PETITION

TO APPROVE THE CONTINUATION AND EXPANSION OF THE OHIO CITY - CLEVELAND BUSINESS IMPROVEMENT DISTRICT
AND
TO APPROVE THE COMPREHENSIVES SERVICES PLAN
OF THE DISTRICT

City of Cleveland, Ohio
March 21, 2016

To the Mayor and the Council of the City of Cleveland, Ohio:

We petition the City to approve the expansion and renewal of the Ohio City(formerly known as The Market District) - Cleveland Business Improvement District (the "District") as a special improvement district under Ohio Revised Code Chapter 1710, containing the boundaries described in the map attached as Exhibit A, for the purpose of developing and implementing plans for public improvements and public services that benefit the District.

We are the owners of ☑ sixty percent (60%) or more of the front footage of real property that abuts upon any street, alley, public road, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the District] or [☐ seventy-five percent (75%) or more of the area of all real property located within the District], (Note: Applicable box will be checked immediately prior to submission) excluding, as required by law, any properties owned by the federal and state governments and any properties owned by a church or by city and county governments unless the church or city or county specifically requested in writing that its designated property be included in the District.

A list of all of the properties included in the District (identified by permanent parcel numbers shown on the records in the Cuyahoga County Auditor’s office) are shown on the attached Exhibit B. Excluded from the properties owned by the federal and state governments and any properties owned by a church or by city and county governments unless the church or city or county specifically requested in writing that its designated property be included in the District.

The proposed District is to be governed by the Ohio City Improvement Corporation, an Ohio nonprofit corporation formed pursuant to Chapters 1702 and 1710 of the Ohio Revised Code. The proposed Amended and Restated Articles of Incorporation for that corporation are attached as Exhibit C.

We approve the Comprehensive Services Plan of the District in the form attached as Exhibit D (the “Plan”). The Ohio City Improvement Corporation is to provide, or contract for the provision of, the services described in the Plan. The City is to levy special assessments upon the properties in the District to pay for the costs of the services described in the Plan.
We petition the Council of the City to approve the Plan. We request that our properties be assessed for the Plan in accordance with the following method: thirty-five percent (35%) based on assessed value and sixty-five percent (65%) based on front footage, as more particularly described in section VI. B of the Plan attached hereto. We agree that the assessment method shall be in accordance with the formula outlined in the Plan. We request that the assessment be payable in three (3) annual installments payable in advance of the services to be provided pursuant to the Plan as set forth in the attached Plan. We acknowledge that the actual assessments will include an additional amount for the costs expended by the City in the levying and collecting the assessments.

We further acknowledge and agree, in consideration of the services of the Plan, that the assessment of our properties does not exceed the benefit to be received from the Plan by each of the properties to be assessed for the Plan, that no other property other than those properties shown on Exhibit B will receive special benefits from that Plan for which any such property should be assessed, that the undersigned will pay promptly all special assessments levied against the properties pursuant to this petition as they become due, and that the determination by the Council of the special assessment against the properties pursuant to and in accordance with this Petition will be final, conclusive and binding upon the undersigned, its successors, assigns and any grantees of the properties or any portion thereof.

The undersigned property owners consent and request that subject to the terms hereof these special assessments be levied and collected without limitation as to the value of the property assessed; however, the value of a property assessed shall not exceed $10,000,000.00, and waive all the following relating to the Plan and the special assessments described herein:

1. any and all rights, benefits and privileges specified by Sections 727.03 and 727.06 of the Revised Code that may be deemed applicable to the Plan and thereby restrict these special assessments to 33-1/3% of the actual improved value of the properties as enhanced by the Plan;

2. any and all resolutions, ordinances and notices required for the Plan, including the notice of the adoption of the resolution of necessity and the filing of estimated special assessments, the equalization of the estimated special assessments, any increase in the cost of labor and materials over the estimated cost, and the passage of the assessing ordinance, including but not limited to notices authorized and required by Sections 727.13, 727.16, 727.17, 727.24 and 727.26 of the Revised Code; and

3. any and all irregularities and defects in the proceedings.

