

Mayor's Office of Capital Projects

Date: May 5th, 2021

To: Jenny Spencer, Councilmember
Ward 15

From: Matthew L. Spronz, Director
Mayor's Office of Capital Projects

Re: Request for review and approval of the proposed dedication of
Scowden Way & Division Avenue

Location: Division Ave. between W. 53rd St. & W. 45th St., and surrounding
area near The Great Lakes Towing Group and the Garrett A.
Morgan water treatment plant

Ward: 15, Councilmember Jenny Spencer

Description:

This is a proposed dedication of Scowden Way and Division Avenue that was vacated previously.

The proposed dedication plat has been revised from the last time it was submitted in late 2020 and forwarded to you for review. If you have any questions please contact Shane Shuba, Survey Department at 216-664-2475.

Thank you.

MLS/sms

Cc: Eric Westfall
Kimberly Moss

SCOWDEN WAY & DIVISION AVE. DEDICATION PLAT

w/ MAP OF VACATION ORD. #503-17

FOR THE CITY OF CLEVELAND & 5300 L.L.C. BETWEEN CRESCENT AVENUE & DIVISION AVENUE CITY OF CLEVELAND CUYAHOGA COUNTY, OHIO

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO AND KNOWN AS BEING A PART OF ORIGINAL BROOKLYN TOWNSHIP, LOT #50 AND BEING A 1.9755 ACRES (PLAT) PARCEL 'C' (CITY OF CLEVELAND) & A 5.8915 ACRES (PLAT) PARCEL 'B' (CITY OF CLEVELAND) IN "THE MAP OF PARTITION" AS RECORDED IN VOLUME 386, PAGE 18 AND A 3.6248 ACRES (PLAT) PARCEL 'D' (5300 L.L.C.) IN THE "PLAT OF LOT SPLIT & CONSOLIDATION" AS RECORDED IN AFN 202005070479, ALL OF CUYAHOGA COUNTY MAP RECORDS, TOGETHER WITH VARIOUS VACATED STREETS BY ORDINANCE #503-17.

THE INTENT OF THIS PLAT IS TO SPLIT AREAS FROM PARCELS 003-01-024, 003-01-020 & 003-01-021 AND DEDICATED FOR FUTURE ROADWAY IMPROVEMENTS CONTAINING 0.0634 ACRES, 0.4939 ACRES (0.0634 ACRES + 0.4305 ACRES) & 0.0099 ACRES, RESPECTIVELY. THIS PLAT ADDITIONALLY GRAPHICALLY REPRESENTS THE VACATION OF RIGHT OF WAY PER CITY OF CLEVELAND ORDINANCE #503-17 EFFECTIVE JUNE 7, 2017.

THERE WAS NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE AT THE TIME OF THIS SURVEY PLAT.

REFERENCES:

Dedication Plat of Main Ave. Bridge, Cuyahoga County V. 2 Pg. 8, Dated January 1939

S.S. Stones Subdivision - Original Lot No. 50, Cuyahoga County Plat V. 2 Pg. 19, Prepared by Ahaz Merchant Dated 03-23-1849

Charles Taylor Farm - Lot No. 51 Brooklyn, Prepared by Ahaz Merchant October 29, 1835, Cuyahoga County Plat V. 2 Pg. 22, Dated 10-31-1835

Buffalo Company Allotment - Lot No. 51 & 70 Brooklyn, Cuyahoga County Plat V. 3 Pg. 51, Dated 09-28-1833

Lot Split & Consolidation for the Cleveland-Cuyahoga County Port Authority, Prepared by Garrett & Associates November 1998, Cuyahoga County V.296 P. 02 (V.296 P.82) - City of Cleveland Map No. A-2302 - Dated 12-3-1998

Lot Split for the City of Cleveland Department of Economic Development, Prepared by Garrett & Associates February 2008, Cuyahoga County V.357 P.00 - City of Cleveland Map No. A-3857 - Dated 8-12-2008

Map of Partition for the City of Cleveland Prepared by Neff & Associates November 21, 2016, Cuyahoga County Plat V.386 P.18 - City of Cleveland Records Map No. A-4807 - Dated 11-23-2016

Map of Partition for the City of Cleveland Prepared by Greg Esber August 14, 2015, Cuyahoga County Plat V. 386 Pg. 33, - City of Cleveland Records Map No. A-4704 - Dated 1-7-2016

C.S.R. Prepared by Hecker Plum Kouba, Book 45 Pg. 100 and Book 53 Pg. 52, Dated 11-26-2007

Map of Resurvey of S.S. Stone Subdivision - Park Property of City of Cleveland, Cuyahoga County, C.S.R. II B 136

Pennsylvania Lines West of Pittsburgh Penna Co. - Whiskey Island & Waterfront, Prepared by E.B. Wight July 1911, SUR-216, Dated 7-13-1914

City of Cleveland Water Department - Morgan Tunnels, Redrawn from A278 by F.W.S. March 6, 2014, City of Cleveland - No. A-323 - Dated 3-6-2014

Morgan WTP Dedication - W. 50th Street - Original Lot No. 50 Brooklyn Prepared by KS Associates April 25, 2016, Dated 4-25-2016

Ordinance 503-17 - Division Ave., W. 45 St. and W. 53 St., Prepared by The City Record June 14, 2017, The City of Cleveland, Pg. 19-20, Dated 6-14-2017

Plat of Lot Split & Consolidation for 5300, LLC # 5400, LLC - G.L.T. Prepared by Neff & Associates March 16, 2020, Cuyahoga County Plat AFN:202005070479 - City of Cleveland Records Map No. A-5202 - Dated 05-07-2020

TAX MAPS OF RECORD

DEEDS OF RECORD

CUYAHOGA COUNTY PLAT MAP RECORDS

OWNER ACCEPTANCE - CITY OF CLEVELAND

I, _____, acting agent of the City of Cleveland, being Owner of parcels 003-01-021 shown hereon, do hereby accept this Scowden Way & Division Avenue Dedication Plat w/Lot Consolidation, and dedicate to the public use the land embraced in Scowden Way & Division Avenue as shown shaded hereon.

Signature _____ Print Name/Title _____

NOTARY

County of _____) State of Ohio _____) ss

Before me, a notary public in and for said County and State, personally appeared the above named representative, who acknowledged that they did sign the foregoing instrument and that the same was their free act and deed.

In witness whereof I have hereunto set my hand and official seal at _____ Ohio this _____ day of _____, 20__

My commission expires _____

OWNER ACCEPTANCE - 5300 LLC

I, _____, acting agent of the 5300 LLC., being Owner of parcel 003-01-024 shown hereon, do hereby accept this Scowden Way & Division Avenue Dedication Plat, and dedicate to the public use the land embraced in Division Avenue as shown shaded hereon

Signature _____ Print Name/Title _____

NOTARY

County of _____) State of Ohio _____) ss

Before me, a notary public in and for said County and State, personally appeared the above named representative, who acknowledged that they did sign the foregoing instrument and that the same was their free act and deed.

In witness whereof I have hereunto set my hand and official seal at _____ Ohio this _____ day of _____, 20__

My commission expires _____

OWNER ACCEPTANCE - 5400 LLC

I, _____, acting agent of the 5400 LLC., being Owner of parcel 003-01-020 shown hereon, do hereby accept this Scowden Way & Division Avenue Dedication Plat, and dedicate to the public use the land embraced in Scowden Way & Division Avenue as shown shaded hereon

Signature _____ Print Name/Title _____

NOTARY

County of _____) State of Ohio _____) ss

Before me, a notary public in and for said County and State, personally appeared the above named representative, who acknowledged that they did sign the foregoing instrument and that the same was their free act and deed.

In witness whereof I have hereunto set my hand and official seal at _____ Ohio this _____ day of _____, 20__

My commission expires _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN HEREON, IN ACCORDANCE WITH AND TO SATISFY THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO, AS CODIFIED IN CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE IN EFFECT AT THE TIME, THAT IRON PINS OR PIPES WERE FOUND OR SET AT POINTS INDICATED. THE LOCATION OF ALL PUBLIC RIGHT OF WAYS SHOWN HEREON, AND THE PORTION OF DIVISION, WEST 53RD, AND WEST 45TH STREETS BEING PREVIOUSLY VACATED BY ORDINANCE ARE BASED ON CITY SURVEY RECORDS AND CUYAHOGA COUNTY MAP RECORDS. ALL DIMENSIONS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BEARINGS SHOWN INDICATE ANGLES ONLY, ALL OF WHICH I CERTIFY TO BE CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF.

DONALD F. SHEEHY P.S. NO 7849

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 88° 00' 22" EAST AS THE CENTERLINE OF CRESCENT AVENUE (66') AS EVIDENCED BY MONUMENTS FOUND AND SHOWN HEREON AND IS THE SAME AS CALCULATED AND REPRODUCED FROM OHIO STATE PLANE COORDINATE SYSTEM NORTH ZONE 3401 BY TIES TO THE O.D.O.T. VRS NETWORK AND ARE USED TO INDICATE ANGLES ONLY.

NOTES:

ALL VACATED RIGHT-OF-WAY SHOWN HEREON ARE SUBJECT TO PERMANENT EASEMENTS AS FOLLOWS.....

AS PER OHIO REVISED CODE MUNICIPAL CORPORATION, CHAPTER 723, STREET; PUBLIC GROUNDS, SECTIONS 723.08 EFFECT OF ORDER OF VACATION AND 723.041 EASEMENT OF PUBLIC UTILITY FACILITY IN VACATED OR NARROWED PORTION OF STREET, HIGHWAY, ROAD.....

.....PERMANENT EASEMENTS FOR PROPERTY OWNERS SHOWN HEREON, ALONG WITH SUCCESSORS AND ASSIGNS AND THE CITY OF CLEVELAND, DOMINION EAST OHIO GAS, THE ILLUMINATING COMPANY (CEI), CLEVELAND PUBLIC POWER & AT&T, DO HEREBY RESERVE PERMANENT EASEMENTS OVER AND THROUGH THE VACATED DIVISION AVENUE N.W. (66 FEET WIDE), WEST 53rd. STREET (50 FEET WIDE) & WEST 45th. STREET (66 FEET WIDE) FOR INGRESS/EGRESS AND UTILITY FACILITIES INCLUDING MAINTAINING, OPERATING, RENEWING, RECONSTRUCTING, REMOVING AND REPAIR OF PAVEMENT AND ALL UTILITIES (WATER, SANITARY AND STORM SEWERS, GAS, ETC.). SAID PERMANENT EASEMENTS SHALL BE RECIPROCATED AMONG PROPERTY OWNERS AND THEIR SUCCESSORS AND ASSIGNS AND SHALL RUN WITH THE PROPERTY AND.....

.....ARE SUBJECT TO EASEMENTS OF RECORD.

ORDINANCE STATEMENT

Ord. 503-17

- An emergency ordinance to vacate portions of Division Avenue, West 45th Street and West 53rd Street

- 1. Vacation of a Portion of Division Avenue N.W. (66 Feet Wide) From the West R/W of West 54th Street to a point approximately 308 feet.
2. Vacation of a Portion of Division Avenue N.W. (66 Feet Wide) From the West R/W of West 45th Street to the West R/W of West 29th Street
3. Vacation of a Portion of West 53rd Street (50 Feet Wide) From the South R/W of Division Avenue N.W. to the North R/W of Crescent Avenue N.W.
4. Vacation of a Portion of West 45th Street (66 Feet Wide) From the South R/W of Division Avenue N.W. to the North R/W of Crescent Avenue N.W.

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for Dominion East Ohio Gas, The Illuminating Company (CEI), Cleveland Public Power and AT&T.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Dominion East Ohio Gas, the Illuminating Company (CEI), Cleveland Public Power, AT&T and the City of Cleveland.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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.

Passed June 5, 2017 Effective June 7, 2017

PLAT OF VACATION CLAUSES - APPROVALS

This Vacation Plat is in accordance with the provision of ordinance no. 503-17, passed by the council of The City of Cleveland, Ohio the 5th day of June, 2017

Platting Commissioner - Richard Switalski

The hatched area shown hereon is vacated by ordinance no. 503-17, passed by the council of The City of Cleveland, Ohio the 5th day of June, 2017

Clerk of Council - Patricia Britt

PLAT OF CONSOLIDATION CLAUSES - APPROVALS

This Consolidation Plat is accepted & approved by the Planning Director of the City of Cleveland, Ohio this _____ day of _____, _____

Planning Director - Freddy Collier

This Consolidation Plat is accepted & approved by the Platting Commissioner of the City of Cleveland, Ohio this _____ day of _____, _____

Platting Commissioner - Richard Switalski

PLAT OF DEDICATION CLAUSES - APPROVALS

This dedication plat is accepted & approved by the Planning Director of the City of Cleveland, Ohio this _____ day of _____, _____

Planning Director - Freddy Collier

The street herein proposed to be dedicated is sufficiently defined by monuments and is hereby accepted & approved by the Platting Commissioner of the City of Cleveland, Ohio this _____ day of _____, _____

Platting Commissioner - Richard Switalski

This dedication plat is in accordance with the rules of the planning commission and is hereby accepted & approved by the Director of Capital Projects of the City of Cleveland, Ohio this _____ day of _____, _____

Director of Capital Projects - Matthew Spronz

This dedication plat is accepted & approved by the council of the City of Cleveland, Ohio this _____ day of _____, _____

Clerk of Council - Patricia Britt

The land embraced in Scowden Way as shown in shade hereon is free from all encumbrances except taxes, general or special as shown on _____ ALTA/ACSM commitment, policy no. _____ dated this _____ day of _____, _____

Director of Law - Barbara Langhenry

Assistant Director of Law

Approved by the Development, Planning and Sustainability Committee

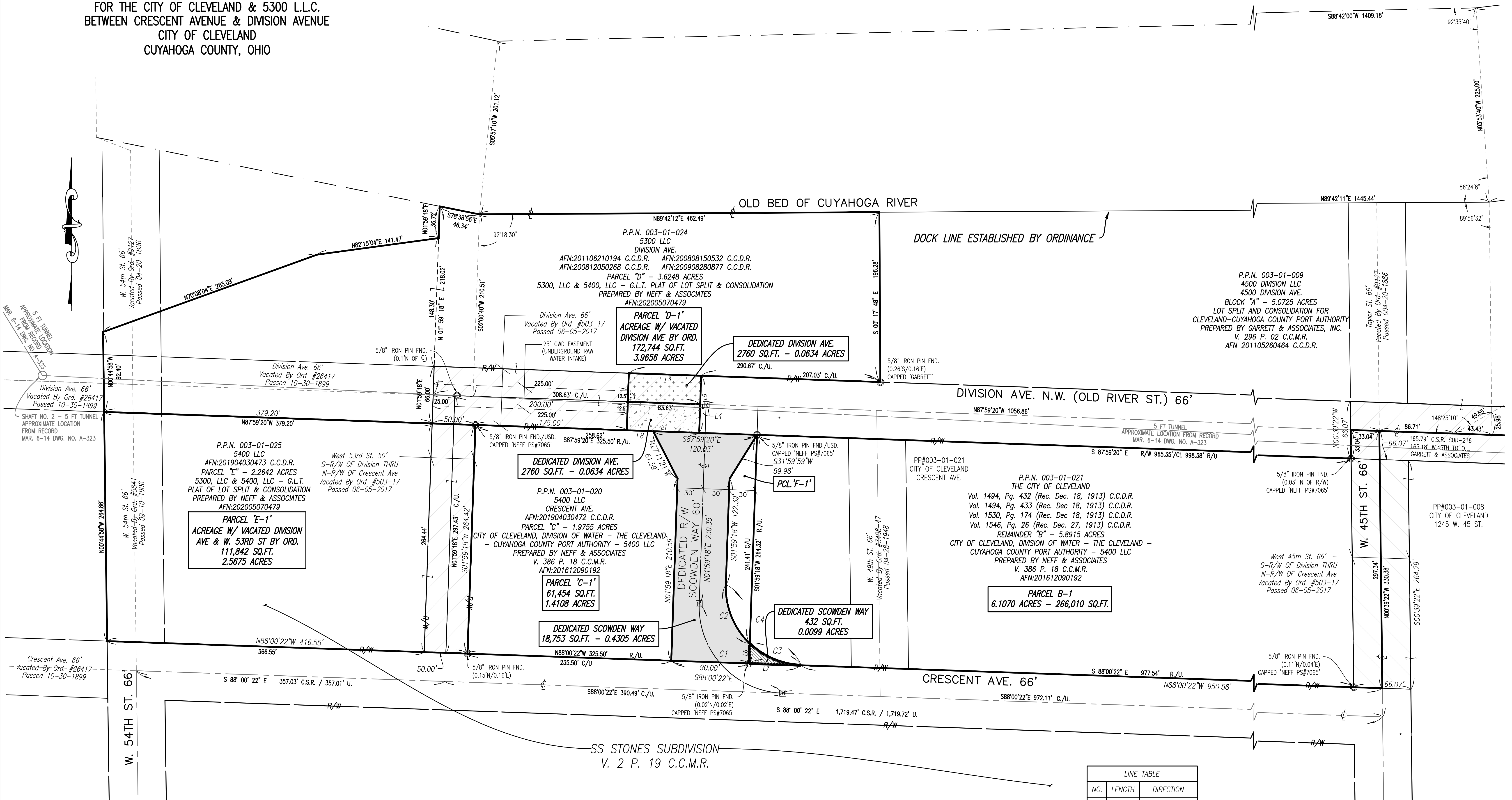
Approved by the Municipal Services and Property Committee

