

Ordinance No. 1354-18

Council Members McCormack, Brancatelli
and Kelley (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 750 Huron LLC, or its designee, located at 750 Huron Road 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.

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 is authorized to acquire from and re-convey to, 750 Huron LLC, or its designee, for a price 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 and more fully described as follows:

PARCEL 1:

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO, AND KNOWN AS BEING SUBLOT NO. 16 AND PART OF SUBLOTS NOS. 26 AND 27 IN LONG AND ALLEN'S SUBDIVISION OF ORIGINAL TWO ACRE LOTS NOS. 109 TO 118, BOTH INCLUSIVE, AS SHOWN BY THE RECORDED PLAT IN VOLUME K OF DEEDS, PAGE 508 OF CUYAHOGA COUNTY RECORDS, AND TOGETHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH EASTERLY LINE OF HURON ROAD S.E., (FORMERLY HURON STREET), AT THE NORTH WESTERLY CORNER OF SAID SUBLOT NO. 16; THENCE SOUTH EASTERLY ALONG THE SOUTH WESTERLY LINE OF SAID SUBLOTS NOS. 16 AND 27, 231 FEET TO A POINT DISTANT 33 FEET SOUTH EASTERLY (MEASURED ALONG SAID SOUTH WESTERLY LINE), FROM THE NORTH WESTERLY CORNER OF SAID SUBLOT NO. 27; THENCE NORTH EASTERLY PARALLEL TO THE NORTH WESTERLY LINE OF SAID SUBLOTS NOS. 27 AND 26, 154 FEET TO THE NORTH EASTERLY LINE OF SAID SUBLOT NO. 26, BEING ALSO THE SOUTH WESTERLY LINE OF EAST 8TH PLACE; THENCE NORTH WESTERLY ALONG THE SOUTH WESTERLY LINE OF SAID EAST 8TH PLACE TO THE NORTH EASTERLY CORNER OF SAID SUBLOT NO. 26; THENCE SOUTH WESTERLY ALONG THE NORTH WESTERLY LINE OF SAID SUBLOT NO. 26, 74 FEET TO THE SOUTH EASTERLY CORNER OF SAID SUBLOT NO. 16; THENCE NORTH WESTERLY ALONG THE NORTH EASTERLY LINE OF SAID SUBLOT NO. 16, 198 FEET TO THE SOUTH EASTERLY LINE OF SAID HURON ROAD S.E.; THENCE SOUTH WESTERLY ALONG THE SOUTH EASTERLY LINE OF SAID HURON ROAD, S.E., 80 FEET TO THE PLACE OF BEGINNING, TOGETHER WITH ALL THE APPURTENANCES AND HEREDITAMENTS THEREUNTO BELONGING, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

PARCEL 2:

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO, AND KNOWN AS SUBLOT NO. 17 OF LONG AND ALLEN'S SUBDIVISION OF TWO ACRE LOTS NOS. 109 TO 116 INCLUSIVE, AS THE SAME IS RECORDED IN VOLUME K, PAGE 508 OF CUYAHOGA COUNTY RECORDS OF MAPS AND SUBDIVISIONS; SAID SUBLOT NO. 17 BEING SEVENTY-FOUR FEET FRONT UPON THE SOUTH SIDE OF HURON STREET, AND ONE HUNDRED NINETY-EIGHT (198) FEET DEEP, AS PER PLAT, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS.

LEGAL DESCRIPTION (PER SURVEY)

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO, AND KNOWN AS BEING ALL OF SUBLOT NOS. 16 AND 17 AND PART OF SUBLOT NOS. 26 AND 27 IN LONG AND ALLEN'S SUBDIVISION OF ORIGINAL TWO ACRE LOTS NOS. 109 TO 118, BOTH INCLUSIVE, AS SHOWN BY THE RECORDED PLAT IN VOLUME K OF DEEDS, PAGE 508 OF

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CUYAHOGA COUNTY RECORDS, AND PART OF HURON ROAD S.E. AS VACATED BY ORDINANCE NO. 41329, DATED APRIL 27, 1903 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL SET AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF HURON ROAD S.E. (94 FEET WIDE) AND THE SOUTHWESTERLY LINE OF EAST 8TH STREET (12 FEET WIDE) AND THE PRINCIPAL PLACE OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

COURSE 1) THENCE ALONG THE SOUTHWESTERLY LINE OF EAST 8TH STREET AND THE NORTHEASTERLY LINE OF SAID SUBLOT 17 AND CONTINUING ALONG THE NORTHEASTERLY LINE OF SAID SUBLOT 26, SOUTH 25 DEGREES 56 MINUTES 45 SECONDS EAST A DISTANCE OF 236.02 FEET TO A POINT 33.00 FEET SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID SUBLOT 26, SAID POINT BEING WITNESSED BY A DRILL HOLE FOUND NORTH 28 DEGREES 10 MINUTES WEST, 2.15 FEET THEREFROM;

COURSE 2) THENCE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID SUBLOT NOS. 26 AND 27, SOUTH 64 DEGREES 07 MINUTES 35 SECONDS WEST A DISTANCE OF 154.74 FEET TO A MAG NAIL SET ON THE NORTHWESTERLY LINE OF SAID SUBLOT 27;

COURSE 3) THENCE ALONG THE NORTHWESTERLY LINE OF SAID SUBLOT 27 AND CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID SUBLOT 16, NORTH 25 DEGREES 55 MINUTES 12 SECONDS WEST A DISTANCE OF 236.11 FEET TO A MAG NAIL SET ON THE SOUTHERLY LINE OF HURON ROAD S.E.;

COURSE 4) THENCE ALONG THE SOUTHERLY LINE OF HURON ROAD S.E., NORTH 64 DEGREES 09 MINUTES 36 SECONDS EAST A DISTANCE OF 154.63 FEET TO THE PRINCIPAL PLACE OF BEGINNING AND CONTAINING 0.8383 ACRES (36,515 SQUARE FEET) OF LAND, ACCORDING TO A SURVEY BY CHRISTOPHER J. DEMPSEY, PROFESSIONAL LAND SURVEYOR NO. 6914 OF DEMPSEY SURVEYING COMPANY ON OCTOBER 13, 2017.

BASIS OF BEARINGS: BEARINGS ARE TO AN ASSUMED MERIDIAN AND ARE USED 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 properties and to employ and to cause 750 Huron LLC, or its designee, to pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

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 conveyance 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:nl
11-12-18
FOR: Director Ebersole

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READ FIRST TIME on NOVEMBER 12, 2018

**and referred to DIRECTORS of Economic Development,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability, Finance**

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
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE