

ORDINANCE NO. 060-2023(PD), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to convey an easement to the City of Cleveland for the installation of a water line between Cedarbrook Road and Tullamore Road as part of the Cedar Lee Meadowbrook Development; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, as part of the Cedar Lee Meadowbrook Project, it is necessary that a water line be constructed on City-owned property identified as a portion of Permanent Parcel No. 687-06-160, as shown in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the granting of such easement would be of benefit to the City and its residents.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

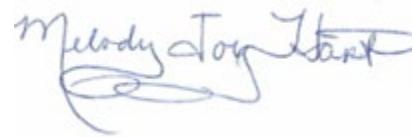
SECTION 1. The Mayor be, and he is hereby, authorized to execute an easement over a portion of City-owned property identified as Permanent Parcel 687-06-160, as shown on Exhibit "A" attached hereto and incorporated herein, to the City of Cleveland, Division of Water. The easement shall be for the purpose of construction and maintenance of a water line necessary for the Cedar Lee Meadowbrook Project. The easement shall contain such other terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 2. This Council hereby determines that the easement authorized herein does not interfere with the use of the City-owned property for public purposes.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet construction deadlines so that the Cedar Lee Meadowbrook Project is not delayed. Therefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

ORDINANCE NO. 060-2023(PD)



MELODY JOY HART
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: 04/17/2023

Presented to Mayor: 04/19/2023

Approved by Mayor: 04/27/2023



KAHLIL SEREN
Mayor

ORDINANCE NO. 060-2023(PD)

Exhibit "A"



Legal Description
Cedar Lee Meadowbrook Redevelopment
Water Circulation Easement
January 11, 2023
File No. 14653-LD001
Sheet 1 of 2

Situated in the City of Cleveland Heights, County of Cuyahoga, State of Ohio and being known as being part of Parcel "A-1" in the Consolidation Plat for Cedar Lee Meadowbrook Redevelopment, part of lands in Original Warrensville Township Lot No. 2 & 3, and shown by the recorded plat in A.F.N. 202212160105 of Cuyahoga County Records;

Beginning at a capped 5/8" iron pin (#8622) found at the Northeasterly end of the right of way for the Vacation of a Portion of Cedarbrook Road as shown in recorded plat in Volume 179 of Maps, Page 98 of Cuyahoga County Records and also being the Southwesterly corner of Sublot 190 in the J.A. Wigmore Co.'s Cedarbrook Allotment as shown in recorded plat in Volume 59 of Maps, Page 26 of Cuyahoga County Records;

- Course 1 Thence South 39°36'49" West, along the Easterly line of the said Vacation of a Portion of Cedarbrook Road, a distance of 25.43 feet;
- Course 2 Thence North 50°43'41" West, a distance of 36.24 feet;
- Course 3 Thence South 39°16'19" West, a distance of 3.58 feet;
- Course 4 Thence South 00°50'06" West, a distance of 134.93 feet to the intersection with the extension of the Westerly line Sublot 327 in the said in the J.A. Wigmore Co.'s Cedarbrook Allotment;
- Course 5 Thence South 34°15'49" West, along the extension of the Westerly line Sublot 327 and the said sublot line, a distance of 166.99 feet to a capped 5/8" iron pin (#8622) found at the Southwesterly corner of said Sublot 327 and on the Northerly right of way for Tullamore Road (50 Feet Wide);
- Course 6 Thence North 61°15'49" West, along the Northerly right of way of said Tullamore Road, a distance of 20.06 feet;
- Course 7 Thence North 34°15'49" East, a distance of 88.53 feet;
- Course 8 Thence North 00°50'06" West, a distance of 17.39 feet;

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Sheet 2 of 2

Course 9 Thence North $34^{\circ}15'49''$ East, a distance of 55.18 feet;

Course 10 Thence North $00^{\circ}50'06''$ West, a distance of 136.39 feet;

Course 11 Thence North $39^{\circ}16'19''$ West, a distance of 28.67 feet;

Course 12 Thence North $84^{\circ}16'19''$ East, a distance of 22.43 feet;

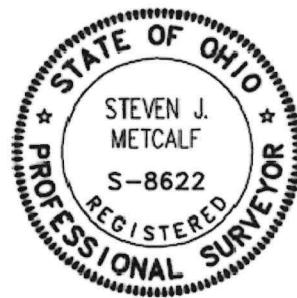
Course 13 Thence South $39^{\circ}36'49''$ West, along the Westerly line of said Sublot 190, a distance of 4.57 feet to the place of beginning and containing **0.2325 Acres** (10,126 Square Feet) of land, as surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff and Associates, Dated October 27, 2021.

Be the same more or less, but subject to all legal highways.

Basis of bearing for this survey is Grid North as established by NAD83 (CORS96) Ohio State Plane Coordinate System, North Zone (3401) as observed by GPS Observations.



Steven J. Metcalf
Registered Surveyor No. 8622-Ohio



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Exhibit "A"