CVE CHAGRIN VALLEY ENGINEERING, LTD. Creative Engineers. Intelligent Solutions. 22999 Forbes Road, Suite B Cleveland, Ohio 44146-5667 Phone • 440.439.1999 Fax • 440.439.1969 www.cvelimited.com MAY 15, 2019 CVE PROJECT #16398 SHEET 1 OF 3

REVISED MARCH 30, 2021 AS PER CITY
REVISED MARCH 16, 2021 AS PER CITY
REVISED AUGUST 25, 2020 AS PER CITY
REVISED AUGUST 24, 2020 AS PER CITY
REVISED AUGUST 18, 2020 AS PER CITY/OWNER
REVISED JUNE 16, 2020 AS PER CITY
REVISED JUNE 08, 2020 AS PER CITY
REVISED MAY 26
REVISED MAY 22, 2020 AS PER CWD
REVISED JULY 09, 2019 AS PER COUNTY
REVISED JULY 02, 2019 AS PER COUNTY
REVISED JUNE 26, 2019 AS PER COUNTY

SCOWDEN WAY & DIVISION AVE. DEDICATION PLAT

w/ MAP OF VACATION ORD. #503-17
FOR THE CITY OF CLEVELAND & 5300 L.L.C.
BETWEEN CRESCENT AVENUE & DIVISION AVENUE
CITY OF CLEVELAND
CUYAHOGA COUNTY, OHIO



LEGEND

- ☐ = INDICATES MONUMENT BOX SET w/ 1"x30" Iron Pin
- = Proposed Iron Pin (Capped D.F. Sheehy PS#7849)
- = Existing Iron Pin or Pipe Found (as noted)
- = Indicates Monument Box Found (as noted)
- ⊕ = Centerline
- ℙ = Property Line
- R/W = Right-of-Way
- R / Rec. = Record
- C / Calc. = Calculated
- M / Msd. = Measured
- U / Usd. = Used
- F / Fnd. = Found
- V. / Vol. = Volume
- P. / Pg. = Page

PCL 'F-1'

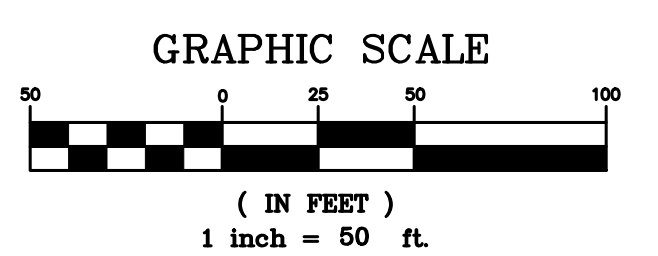
P.P.N. 003-01-020
5400 LLC
CRESCENT AVE.
AFN:201904030472
PARCEL 'F-1'
5,845 SQ.FT.
0.1342 ACRES

CURVE TABLE

NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD	TANGENT
C1	157.07'	100.00'	089°59'40"	S 43°00'32" E	141.41'	99.99'
C2	75.70'	90.00'	048°11'23"	S 22°06'24" E	73.48'	40.25'
C3	65.67'	90.00'	041°48'17"	S 67°06'14" E	64.22'	34.37'
C4	141.36'	90.00'	089°59'40"	S 43°00'32" E	127.27'	89.99'

LINE TABLE

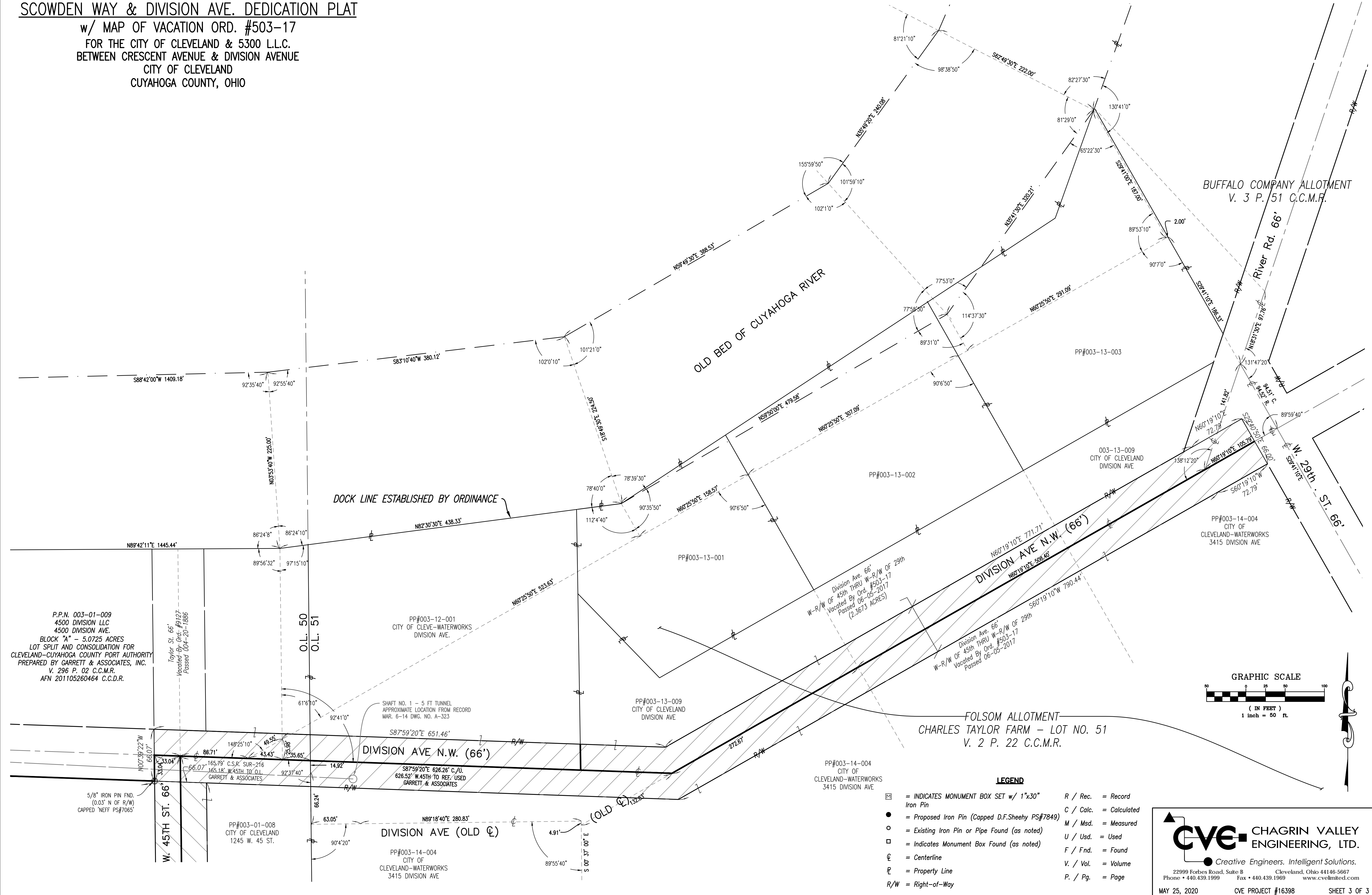
NO.	LENGTH	DIRECTION
L1	83.62'	N 87°59'20" W
L2	66.00'	N 01°59'18" E
L3	83.64'	S 87°59'20" E
L4	6.86'	N 87°59'20" W
L5	66.00'	S 02°00'40" W
L6	22.91'	N 01°59'18" E
L7	59.99'	N 88°00'22" W
L8	30.47'	S 87°59'20" E



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SCOWDEN WAY & DIVISION AVE. DEDICATION PLAT

w/ MAP OF VACATION ORD. #503-17
 FOR THE CITY OF CLEVELAND & 5300 L.L.C.
 BETWEEN CRESCENT AVENUE & DIVISION AVENUE
 CITY OF CLEVELAND
 CUYAHOGA COUNTY, OHIO



P.P.N. 003-01-009
 4500 DIVISION LLC
 4500 DIVISION AVE.
 BLOCK "A" - 5.0725 ACRES
 LOT SPLIT AND CONSOLIDATION FOR
 CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY
 PREPARED BY GARRETT & ASSOCIATES, INC.
 V. 296 P. 02 C.C.M.R.
 AFN 201105260464 C.C.D.R.

Taylor St. 66'
 Vacated By Ord. #19127
 Passed 09-20-1886

PP#003-12-001
 CITY OF CLEVELAND-WATERWORKS
 DIVISION AVE.

PP#003-13-001

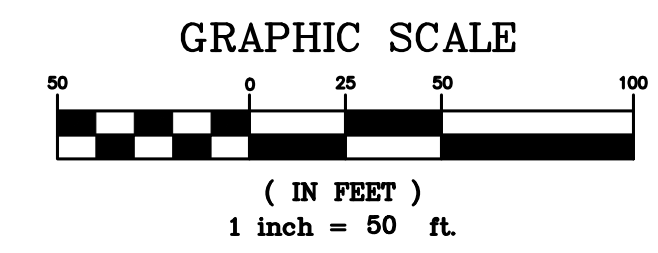
Division Ave. 66'
 W-R/W OF 45th THRU W-R/W OF 29th
 Vacated By Ord. #503-17
 Passed 06-05-2017
 (2.3673 ACRES)

Division Ave. 66'
 W-R/W OF 45th THRU W-R/W OF 29th
 Vacated By Ord. #503-17
 Passed 06-05-2017

PP#003-13-009
 CITY OF CLEVELAND
 DIVISION AVE

PP#003-14-004
 CITY OF CLEVELAND-WATERWORKS
 3415 DIVISION AVE

PP#003-01-008
 CITY OF CLEVELAND
 1245 W. 45 ST.



FOLSOM ALLOTMENT
 CHARLES TAYLOR FARM - LOT NO. 51
 V. 2 P. 22 C.C.M.R.

PP#003-14-004
 CITY OF CLEVELAND-WATERWORKS
 3415 DIVISION AVE

LEGEND

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