

Ordinance No. 547-2019

Council Members: B. Jones, Zone, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business.

WHEREAS, Richard and Kathy Lehmann have requested that the Director of Public Safety sell a portion of City's Third District Police Station located at 4601 Chester Avenue, known as Permanent Parcel No. 104-31-017, no longer needed for the City's public use, for the purpose of access to their business; and

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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property, which is a portion of City's Third District Police Station located at 4601 Chester Avenue and known as Permanent Parcel No. 104-31-017, is no longer needed for the City's public use:

TRANSFER PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Lot "2" of the Plat of Lot Split for the City of Cleveland, of part of Original 10 Acre Lots Nos. 96, 97 and 98, as shown by the recorded plat in volume 360 of maps, page 55, of Cuyahoga County Records, and further described as follows:

Beginning at a point on the southerly line of Perkins Avenue (70 feet wide), at its intersection with the easterly line of Original 10 Acre Lot No. 96, said point being the Place of Beginning;

Thence S 81°55'00" W, along said southerly line of Perkins Avenue, a distance of 82.50 feet, to a point at the most northeasterly corner of a parcel of land belonging to Brent Young & Mark Sudduth by Deed Dated February 01, 1988, in Volume 88-0434, Page 04 of Cuyahoga County Deed Records said point witnessed by a 5/8" I.P. found 0.09' S. 0.50' W.;

Thence S 08°09'36" E, along the easterly line of said parcel of land belonging to Brent Young & Mark Sudduth, a distance of 163.60 feet, to a point on the northerly line of Lot

“2” of the Plat of Lot Split for the City of Cleveland, as shown by the recorded plat in volume 360 of maps, page 55, of Cuyahoga County Records and 5/8” I.P. w/cap set;

Thence N81°55'00"E, along said northerly line of Lot “2”, a distance of 11.00 feet, to a point;

Thence N 08°09'36" W, along a line parallel to the aforesaid easterly line of a parcel of land belonging to Brent Young & Mark Sudduth, a distance of 163.60 feet, to a point on the southerly line of Perkins Avenue (70 feet wide);

Thence S 81°55'00" W, along said southerly line of Perkins Avenue, a distance of 11.00 feet, to the Place of Beginning; containing within said bounds 0.0413 acre of land, (1799.60 Sq. Ft.), be the same more or less, but subject to all legal highway's.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Richard and Kathy Lehmann at a price not less than the Broker's Opinion of Value of \$500.00, which is determined to be fair market value.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Public Safety is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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 3, 2019.

Effective June 5, 2019.