place of beginning;

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Thence North 00 deg. 02' 46" East, continuing along said Easterly line of East 40th Street, 12.5 feet to an iron pipe therein, said point also being the Northwest corner of Sublot No. 568 in said Leonard Case's Allotment;

Thence South 89 deg. 59' 55" East, along the Northerly line of said Sublot No. 568 and along the Northerly lines of Sublot Nos. 569, 570, 571, 572, 573, 574, 575 and 576, 965.57 feet to a point in the Westerly line of East 45th Street, 60 feet wide;

Thence South 00 deg. 01' 55" West, along said Westerly line of East 45th Street, 312.50 feet to a point at the intersection of said Westerly line of East 45th Street and the aforementioned Northerly line of Hamilton Avenue N.E.;

Thence North 89 deg. 59' 55" West, along said Northerly line of Hamilton Avenue N.E. 501.00 feet to an iron pin set;

Thence North 00 deg. 01' 55" East, parallel with the aforementioned Westerly line of East 45th Street, 287.00 feet to an iron pin set;

Thence North 85 deg. 16' 05" West, 77.93 feet to an iron pin set;

Thence North 00 deg. 00' 05" East, 6.57 feet to a railroad spike set;

Thence North 89 deg. 59' 55" West, parallel with the aforementioned Northerly lines of Sublot Nos. 571, 570, 569 and 568, 387.00 feet to the aforementioned Easterly line of East 40th Street and the principal place of beginning, be the same more or less, but subject to all legal highways.

Legal Description approved by Greg Esber, 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.

DP/KB
Council Member Jeffrey D. Johnson
September 18, 2017

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**REPORT
after second Reading**

Council Member J. Johnson

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READ FIRST TIME on SEPTEMBER 18, 2017

REPORTS

and referred to DIRECTORS of City Planning Commission, Law;
COMMITTEE on Development Planning and Sustainability

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
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE
