

LEGISLATIVE SUMMARY
Mayor's Office of Capital Projects
Division of Real Estate

Ordinance No:

Legislative Purpose: To authorize the Director of the Department of Public Utilities to grant a non-exclusive permanent easement to Lake Erie Energy Development Corporation (LEEDCo) or its designee across a portion of PPN 104-02-010 near South Marginal Road between E. 49th Street and vacated E. 53rd Street, which is needed by LEEDCo to obtain a submerged lands lease from the State of Ohio for LEEDCo's proposed offshore wind energy project in Lake Erie known as "Project Icebreaker."

Project Summary: LEEDCo's Project Icebreaker is a small scale pilot project to create a non-profit, public-private partnership to build an offshore wind power industry in Cleveland to create jobs and drive economic development, generate clean energy locally, and expand Ohio's electricity portfolio.

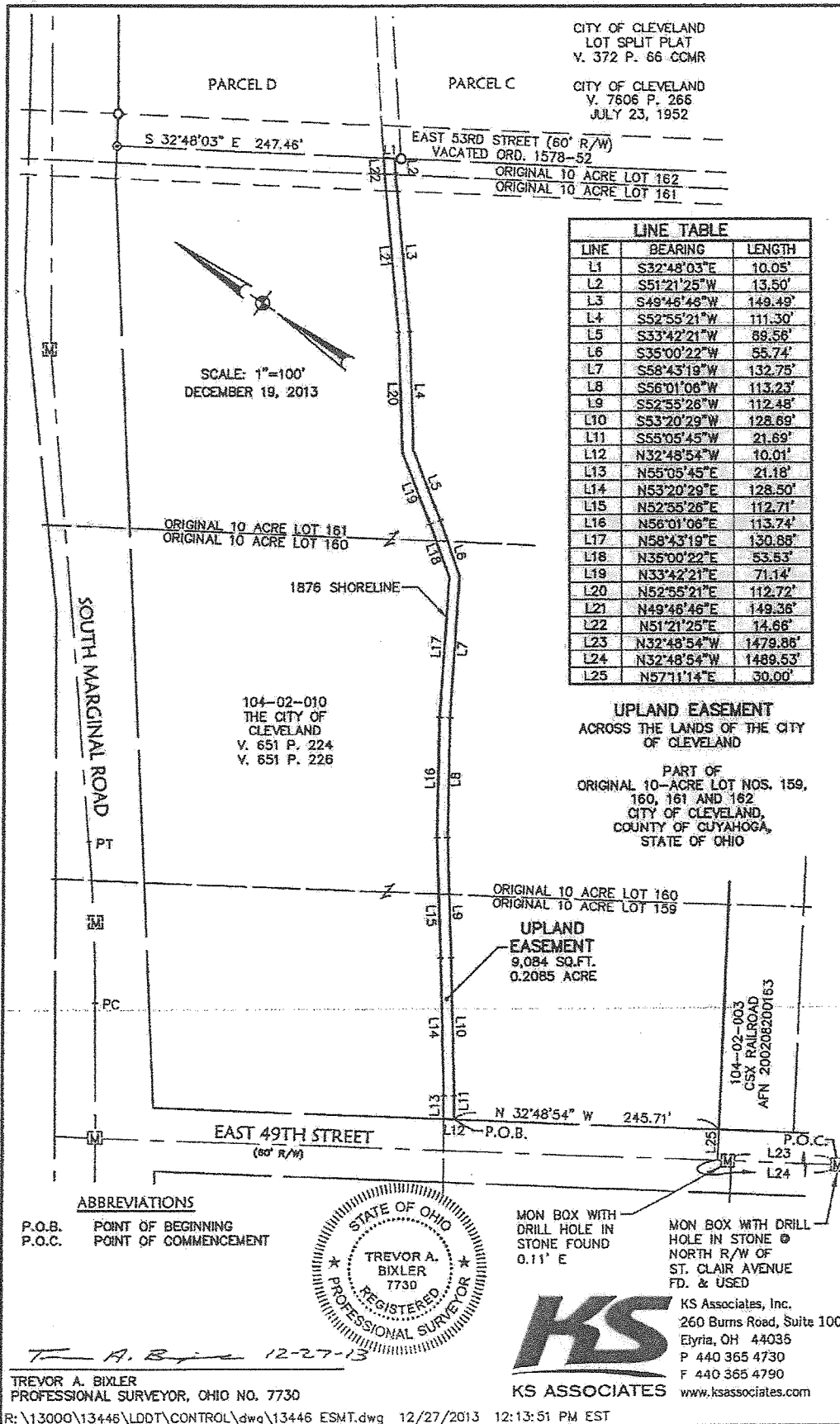
LEEDCo obtained a grant from the US Department of Energy (DOE) to undertake the initial feasibility study. LEEDCo is submitting another grant application to DOE on February 14, 2014 for additional financial assistance to bring the project to fruition, including funding for permitting, engineering, equipment, and installation.

The DOE grant application requires that LEEDCo obtain a submerged lands lease from the State of Ohio for its proposed use of Lake Erie. To obtain the submerged lands lease, LEEDCo must demonstrate a property interest in the upland parcel. The upland parcel is identified by the State of Ohio as the land where the original 1876 natural shoreline was located before fill was added into Lake Erie to create additional land.

