C OF C 125-174

Ordinance No. 1264-2022

By Council Members McCormack, 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 CCA CBD Cleveland, LLC, and/or its designee, located at 776 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 City Club Apartment 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, CCA CBD Cleveland, LLC, and/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:

Legal Description
101-27-041

Situated in what is now the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Two Acre Lot Nos. 105, 106, and 107, and also being known as a portion of a consolidated parcel of land for 720 Euclid Limited Liability Company as recorded in Volume 271, Page 22 of the Cuyahoga County Map Records, of being more fully bounded and described as follows;

Beginning at the centerline intersection of Euclid Avenue, 99 feet wide, and East 4th Street, 40 feet wide, being referenced by a 1" iron pin found in a monument box assembly, thence North 79°10'06" East along the centerline of said Euclid Avenue, a distance of 820.72 feet to a point at the centerline intersection of East 8th Street, 16 feet wide, thence South 10°36'43" East along the centerline of said East 8th Street, a distance of 49.50 feet to a 1" iron pin found in a monument box assembly at the southerly right of way of said Euclid Avenue, thence South 79°10'06" West, a distance of 8.00 feet to the westerly right of way of said East 8th Street being referenced by a drill hole found South 0.13 feet and West 0.15 .feet thereof; said point also being the Principal Place of Beginning for the parcel herein described;

Course No.1 Thence South 10°36'43" East along the westerly right of way of said East 8th Street, a distance of 111.43 feet to a set drill hole at a new division line;

Course No.2 Thence South 79°07'59" West along a new division line, a distance of 181.25 feet to a set drill hole at an angle point thereon;

Course No.3 Thence North 10°52'0.1" West along a new division line, a distance of 8.09 feet to a set drill hole at an angle point thereon;

Course No.4 Thence South 79°28'10" West along a new division line, a distance of 19.06 feet to a set drill hole in the side of an existing building along the easterly line of Cuyahoga County parcel 101-27-021 now or formerly owned by 668 Atrium as recorded in AFN 201506180342 of the Cuyahoga County records;

Course No.5 Thence North 10°31'50" West along said Atrium land, a distance of 103.34 feet to the southerly right of way of said Euclid Avenue being referenced by a drill hole set,

Course No.6 Thence North 79°10'06" East along said Euclid Avenue, a distance of 200.20 feet to the Principal Place of Beginning, said parcel containing 22,172 square feet or 0.5090 acres of land according to a survey by Langan Engineering and Environmental Services dated February of 2020 and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, NAD 83 derived from GPS observations and bearings are to denote angles only.

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 CCA CBD Cleveland, LLC, and/or its designee, to employ, 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 conveyances 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
11-28-2022
FOR: Director Jackson

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READ FIRST TIME on NOVEMBER 28, 2022 **REPORTS**
and referred to DIRECTORS of Economic Development,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **109** Page_____

Published in the City Record _____

REPORT
after second Reading

PASSAGE RECOMMENDED BY COMMITTEE ON
DEVELOPMENT, PLANNING AND SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY COMMITTEE ON
FINANCE, DIVERSITY, EQUITY and INCLUSION

FILED WITH COMMITTEE