

Ordinance No. 1327-18

Council Members Conwell, Johnson and Brancatelli (by departmental request)

AN EMERGENCY ORDINANCE
To amend Section 559.244 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December3, 2012, relating creating of the Ethiopian Garden at 1445 Martin Luther King, Jr. Boulevard.

WHEREAS, the City wishes to create the Ethiopian Garden at 1445 Martin Luther King, Jr. Boulevard; and

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 Section 559.244 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December 3, 2012, is amended to create the Ethiopian Garden at 1445 Martin Luther King, Jr. Boulevard, to read as follows:

Section 559.244 Ethiopian Garden

~~Proposed Garden Site~~

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original One Hundred Acre Lot No. 385, and also contained within Section “C”, Brookway Division of Rockefeller Park, and further bounded and described as follows:

Beginning at a stone monument with drill hole found in the centerline of East 105th St., 60 feet wide, at its intersection with the centerline of Wade Park Ave., 70 feet wide; Thence South 89°05’12” West, along the centerline of Wade Park Ave., also being the Southerly line of aforesaid Lot No. 385 a distance of 986.03 feet to a point; Thence North 0°54’48” West, a distance of 555.59 feet to a capped iron pin set in aforesaid Section “C” at the principal place of beginning of the parcel of land herein described;

Thence North 19°16’55” East, a distance of 61.00 feet to a capped iron pin set;

Thence North 28°22’00” East, a distance of 33.00 feet to a capped iron pin set;

Thence North 33°16’00” East, a distance of 47.00 feet to a capped iron pin set;

Thence North 36°25’00” East, a distance of 138.55 feet to a capped iron pin set at a point of curve;

Thence Northeasterly, along a curved line deflecting to the left an arc distance of 239.26 feet to a capped iron pin set at a point of tangency, said curved line having a radius of 500.00 feet, a central angle of 27°25’00” and a chord which bears North 22°42’30” East, 236.98 feet;

Thence North 9°00’00” East, a distance of 27.85 feet to a capped iron pin set;

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- Thence South 74°23’22” East, a distance of 32.86 feet to a capped iron pin set;
- Thence South 2°00’00” West, a distance of 100.68 feet to a capped iron pin set;
- Thence South 12°55’00” West, a distance of 52.00 feet to a capped iron pin set;
- Thence South 22°13’00” West, a distance of 89.00 feet to a capped iron pin set;
- Thence South 35°51’00” West, a distance of 100.00 feet to a capped iron pin set;
- Thence South 52°49’00” West, a distance of 111.00 feet to a capped iron pin set;
- Thence South 48°06’00” West, a distance of 35.00 feet to a capped iron pin set;
- Thence South 29°00’21” West, a distance of 83.74 feet to a capped iron pin set;

Thence North 67°03’42” West, a distance of 9.66 feet to the principal place of beginning and containing 0.566 acres (24,673 sq. ft.) of land, as surveyed by Stephen Hovancsek & Associates, Inc., in June, 2012 under the direction of Robert Smoltz, Registered Surveyor No. 6763, State of Ohio, be the same more or less but subject to all legal highways.

The basis of bearing for this description being Ohio State Plane, North Zone, NAD 83(2007). All capped iron pins set are 5/8-inch diameter rebar, 30 inches long with a plastic cap stamped SH&A 6763.

Section 2. That existing Section 559.244 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1327-12, passed December3, 2012, is repealed.

Section 3. 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.

LW:nl
10-29-18

FOR: Director Cox

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READ FIRST TIME on OCTOBER 29, 2018
and referred to DIRECTORS of Public Works,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE