

# 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  $64^{\circ} 43' 30''$  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  $25^{\circ} 16' 30''$  East, 2.50 feet to a point;

Course 2: Thence South  $64^{\circ} 43' 30''$  West, 5.80 feet to a point;

Course 3: Thence North  $25^{\circ} 16' 30''$  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  $64^{\circ} 43' 30''$  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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JB:M: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 Property  
Development Planning and Sustainability

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## REPORTS

## **CITY CLERK**

## **READ SECOND TIME**

## **CITY CLERK**

## **READ THIRD TIME**

## **PRESIDENT**

## CITY CLERK

**APPROVED**

## MAYOR

Recorded Vol. 113

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Published in the City Record

## REPORT after second Reading

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
MUNICIPAL SERVICES  
AND PROPERTIES

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

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