

Ordinance No. 92-2026

By Council Member Davis, Bishop,
Santana (by departmental request)

AN EMERGENCY ORDINANCE
Authorizing the Director of Capital
Projects to issue a permit to 4601 Lorain
LLC to encroach into the public right-of-
way of Lorain Court by installing, using,
and maintaining two sets of doors opening
into the public right-of-way.

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 the Director of Capital Projects is authorized to issue a permit,
revocable at the will of Council, to 4601 Lorain, LLC, 8777 Rockside Road, Cleveland,
Ohio 44125 (“Permittee”), to encroach into the public right-of-way of Lorain Court by
installing, using, and maintaining two sets of doors opening into the public right-of-way,
at the following locations:

Description of the westerly encroachment

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as
being Sublot 88 in the Taylor and Hoyt Allotment of part of the Original Brooklyn
Township Lot Nos. 48 and 49, as shown by the plat recorded in Volume 1, Page 20 of
Cuyahoga County Records. Beginning at a drillhole found on the northerly right of way
of Lorain Court (14 feet wide) at the southwesterly corner of land conveyed to 4601
Lorain LLC (P.P.N. 006-20-011) by the deed dated December 2, 2012 and recorded in
AFN 201212020395 of Cuyahoga County Records; Thence North 64° 43' 30" East along
the northerly right of way of Lorain Court, 1.42 feet to a point on said right of way and
being the Principal Place of Beginning of Westerly Encroachment herein described;

Course 1: Thence North 64° 43' 30" East continuing along the northerly right of way of
Lorain Court, 5.80 feet to a point;

Course 2: Thence South 25° 16' 30" East, 2.50 feet to a point;

Course 3: Thence South 64° 43' 30" West, 5.80 feet to a point;

Course 4: Thence North 25° 16' 30" West, 2.50 feet to a point on the northerly right of
way of said Lorain Court and the Principal Place of Beginning, containing
0.0003 acres (14.50 square feet).

Description of the easterly encroachment

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as
being Sub lot 88 in the Taylor and Hoyt Allotment of part of the Original Brooklyn
Township Lot Nos. 48 and 49, as shown by the plat recorded in Volume 1, Page 20 of
Cuyahoga County Records.

Beginning the southeasterly corner of land conveyed to 4601 Lorain LLC (P.P.N. 006-
20-011) by the deed dated December 2, 2012 and recorded in AFN 201212020395 of
Cuyahoga County Records, being referenced by a mag nail found (0.04 feet north and
0.02 feet west) on the northerly right of way of Lorain Court (14 feet wide);

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Thence South 64° 43' 30" West along the northerly right of way of Lorain Court, 1.63 feet to a point and being the Principal Place of Beginning of Easterly Encroachment herein described;

Course 1: Thence South 25° 16' 30" East, 2.50 feet to a point;

Course 2: Thence South 64° 43' 30" West, 5.80 feet to a point;

Course 3: Thence North 25° 16' 30" West, 2.50 feet to a point on the northerly right of way of said Lorain Court and the southerly line of land so conveyed to 4601 Lorain LLC (P.P.N. 006-20-011);

Course 4: Thence North 64° 43' 30" East along the northerly right of way of Lorain Court. 5.80 feet to the Principal Place of Beginning, containing 0.0003 acres (14.50 square feet).

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

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City’s Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

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.

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JBW:uo
2-2-2026

FOR: Director DeRosa

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READ FIRST TIME on FEBRUARY 2, 2026
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record

REPORT
after second Reading

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY