

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the first WHEREAS clause, line 5, strike "states" and enter "state".

2. After the sixth WHEREAS clause, insert "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; and".

3. Insert new Section 3a to read as follows:

"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;

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;

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;

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;

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."

Date: _____ (Signed): _____

Patricia McGinty-Ason
Assistant Director of Law

Ord. No. 721-2025