

Resolution No. 517-2023

AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of Curtis Avenue N.E., east of East 59th Street.

By Council Members Howse, Bishop and Hairston (by departmental request)

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of Curtis Avenue (66 feet wide), as described; and

WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council declares its intent to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a portion of Original 100 Acre Lot No. 337, being more fully bounded and described as follows;

Beginning at the intersection of the southerly extended right of way line of Hough Avenue N.E., 60 feet wide, and the centerline of East 59th Street, 49 feet wide, being referenced by a drill hole in stone within a monument box assembly found north 0.05 feet thereof, thence South 01°12'00" East along the centerline of said East 59th Street, a distance of 488.68 feet to a point, thence North 88°57'07" East, a distance of 24.50 feet to a point on the easterly right of way line of said East 59th Street at the intersection with the northerly right of way line of Curtis Avenue N.E., 66 feet wide, also being the Principal Place of Beginning for the land herein described;

Course No. 1 Thence North 88°57'07" East, along the northerly right of way line of said Curtis Avenue, being the southerly line of lands now or formerly owned by the MAGNET QALICB, INC., also being known as the southerly lines of Sub Lot Nos 11 through 19 and a 10 foot wide alley as shown in the Porter Allotment of part of Original 100 Acre Lot No. 337, as recorded in Volume 3 Page 44 of the Cuyahoga County Records, a distance of 454.43 feet to a point;

Course No. 2 Thence South 00°57'49" East partially along a westerly line of Sub Lot 12 in said Porter Allotment and partially along a westerly right of way line of Chester Avenue N.E., width varies, a distance of 58.31 feet to a point;

Course No. 3 Thence along the arc of a curve deflecting to the left, a distance of 183.65 feet, having a radius of 2065.53 feet, a delta of (05° 05' 40"), and a chord distance of 183.59 feet which bears South 86° 33' 00" West to a point on the southerly right of way line of said Curtis Avenue, being the northerly right of way line of said Chester Avenue N.E.

Course No. 4 Thence South 88°57'07" West, continuing along said southerly right of way line of Curtis Avenue, a distance of 270.74 feet to a point on the easterly right of way line of said East 59th Street;

Course No. 5 Thence North 01°12'00" West, a distance of 66.00 feet to the Principal Place of Beginning said parcel containing 29,028 square feet or 0.6664 acres of land according to a survey by Langan Engineering and Environmental

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Services dated January 2021 and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011) derived from GPS observations and bearings are to denote angles only.

Legal Description approved by Eric Westfall, Section Chief,
Plats, Surveys and House Numbering Section.

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

JD:ebw
4-24-2023
FOR: Director DeRosa

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**REPORT
after second Reading**

**By Council Members Howse, Bishop and Hairston
(by departmental request)**

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READ FIRST TIME on APRIL 24, 2023 **REPORTS**
and referred to **DIRECTORS** of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

**PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

