

# Resolution No. 449-2021

By Council Members Bishop and Brancatelli (by departmental request)

## AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of Morgana Avenue (60 feet wide), a portion of East 52<sup>nd</sup> Street (50 feet wide) and a portion of East 53<sup>rd</sup> Street (35 feet wide).

**FOR ADOPTION**  
**June 7, 2021**

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WHEREAS, this Council is satisfied that there is good cause to vacate a portion of Morgana Avenue (60 feet wide), a portion of East 52<sup>nd</sup> Street (50 feet wide) and a portion of East 53<sup>rd</sup> Street (35 feet wide) as described; and

WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council declares its intent to vacate a portion of the following described real properties:

### **PROPOSED VACATION OF A PORTION OF MORGANA AVENUE**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 316 and 320 and bounded and described as follows:

Beginning at a point in the northerly line of Morgana Avenue, 60 feet wide at its intersection with the easterly line of East 49<sup>th</sup> Street, 50 feet wide;

Thence South 74 degrees 50 minutes 42 seconds East along the northerly line of Morgana Avenue, 418.42 feet to an angle point, therein;

Thence South 80 degrees 50 minutes 20 seconds East along the northerly line of Morgana Avenue, 195.11 feet to an angle point, therein;

Thence North 86 degrees 30 minutes 46 seconds East along the northerly line of Morgana Avenue, 193.48 feet to an angle point, therein;

Thence North 74 degrees 15 minutes 56 seconds East along the northerly line of Morgana Avenue, 195.23 feet to an angle point, therein;

Thence North 68 degrees 20 minutes 01 seconds East along the northerly line of Morgana Avenue, 568.92 feet to a point in the westerly line of East 55<sup>th</sup> Street, variable width;

Thence South 20 degrees 04 minutes 11 seconds East along the westerly line of East 55<sup>th</sup> Street, 60.02 feet to a point in the southerly line of Morgana Avenue;

Thence South 68 degrees 20 minutes 01 seconds West along the southerly line of Morgana Avenue, 570.36 feet to an angle point, therein;

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Thence South 74 degrees 15 minutes 56 seconds West along the southerly line of Morgana Avenue, 204.77 feet to an angle point, therein;

Thence South 86 degrees 30 minutes 46 seconds West along the southerly line of Morgana Avenue, 206.57 feet to an angle point, therein;

Thence North 80 degrees 50 minutes 20 seconds West along the southerly line of Morgana Avenue, 204.90 feet to an angle point, therein;

Thence North 74 degrees 50 minutes 42 seconds West along the southerly line of Morgana Avenue, 394.63 feet to a point in the easterly line of East 49<sup>th</sup> Street;

Thence North 9 degrees 00 minutes 57 seconds West along the easterly line of East 49<sup>th</sup> Street, 65.77 feet to the place of beginning, and containing 94,572 square feet or 2.1711 acres of land according to the survey by Donald G. Bohning & Associates, Inc. dated February, 2021.

## **PROPOSED VACATION OF A PORTION OF EAST 52<sup>ND</sup> STREET**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot 316 and bounded and described as follows:

Beginning at a point in the centerline of East 52<sup>nd</sup> Street, 50 feet wide, at its intersection with the centerline of Blanche Avenue, 40 feet wide;

Thence South 87 degrees 55 minutes 07 seconds West, along the centerline extension of Blanche Avenue, 25.00 feet to a point in the westerly line of East 52<sup>nd</sup> Street;

Thence South 2 degrees 00 minutes 14 seconds East along the westerly line of East 52<sup>nd</sup> Street, 246.16 feet to a point at its intersection with the northerly line of Deed Parcel 1 of land conveyed to Morgana Properties, LLC recorded as A.F.N. 201910170350 of Cuyahoga County Records, and the principal place of beginning of the vacation herein described;

Thence North 87 degrees 59 minutes 46 seconds East, 50.00 feet to a point in the easterly line of East 52<sup>nd</sup> Street;

Thence South 2 degrees 00 minutes 14 seconds East along the easterly line of East 52<sup>nd</sup> Street, 114.16 feet to a point in the northerly line of Morgana Avenue, 60 feet wide;

Thence South 74 degrees 15 minutes 56 seconds West along the northerly line of Morgana Avenue, 51.47 feet to a point in the westerly line of East 52<sup>nd</sup> Street;

Thence North 2 degrees 00 minutes 14 seconds West along the westerly line of East 52<sup>nd</sup> Street, 126.38 feet to the principal place of beginning, and containing 6,013 square feet or 0.1381 acres of land according to the survey by Donald G. Bohning & Associates, Inc. dated February, 2021.

## **PROPOSED VACATION OF A PORTION OF EAST 53<sup>RD</sup> STREET**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being former Sublot 14 in The Mound Street Allotment of part of Original 100 Acre Lot 316 as shown by the plat recorded in Volume 26, Page 19 of Cuyahoga County Map Records, and part of Original 100 Acre Lot 316 and bounded and described as follows:

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Beginning at a point in the northerly line of Eliza Avenue, 50 feet wide at its intersection with the westerly line of East 53<sup>rd</sup> Street, 35 feet wide;

Thence North 1 degree 10 minutes 42 seconds West along the westerly line of 53<sup>rd</sup> Street, being also the easterly line of Deed Parcel 2 of land conveyed to Morabito Enterprises, Inc. recorded as A.F.N. 201910170347 of Cuyahoga County Records and the easterly line of Deed Parcel 2 of land conveyed to Morabito Properties, LLC recorded as A.F.N. 201910170350 of Cuyahoga County Records, 430.97 feet to a point in the southerly line of Morgana Avenue;

Thence North 74 degrees 15 minutes 56 seconds East, 18.00 feet to an angle point, therein;

Thence North 68 degrees 20 minutes 01 seconds East, 18.76 feet to its intersection with the easterly line of East 53<sup>rd</sup> Street;

Thence South 1 degree 10 minutes 42 seconds East along the easterly line of East 53<sup>rd</sup> Street, being also the westerly line of Deed Parcel 1 of land conveyed to Morabito Properties, LLC recorded as A.F.N. 200307070876 of Cuyahoga County Records, 442.09 feet to a point in the northerly line of Eliza Avenue;

Thence South 88 degrees 51 minutes 29 seconds West along the northerly line of Eliza Avenue, 35.00 feet to the place of beginning, and containing 15,261 square feet or 0.3503 acres of land according to the survey by Donald G. Bohning & Associates, Inc. dated February, 2021.

Legal Description approved by Eric Westfall, Section Chief, Plats, Surveys and House Numbering Section (Acting).

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

MS:ebw  
6-7-2021  
FOR: Interim Director Spronz

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**REPORT  
after second Reading**

**By Council Members Bishop and Brancatelli  
(by departmental request)**

**AN EMERGENCY RESOLUTION**

Declaring the intent to vacate a portion of Morgana Avenue (60 feet wide), a portion of East 52<sup>nd</sup> Street (50 feet wide) and a portion of East 53<sup>rd</sup> Street (35 feet wide).

**READ FIRST, SECOND AND THIRD TIME**

**READ FIRST TIME**

**REPORTS**

and referred to

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**CITY CLERK**

**READ SECOND TIME**

**APPROVED BY  
CITY PLANNING COMMISSION**

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**CITY CLERK**

\_\_\_\_\_  
**Secretary**

**READ THIRD TIME on JUNE 7, 2021**

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED**

\_\_\_\_\_  
**MAYOR**

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