

Ordinance No. 672-2025

By Council Members Harsh, Hairston and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Old Brooklyn Community Development Corporation, and/or its designee, located at the intersection of Memphis Avenue and Pearl Road in the Old Brooklyn neighborhood for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Memphis and Pearl Project.

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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to, Old Brooklyn Community Development Corporation, and/or its designee, for a nominal consideration of one dollar and other valuable consideration determined to be fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

The Land referred to herein below is situated in the County of Cuyahoga, State of Ohio, and is described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the "Old Burying Ground Lot" part of the Original Brooklyn Township Lot No. 64 and further bounded and described as follows:

Beginning at a drill hole found in a monument box (North 86 degrees 37'00" East, 0.46 feet) at the centerline intersection of Pearl Road (US Route 42) (formerly Pearl Street) (formerly called the Turnpike) (100 feet wide) and Memphis Avenue (formerly Mill Street) (formerly Lindale Avenue) (width varies);

Thence South 86 degrees 37' 00" West along the centerline of Memphis Avenue, 37.68 feet to the original westerly right of way of Pearl Road (formerly 66 feet wide);

Thence North 25 degrees 28'13" East along said original westerly right of way Pearl Road, 28.54 feet to the northerly right of way Memphis Avenue;

Thence South 86 degrees 37'00" West along the northerly right of way of Memphis Avenue, 27.40 feet to a drill hole found (North 25 degrees 28' 13" East, 0.66 feet) at the westerly right of way of Pearl Road and being the Principal Place of Beginning of the premises herein described;

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Thence South 86 degrees 37' 00" West continuing along the northerly right of way of Memphis Avenue, 40.91 feet to a p.k. nail set at the southeasterly most corner of land conveyed to Greenland Building, LLC (Parcel No. 3) by the deed recorded in AFN 202101210180 of Cuyahoga County Deed Records;

Thence North 64 degrees 26' 48" West along the northerly line Parcel No. 3 of land so conveyed to Greenland Building LLC, 77.45 feet to a p.k. nail set on the easterly line of land conveyed to Greenland Building LLC (Parcel No. 1), by the deed recorded in AFN 20210120180 of Cuyahoga County Deed Records;

Thence North 21 degrees 13' 37" East along the westerly line of said Parcel No. 1 of land so conveyed to Greenland Building LLC, 74.05 feet to a p.k. nail set on the southerly line of land conveyed to the Pearl Road Methodist Episcopal Church (formerly known as the Trustees of the Methodist Episcopal Church Village of South Brooklyn) by the deed recoded in Volume 642, Page 455 of Cuyahoga County of Deed Records;

Thence South 60 degrees 19' 45" East along said southerly line of land so conveyed to Pearl Road Methodist Episcopal Church, 6.36 feet to a p.k. nail set;

Thence North 28 degrees 26' 22" East along the easterly most line of land so conveyed to Pearl Road Methodist Episcopal Church, 69.00 feet to a 1/2" iron pipe found on the southerly line of land conveyed to Pearl Road Methodist Episcopal Church (formerly known as the Trustless of the Methodist Episcopal Church Village of South Brooklyn) by the deed recorded in Volume 102, Page 268 of Cuyahoga County Deed Records ;

Thence South 61 degrees 34'16" East along the said southerly line of land so conveyed to Pearl Road Methodist Episcopal Church, 108.98 feet to a p.k. nail set on the westerly right of way of Pearl Road;

Thence South 25 degrees 28' 13' West along said westerly right of way of Pearl Road, 117.04 feet to the northerly right of way of Memphis Avenue and to the Principal Place of Beginning and containing 0.3555 acres of land, as surveyed and described by Peter John Graulloff, P.S. No. 8646 of The Riverstone Company in April 2021, subject to all legal highways, restrictions, reservations and easements of record.

Deeds of Reference: Land described to Cuyahoga County Land Reutilization Corporation by deed dated December 4, 2019 and recorded in AFN 201912040665 of Cuyahoga Deed Records.
Basis of Bearings:

The centerline of Memphis Avenue South 86 degrees 37' 00" west is an assumed bearing and is used to indicate angles only.

014-10-024 4216 Pearl Road, Cleveland, OH 44109

Parcel 2:
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio. and known as being part of Original Brooklyn Township Lot No. 64, and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue S.W., 50 feet wide at its point of intersection with the Northwesterly line of land conveyed to Richard Vaughn by deed dated August 22, 1836 and recorded in Volume 22, Page 230 of Cuyahoga County Records;

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Thence Northeasterly along the Northwesterly line of land conveyed to Richard Vaughn to its point of intersection with the with the Southwesterly line of land conveyed to the Trustees of the Methodist Episcopal Church of the Village of South Brooklyn, Ohio, by deed dated June 13, 1896 and recorded in Volume 642, Page 455 of Cuyahoga County Records;

Thence Northwesterly along said Southwesterly line of land son conveyed to the Trustees of the Methodist Episcopal Church of the Village of South Brooklyn, Ohio, to the Southeasterly line of land conveyed to John W. Dorsey and Carrie E. Dorsey by deed dated November 17, 1915 and recorded in Volume 1740, Page 250 of Cuyahoga County Records;

Thence Southwesterly along said Southeasterly line of land so conveyed to John W. Dorsey and Carrie E. Dorsey to said Northerly line of Memphis Avenue, S.W.;

Thence Easterly along said Northerly line of Memphis Avenue, S.W., to the place of beginning, be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 64, and bounded and described as follows:

Beginning at the intersection of the West line of Pearl Road, S.W. (100 feet) with the North line of Memphis Avenue, S.W. (50 feet);

Thence South 87 deg. 09' 25" West along the Northerly line of Memphis Avenue, S.W., (50 feet) a distance of 218.38 feet to a drill hole at the Southeasterly corner of land conveyed to The Pearl Road Methodist Episcopal Church by deed dated April 4, 1927 and recorded in Volume 3565, Page 17 of the Cuyahoga County Deed Records, said drill hole also being the Southwesterly corner of land conveyed to Mary E. Frank by deed dated April 9, 1925, and recorded in Volume 3172, Page 163 of Cuyahoga County Deed Records, said drill hole also being the principal place of beginning;

Thence continuing along the Northerly line of Memphis Avenue, S.W., (50 feet) South 87 degrees 09' 25" West, a distance of 3.50 feet to a point;

Thence North 25 degrees 51' 18" East, a distance of 151.89 feet to a stone said stone being the Northeasterly corner of land owned by the afore-mentioned Pearl Road Methodist Episcopal Church;

Thence South 24 degrees 41' 03" West along said Pearl Road Methodist Episcopal Church's Easterly line, a distance of 150.24 feet to the principal place of beginning, be the same more or less, but subject to all legal highways .

014-10-055 3430 - 34 Memphis Avenue, Cleveland, OH 44109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 64, and bounded and described as follows:

Beginning at a stone on the Northerly line of Memphis Avenue, S.W., (formerly Mill Street), distant West 68.31 feet from the intersection of the Westerly line of Pearl Road S.W., with the Northerly line of said Memphis Avenue S.W.;

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Thence Westerly along the Northerly line of said Memphis Avenue S.W., a distance of 89.17 feet to the Easterly line of a parcel of land conveyed by Adam Paillon and wife to Jacob Boesch by Deed dated December 28, 1868, and recorded in Volume 160, Page 566 of Cuyahoga Country Records;

Thence North 29 degrees 43' 30" East along the Easterly line of land so conveyed to Jacob Boesch, as aforesaid, a distance of 43.15 feet to a stone;
Thence South 61 degrees 04' East, a distance of 77.45 feet to the place of beginning, be the same more or less, but subject to all legal highways.

014-10-054 3426 Memphis Avenue, Cleveland, OH 44109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being part of Original Brooklyn Township Lot No. 64 and bounded and described as follows:

Beginning at the intersection of the Southwesterly line of Broadview Road, SW (formerly Broadview Avenue) and the Northwesterly line of land conveyed to Charles William Vanderwyst by deed dated June 3, 1901 and recorded in Volume 788, Page 168 of Cuyahoga County Records (said point being also 225 feet distant Northwesterly, from the intersection of said Southwesterly line of Broadview Road, SW with the Northwesterly line of Pearl Road, SW); thence Northwesterly along the Southwesterly line of Broadview Road, SW, 40 feet; thence Southwesterly parallel to the Northwesterly line of land conveyed to Vanderwyst to a point in the Northeasterly line of land conveyed to N.E. Linden by deed dated May 14, 1895 and recorded in Volume 598, Page 500 of Cuyahoga County Records;

Thence Southeasterly along the Northeasterly line of N.E. Linden's land and along the extension Southeasterly thereof, about 40 feet to the point on the Southwesterly extension of the Northwesterly line of land conveyed to Charles William Vanderwyst, as aforesaid; thence Northeasterly along the Southwesterly extension of the land so conveyed and along the Northwesterly line thereof to the place of beginning, be the same more or less, but subject to all legal highways.

014-10-016 3425 Broadview Court, Cleveland, OH 44109

Situated in the City of Cleveland, County of Cuyahoga , and State of Ohio: and known as being part of Original Brooklyn Township Lot No. 64 and bounded and described as follows:

Beginning at the Southwesterly line of Broadview Road, S.W., (formerly Mechanic Street) at a point distant Northwesterly measured along said Southwesterly line 185 feet from its intersection with the Northwesterly line of Pearl Road, S.W., said point of beginning being the most Easterly corner of land conveyed by Charity Amelia Granger (formerly Vanderwyst) to Charles William Vanderwyst , by deed dated June 3, 1901 and recorded in Volume 788, Page 168 of Cuyahoga County Records;

Thence Southwesterly along the Southeasterly line of the land conveyed to Charles William Vanderwyst, as aforesaid, to a point distant Northeasterly measured along said Southeasterly line, 8 feet from the Northeasterly line of land conveyed by Charity Amelia Granger and Ed. T. Granger, wife and husband, to the Trustees of the Methodist Episcopal Church, by deed dated June 13, 1896 and recorded in Volume 642, Page 455 of Cuyahoga County Records, which point is the principal place of beginning of the premises herein intended to Charles William Vanderwyst, as aforesaid, to the most

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Southerly corner thereof; thence Northwesterly along the Southwesterly line of the land conveyed to Charles William Vanderwyst, as aforesaid, 40 feet to the most Westerly corner thereof; thence Northeasterly along the Northwesterly line of the land conveyed to Charles William Vanderwyst, as aforesaid, to its intersection with a line extended Northwesterly parallel with the Southwesterly line of Broadview Road from the principal place of beginning of the premises herein intended to be described; thence Southeasterly along said line so extended to the principal place of beginning of the premises herein intended to be described, be the same more or less, but subject to all legal highways.

014-10-023 4200 Pearl Road, Cleveland, OH 44109

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio: and known as being part of original Brooklyn Township Lot No. 64, and bounded and described as follows: Beginning in the center of Memphis Avenue S.W., (formerly Mill Street) at the south westerly corner of premises conveyed to Jacob Boesch by deed recorded in Volume 160, Page 566 of Cuyahoga County Records; thence north easterly along the north westerly line of land conveyed to Jacob Boesch as afore-said 177 feet; thence north westerly to the north easterly coiner of premises conveyed to Sarah Acker by deed recorded in Volume 302, Page 79 of Cuyahoga County Records; thence South 25 degrees 50' west along the south easterly line of premises so conveyed to Acker as afore-said and the same continued to the center line of Memphis Avenue S.W., (formerly Hill Street); thence easterly along the centerline of Memphis Avenue S.W., (formerly Mill Street) 67 8/12 feet to the place of beginning.

014-10-056 Memphis Avenue, Cleveland, OH 44109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: known as being part of Original Brooklyn Township Lot No. 64 and bounded and described as follows: Beginning on the southwesterly line of land conveyed to Henry Binder by deed January 13, 1898, and recorded in Volume 683, Page 76 of Cuyahoga County Records, and at the most Northerly corner of land conveyed to the City of Cleveland by deed dated December 31, 1927 and recorded in Volume 3741, Page 270 of Cuyahoga County Records;; said point being North 61 degrees 1' West 24 3/100 feet (measured along said southwesterly line of land so conveyed to Henry Binder) from the Northwesterly line of Pearl Road, S.W., (66 feet wide); thence North 61 degrees 1' West along the southwesterly line of land so conveyed to Henry Binder, 98 22/100 feet; thence South 28 degrees 44' 10" West 55 91/100 feet; thence South 61 degrees 1' East 100 89/100 feet to the northwesterly line of land conveyed to the City of Cleveland, as aforesaid; thence North 26 degrees East along the Northwesterly line of land so conveyed to the City of Cleveland, 55 99/100 feet to the place of beginning according to a survey dated July 1, 1926, made by The Wm. H. Evers Engineering Company.

014-10-022 Pearl Road, Cleveland, OH 44109. The address and/or tax parcel shown herein are provided solely for informational purposes and without warranty as to accuracy or completeness.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to cause Old Brooklyn Community Development Corporation,

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and/or its designee, to employ, and to pay all fees for, title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the property.

Section 3. That this Council finds the conveyances are in compliance with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section and the subject property is located in a blighted area of an impacted City as required by Section 5709.41 of the Revised Code.

Section 4. That the conveyances shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

Section 5. 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.

SMA:uo
5-19-2025
FOR: Director McNair

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By Council Members Harsh, Hairston and Griffin
(by departmental request)

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Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Old Brooklyn Community Development Corporation, and/or its designee, located at the intersection of Memphis Avenue and Pearl Road in the Old Brooklyn neighborhood for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Memphis and Pearl Project.

READ FIRST TIME on MAY 19, 2025
and referred to DIRECTORS of Economic Development,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. 112 Page_____

Published in the City Record _____

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE