

Ordinance No. 527-2022

By Council Members Howse, Hairston and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by 3614 Euclid Holding LLC, or its designee, located at 3614 Euclid Avenue for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Delta Hotel Project.

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, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to, 3614 Euclid Holding LLC, or its designee, for a nominal consideration of one dollar and other valuable consideration determined to be fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

Exhibit "A" to Receiver's Deed
(Description of Premises)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 and all of Sublot No. 20 in J.H. Webster's Subdivision as assignee of H.P. Weddell of part of Original Ten Acre Lots Nos. 64, 65, and 66 as shown by the recorded plat in Volume 13, Page 4 of Cuyahoga County Map Records, and also a part of Original Ten Acre Lot No. 66, and together forming a parcel of land more fully described as follows:

Beginning at a point on the Southerly line of Euclid Avenue (99 feet wide) at a point which is distant 50.00 feet Westerly measured along said Southerly line, from the Northeasterly corner of said Sublot No. 1 in J.H. Webster's Subdivision;

Thence North 89° 59' 31" East along the Southerly line of Euclid Avenue, as aforesaid, 243.31 feet to a point on the common boundary line as established by agreement dated August 21, 1953 and recorded in Volume 7859, Page 603 of Cuyahoga County Deed Records;

Thence South 0° 05' 36" East along the line established by said boundary agreement 64.28 feet to a point;

Thence South 0° 02' 55" East along the line established by said boundary agreement 210.13 feet to a point;

Thence North 89° 58' 55" East along the line established by said boundary agreement 0.17 feet to a point on the Easterly line of said Original Lot No. 66;

Thence South 0° 05' 00" East along the Easterly line of said Original Lot No. 66 a distance of 125.00 feet to a point on the Northerly line of Prospect Avenue (82.50 feet wide);

Thence South 89° 58' 55" West along the Northerly line of Prospect Avenue, as aforesaid, 53.40 feet to a point at the Southeasterly corner of a parcel of land conveyed to John G. Hall by deed dated May 28, 1873 and recorded in Volume 129, Page 273 of Cuyahoga County Deed Records;

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Thence North 0° 05' 00" West along the Easterly line of said parcel conveyed to John G. Hall, 100.00 feet to a point at the Northeasterly corner thereof,

Thence South 89° 58' 55" West along the Northerly line of said parcel conveyed to John G. Hall, 20.00 feet to a point at the Southeasterly corner of a parcel of land conveyed to Augustine G. Stone by deed dated December 8, 1884 and recorded in Volume 373, Page 506 of Cuyahoga County Deed Records;

Thence North 0° 05' 00" West along the Easterly line of said parcel conveyed to Augustine G. Stone, 40.00 feet to a point at the Southeasterly corner of a parcel of land conveyed to William D. Rees by deed dated August 12, 1902 and recorded in Volume 1417 page 1 of Cuyahoga County Deed Records;

Thence South 89° 58' 55" West along the Southerly line of said parcel conveyed to William D. Rees 20.00 feet to a point on the Westerly line of said parcel of land conveyed to Augustine G. Stone;

Thence North 0° 05' 00" West along the Westerly line of said parcel conveyed to Augustine G. Stone, 10.00 feet to a point at the Northwesterly corner of said parcel conveyed to Augustine G. Stone, which is also the Southerly line of land conveyed to William D. Rees by deed recorded in Volume 477, Page 120 of Cuyahoga County Deed Records;

Thence South 89° 58' 55" West along the Southerly line of said parcel conveyed to William D. Rees and along the Northerly line of the second parcel of land conveyed to Emily R. Hall by deed dated October 7, 1909, and recorded in Volume 1225, Page 34 of Cuyahoga County Deed Records, 34.17 feet to a point at the Northwesterly corner of said parcel conveyed to Emily R. Hall;

Thence South 0° 05' 00" East along the Westerly line of said second parcel conveyed to Emily R. Hall, 20.00 feet to a point which is distant 130.00 feet Northerly, measured along a line parallel with the Westerly line of said Original Lot No. 66, from the Northerly line of Prospect Avenue as aforesaid;

Thence South 89° 58' 55" West parallel with the Northerly line of Prospect Avenue, as aforesaid, 0.83 feet to a point at the Southeasterly corner of a parcel of land conveyed to Fred C. Cusack by deed dated June 22, 1933, and recorded in Volume 4299, Page 124 of Cuyahoga County Deed Records;

Thence North 0° 05' 00" West along the Easterly line of said parcel conveyed to Fred C. Cusack, 20.00 feet to a point at the Northeasterly corner thereof;

Thence South 89° 58' 55" West along the Northerly line of said land conveyed to Fred C. Cusack, 22.50 feet to a point at the Northwesterly corner thereof,

Thence South 0° 05' 00" East along the Westerly line of said parcel conveyed to Fred C. Cusack by deed last aforesaid and by deed dated May 31, 1933 and recorded in Volume 4299, Page 125 of Cuyahoga County Deed Records, 150.00 feet to a point on the Northerly line of Prospect Avenue, as aforesaid;

Thence South 89° 58' 55" West along the Northerly line of Prospect Avenue, as aforesaid, 113.50 feet to a point at the Southwesterly corner of Sublot No. 20 in J. H. Webster's Subdivision;

Thence North 0° 05' 00" West along the Westerly line of said Sublot No. 20, a distance of 200.09 feet to a point at the Northwesterly corner thereof;

Thence North 89° 58' 55" East along the Northerly line of said Sublot No. 20 a distance of 21.03 feet to a point that is 50.00 feet from the Southeast corner of Sublot No. 1 in J.H. Webster's Subdivision;

Thence North 0° 05' 00" West, parallel with the Easterly line of said Sublot No. 1, a distance of 199.36 feet to a point on the Southerly line of Euclid Avenue, as aforesaid, and the place of beginning, according to a survey by The Western Reserve Surveying Company in September, 1996, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to cause 3614 Euclid Holding LLC, or its designee, to employ,

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and to pay all fees for, title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the property.

Section 3. That this Council finds the conveyances are in compliance with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section and the subject property is located in a blighted area of an impacted City as required by Section 5709.41 of the Revised Code.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

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.

SMA:nl
5-23-2022
FOR: Interim Director Thornton

