

Ordinance No. 1311-2024

By Council Members Spencer, 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 Shoreway Tower LLC, and/or its designee, located at 1200 West 76th Street, Cleveland, OH 44102 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 Shoreway Tower, LLC 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 Shoreway Tower, 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:

PPN: 002-03-004

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio:
And known as being Sublots Nos. 94 to 98, both inclusive, 162 to 164, both inclusive, part of Sublots Nos. 99 and 161 and a 15 foot alley, now vacated by City of Cleveland Ordinance No. 2133-47 in W.J. Gordon's Allotment of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 17 of Maps, Page 9 of the Cuyahoga County Records, part of West 78th Street, 40 feet in width now vacated by City of Cleveland Ordinance No. 2134-47 and part of Sublot No. 2 in Lamb and Hooker Allotment, of part of Original Brooklyn Township Lots Nos. 29 and 30, as shown by the recorded plat in Volume 2 of Maps, Page 27 of the Cuyahoga County Records, together forming a parcel of land, bounded and described as follows:

Beginning in the Westerly line of West 76th Street, 50 feet in width, at its intersection with the Southeasterly line of The Consolidated Rail Corporation right of way, 100 feet in width;

Thence South $0^{\circ} 01' 46''$ East, along the Westerly line of said West 76th Street, 243.19 feet to a point;

Thence Westerly, along the Northerly line of land conveyed to Thomas Timura and Mary Timura by deed dated December 30, 1982 and recorded in Volume 15696, Page 305 of the Cuyahoga County Records, and along the Northerly pilaster face of the two-story brick building located at No. 1250, a distance of 218.61 feet to a point;

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Thence continuing Westerly, along the Northerly line of land so conveyed to Thomas Timura and Mary Ellen Timura, 9.88 feet to a Westerly line of land conveyed to Mau-Sherwood Supply Company Inc. by deed dated March 27, 1979 and recorded in Volume 15016, Page 381 of the Cuyahoga County Records;

Thence South 89 deg. 48' 40" West, 130.00 feet to a point;

Thence North 0 deg. 11' 20" West, 65.77 feet to the Southeasterly line of the aforementioned Consolidated Rail Corporation right of way;

Thence North 63 deg. 30' 10" East, along the Southeasterly line of said Consolidated Rail Corporation right of way, 400.66 feet to the place of beginning, be the same more or less, but subject to all legal highways.

1200 West 76th Street, Cleveland, Ohio 44102

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 Shoreway Tower, 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.

SM:uo
11-25-2024
FOR: Director McNair