The upland parcel for LEEDCo's project is owned by the City of Cleveland and is under the jurisdiction of the Department of Public Utilities. Part of the land is used by CPP for a pole yard and part of the land is used by CWD for the Kirtland Pump Station. This grant of a non-exclusive easement will not impact the City's use of the property. No construction or other onsite use will be allowed without the Utilities Director's approval.

LEEDCo is a Cleveland-based non-profit corporation formed in 2009 for the purpose of supporting economic development by promoting alternative sources of energy in Northeast Ohio, and to design, develop, construct operate and maintain facilities to facilitate the production of energy from renewable sources, specifically in the area of wind or solar, and other sustainable energy technologies.

Permanent Parcel No:	Portion of PPN 104-02-010
Type of Acquisition:	Non-exclusive permanent easement
Price:	Easement shall be granted at no cost to LEEDCo.
Ward:	8 – Councilman Michael Polensek
Attachments:	Map



LINE TABLE		
LINE	BEARING	LENGTH
L1	S32°48'03"E	10.05'
L2	S51°21'25"W	13.50'
L3	S49°46'46"W	149.49'
L4	S52°55'21"W	111.30'
L5	S33°42'21"W	89.56'
L6	S35°00'22"W	95.74'
L7	S58°43'19"W	132.75'
L8	S56°01'06"W	113.23'
L9	S52°55'26"W	112.48'
L10	S53°20'29"W	128.69'
L11	S55°05'45"W	21.69'
L12	N32°48'54"W	10.01'
L13	N55°05'45"E	21.18'
L14	N53°20'29"E	128.50'
L15	N52°55'26"E	112.71'
L16	N56°01'06"E	113.74'
L17	N58°43'19"E	130.88'
L18	N35°00'22"E	53.53'
L19	N33°42'21"E	71.14'
L20	N52°55'21"E	112.72'
L21	N49°46'46"E	149.36'
L22	N51°21'25"E	14.66'
L23	N32°48'54"W	1479.86'
L24	N32°48'54"W	1489.53'
L25	N57°11'14"E	30.00'

Upland Easement
0.2085 Acres
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Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-acre Lot Nos. 159, 160, 161 and 162. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 651, Page 224 and Volume 651, Page 226 of the Cuyahoga County Records and being part of vacated E. 53rd Street, being more definitely described as follows.

Commencing at a drill hole found in a monument box at the intersection of the northerly right of way of St. Clair Avenue (99 feet wide) and the centerline of East 49th Street (60 feet wide);

Thence, along the centerline of East 49th Street, North 32° 48' 54" West, 1489.53 feet;

Thence, leaving the centerline of East 49th Street, North 57° 11' 14" East, 30.00 feet to the easterly right of way of East 49th Street at the southwesterly corner of said land conveyed to the City of Cleveland as recorded in Volume 651, Page 224 of the Cuyahoga County Records;

Thence, along the easterly right of way of East 49th Street, North 32° 48' 54" West, 245.71 feet to the **True Point of Beginning** for the easement herein described;

Thence, continuing along the easterly right of way of East 49th Street, North 32° 48' 54" West, 10.01 feet to the Original 1876 shoreline of Lake Erie as shown on "Survey of N. & N.W. Lakes" prepared by Major C.B. Comstock, Corps of Engineers, dated 1876;

Thence leaving the easterly right of way of East 49th Street, along the Original 1876 shoreline of Lake Erie the following ten courses;

North 55° 05' 45" East, 21.18 feet;

Thence North 53° 20' 29" East, 128.50 feet;

Thence North 52° 55' 26" East, 112.71 feet;

Thence North 56° 01' 06" East, 113.74 feet;

Thence North 58° 43' 19" East, 130.88 feet;

Thence North 35° 00' 22" East, 53.53 feet;

Thence North 33° 42' 21" East, 71.14 feet;

Thence North 52° 55' 21" East, 112.72 feet;

Thence North 49° 46' 46" East, 149.36 feet;

Thence North 51° 21' 25" East, 14.66 feet to the centerline of vacated East 53rd Street;

Thence, along the centerline of vacated East 53rd, South 32° 48' 03" East, 10.05 feet;

Thence, leaving the centerline of vacated East 53rd, South 51° 21' 25" West, 13.50 feet;

Surveyed by Trevor A. Bixler, P.S.

Upland Easement
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Thence South 49° 46' 46" West, 149.49 feet;

Thence South 52° 55' 21" West, 111.30 feet;

Thence South 33° 42' 21" West, 69.56 feet;

Thence South 35° 00' 22" West, 55.74 feet;

Thence South 58° 43' 19" West, 132.75 feet;

Thence South 56° 01' 06" West, 113.23 feet;

Thence South 52° 55' 26" West, 112.48 feet;

Thence South 53° 20' 29" West, 128.69 feet;

Thence South 55° 05' 45" West, 21.69 feet to the point of beginning.

Containing within said bounds 0.2085 acres (9,084 sq.ft.) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in December 2013.

Bearings are based on Ohio State Plane, North Zone NAD83 (1995) Grid North.

Trevor A. Bixler, P.S.
Professional Surveyor, Ohio No. 7730

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