

Ordinance No. 96-2025

**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 TDG Franklin Realty, LLC, and/or its designee, located at 3105 Franklin Boulevard, Cleveland, OH 44113 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 Franklin Yards South 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 TDG Franklin Realty, 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, reserving to the City the beneficial interest in and title to the described easements of record. The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

EXHIBIT A

Legal Description

Parcel No. 1 •

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being part of Sublot No. 13 of Cyrus Bosworth's Allotment of Sublot No. 3 of the Taylor Farm Allotment of part of Original Brooklyn Township Lot No. 51, as shown by the recorded plat in Volume II of Maps, Page 45 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Southerly line of Franklin Avenue, with the Easterly line of Duane Street;

Thence Southerly along the Easterly line of Duane Street, 218 feet to a stone;

Thence Easterly on a line deflecting to the left, 87 degrees 56' 00", 54 feet to a stone;

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Thence Southeasterly on a line deflecting to the right 54 degrees, 34-1/10 feet to a stone;

Thence Easterly on a line deflecting to the left, 51 degrees 9', 44.68 feet to a point on the

Easterly line of said Sublot No. 13, 4.45 feet Northerly from the Southeast corner thereof;

Thence Northerly along said Easterly line 265.72 feet to the Southerly line of Franklin Avenue,

Thence Westerly along the Southerly line of Franklin Avenue, 128.04 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Parcel No. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being Sublot Nos. 25 and 26 in Wright and Coffinberry's Re-Allotment of all of Sublot No. 2 and a part of Sublot No. 1 in the Taylor Farm Allotment of a part of Original Brooklyn Township Lot No. 51, as shown by the recorded plat in said Re-Allotment in Volume 10 of Maps, Page 17 of Cuyahoga County Records.

Said Sublot Nos. 25 and 26 together form a parcel of land having a frontage of 65 feet 3-3/4 inches on the Southerly side of Franklin Avenue, N.W., extending back 250 feet on the Westerly line, 259 feet 4 inches on the Easterly line, said Easterly line being the Westerly line of West 31st Place (formerly Franklin Court) and having a rear line of 64 feet 2 inches, as appears by said plat be the same more or less, but subject to all legal highways.

PPN•. 003-31-063

Parcel No. 3:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being part of Sublot No. 13 in Bosworth's Allotment of part of Original Brooklyn Township Lot No. 51, as shown by the recorded Plat in Volume II of Maps, Page 45 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southerly line of Franklin Boulevard, N.W., and the Easterly line of West 32nd Street, formerly Duane Street;

Thence Southerly along the Easterly line of West 32nd Street, 218 feet to a stone and the principal place of beginning of the premises herein intended to be described;

Thence Easterly on a line deflecting to the left 87 degrees 56', 54 feet to a stone;

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Thence Southeasterly on a line deflecting to the right 54 degrees, 34. I feet to a stone;

Thence Easterly on a line deflecting to the left 51 degrees 9', 44.68 feet to a point on the Easterly line of said Sublot No. 13, 4.45 feet Northerly from the Southeasterly corner thereof;

Thence Westerly parallel with the Southerly line of said Subl No. 13, and 4.45 feet Northerly therefrom about 218 feet to the Easterly line of West 32nd Street;

Thence, Northerly along the Easterly line of West 32nd Street about 22.77 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PPN•. 003-31-004

Sublot No. 4:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being Sublots Nos. 1 and 2 in Wright and Coffinberry Allotment of Part of Original Brooklyn Township Lot No. 51, as shown by the recorded Plat in Volume 10 of Maps, Page 17 of

Cuyahoga County Records and being a parcel of land 65.312 feet front on the Southerly side of Franklin Avenue, N.W. (formerly Franklin Street) and extending back 229.50 feet on the Easterly line, 219.533 feet on the Westerly line, which is also the Easterly side of West 3 1st Place and having a rear line of 63.969 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being part of Sublot No. 2 in Wright and Coffinberry Allotment of part of Original Brooklyn Township Lot No. 51, as shown by the recorded plat in Volume 10 of Maps, Page 17 of Cuyahoga County Records and is further bounded and described as follows:

Beginning in the Southerly line of Franklin Boulevard N.W. (formerly Franklin Street) 66 feet wide at the intersection with the Easterly line of West 3 1st Place (formerly Franklin Court) variable width. Thence South 00 degrees 10' 53" West, along the Easterly line of said West 31st Place, 195.41 feet to a drill hole and cross set. Said point being 24.14 feet Northerly measured along the Easterly line of said West 31st Place from the Southwesterly corner of said Sublot No. 2 and the principal place of beginning of the land herein described:

Course 1: Thence, South 00 degrees 10' 53" West, continuing along the Easterly line of said West 31st Place, 24.14 feet to the Southwesterly corner thereof;

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Course 2: Thence, South 89 degrees 52' 07" East, along the Southerly line of said Sublot No. 2, 63.969 feet to the Southeasterly corner thereof;

Course 3: Thence, North 00 degrees 19' 15" East, along the Easterly line of said Sublot No. 2, 24.14 feet to a railroad spike set;

Course 4: Thence, North 89 degrees 52' 07" West, parallel with the Southerly line of said Sublot No. 2, 64.63 feet to the principal place of beginning, according to a survey by Charles J. Neff, Reg. Surveyor No. 4546-Ohio in April of 1985, be the same more or less, but subject to all legal highways.

PPN: 003-32-001

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 TDG Franklin Realty, 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
1-13-2025
FOR: Director McNair

