C OF C 125-174

Ordinance No. 185-2023

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 1900 East 6th Street, LLC, and/or its designee, located at 1900 East 6th Street 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 Fidelity 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, 1900 East 6th Street, 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

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio:

And known as being part of Original Two Acre Lot No. 92, bounded and described as follows:

Beginning on the Northerly line of Euclid Avenue, 99 feet wide, at its intersection with the Westerly line of East 6th Street, 50 feet wide, (formerly Bond Street);

Thence North 10 deg. 09' 30" West, along said Westerly line of East 6th Street, 109.90 feet to an angle in said Westerly line;

Thence North 34 deg. 52' 20" West, continuing along said Westerly line of East 6th Street, 22.12 feet to the most Easterly corner of a parcel of land so conveyed by Waldemar Otis, to Charles H. Bulkley, by deed dated April 1, 1880 and recorded in Volume 312, page 444, of the Cuyahoga County Records, and the principal place of beginning of land herein described;

COURSE I: Thence South 79 deg. 50' 00" West, along the Southerly line of land conveyed to Charles H. Bulkley as aforesaid, 61.75 feet to the Southeasterly corner of a parcel of land conveyed by Liberty E. Holden and wife, to C. G. King, et al, by deed dated January 11, 1889 and recorded in Volume 438, page 504, of the Cuyahoga County Records;

COURSE II: Thence North 30 deg. 03' 30" West, along the Easterly line of land conveyed to C. G. King, et al, as aforesaid, and along the Westerly line of land conveyed by C. G. King, et al, to Liberty and Delia Holden, by deed dated January 11, 1889 and recorded in Volume 443,

page 459, of the Cuyahoga County Records, 109.30 feet to the Northwest corner of a parcel of land conveyed by George N. Chase, et al, to Daniel Taylor, by deed dated May 18, 1875 and recorded in Volume 245, page 307, of the Cuyahoga County Records, said Northwest corner being in the Southerly line of a private alley as described in Deed from George Freeman and Emma D. Freeman, to Henry Nottingham, dated July 19, 1875 and recorded in Volume 252, page 60, of the Cuyahoga County Records;

COURSE Ill: Thence North 55 deg. 58' 20" East, along the Northerly line of land conveyed to Daniel R. Taylor as aforesaid, it being the Southerly line of a 12 foot alley as described in Deed from George Freeman and Emma D. Freeman, to Henry Nottingham, recorded in Volume 252, page 60, of the Cuyahoga County Records, 46.96 feet to the Westerly line of East 6th Street;

COURSE IV: Thence South 34 deg. 52' 20" East, along the Westerly line of East 6th Street, 134.07 feet to the principal place of beginning, be the same more or less but subject to all legal highways.

TOGETHER WITH the non-exclusive right to the use of two 12 foot alleys as set forth in Volume 252, page 62, and Volume 434, page 622, of the Cuyahoga County Records.

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 1900 East 6th Street, 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
2-6-2023
FOR: Director Jackson

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READ FIRST TIME on FEBRUARY 6, 2023 **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

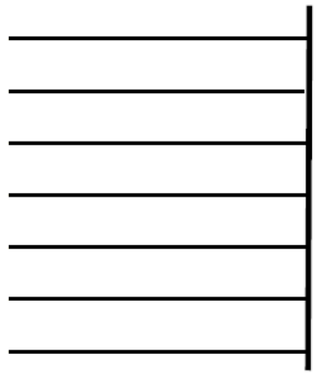
Recorded Vol. **110** Page_____

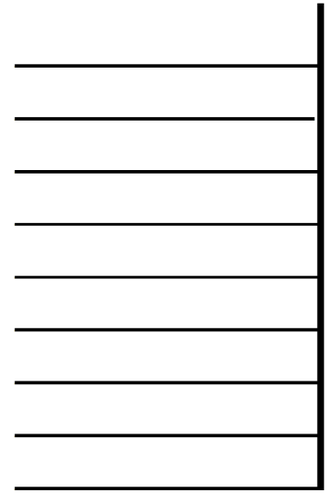
Published in the City Record _____

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

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