The undersigned property owners further request that all legislation required to be enacted pursuant to Chapter 727 of the Revised Code to permit the Plan to commence immediately be enacted at one Council meeting and consent to the enactment of such legislation at one meeting.
A. Property:  
Address: 2011-2019 W. 25th Street  
Permanent Parcel No.: 007-11-001

B. Name of Owner*  
MARKET PLAZA PROPERTIES LLC  
Howard Properties, LTD.; He manager

C. Name, title and signature of authorized representative of owner:*  
Name: 
Title:  General Partner
Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 2546 Lorain Avenue, Cleveland, OH 44113
   Permanent Parcel No.: 003-38-033

B. Name of Owner*: Mary J. D'Amico

C. Name, title and signature of authorized representative of owner:
   Name: Mary J. D'Amico
   Title: Owner
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: ____________

Permanent Parcel No.: ____________

B. Name of Owner*: ____________

C. Name, title and signature of authorized representative of owner:*

Name: ____________

Title: ____________

Signature: ____________

*Please refer to the enclosed instructions for signing the Petition.
1849 W. 24th St, 1948 W. 25th St

A. Property:  
Address: 1947 W. 25th St, 1935 W. 25th St
003-23-021  003-23-092
Permanent Parcel No.: 003-23-029  003-38-301

B. Name of Owner*  
25th Street Partnership, LLC; Blue Panda LLC; 1849 West Market LLC; Marcus 25 LLC

C. Name, title and signature of authorized representative of owner:*  
Name: Sam McNulty  
Title: Co-President  
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1958 W. 25th Street

Permanent Parcel No.: 003-38-022

B. Name of Owner: Gehring C & I, Ltd.

C. Name, title and signature of authorized representative of owner:

Name: Ted Small
Title: Mg Member
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26 #303
   Permanent Parcel No.: 003-38-357
B. Name of Owner* Nora M. French
C. Name, title and signature of authorized representative of owner:*
   Name: Nora M. French
   Title: Owner
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property:  
Address: 2516 Carroll Ave, Cleveland, OH 44113
003-23-033 005-36-017 003-38-069
Permanent Parcel No.: 003-23-034 003-38-057

B. Name of Owner: Metzner Building, LLC, Merrell Building, Ltd;
1889 West 25th Street, Ltd; 1898 West 25, LLC

C. Name, title and signature of authorized representative of owner:* 
Name: Doug A. Parker
Title: 
Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property:                              Address: 1951 W. 26TH ST 305

Permanent Parcel No.

B. Name of Owner*  Candace Pope

C. Name, title and signature of authorized representative of owner:*  

Name: Candace Pope
Title: Owner
Signature: 

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th St. #302 and #306
Permanent Parcel No.: 

B. Name of Owner* Jeffery and Nancy Reeves

C. Name, title and signature of authorized representative of owner:* Name: Nancy and Jeffery Reeves
Title: Owners
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: ____________________________ Address: 1951 West 26th St

Permanent Parcel No.: 003-38-313

B. Name of Owner*: Lawrence & Loran August

C. Name, title and signature of authorized representative of owner:*

Name: Lawrence & Loran August
Title: Owner
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 West 30th Street # 306

Permanent Parcel No.: 003 - 38 - 378

B. Name of Owner*: Jared Ingram

C. Name, title and signature of authorized representative of owner:*

Name: Jared Ingram
Title: 
Signature: Jared Ingram

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th Street TH6

Permanent Parcel No.: 003-38-317

B. Name of Owner*: Bryan Kilbane

C. Name, title and signature of authorized representative of owner:* Name: 
Title: 
Signature: 

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W 26th St Suite 417
Permanent Parcel No.: 003-36-337

B. Name of Owner: Linda Stekelenburg

C. Name, title and signature of authorized representative of owner:

Name: Linda Stekelenburg
Title: Owner
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property:  
Address: 2801 Middle Ave, Clarksburg, WV
Permanent Parcel No.: 007-36-071

B. Name of Owner*: BACK NINE CAPITAL LLC

C. Name, title and signature of authorized representative of owner:*  
   Name: Emil L. Dietrich
   Title: Owner
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1480+1526 W25 + 1505 W28
Permanent Parcel No.: 003-28-013-014 044, 045 046
B. Name of Owner: WEST 25TH STREET LOFTS LLC

C. Name, title and signature of authorized representative of owner:

Name: 
Title: member
Signature: ric c foran

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1468 W. 25th
Permanent Parcel No.: 003-28-011, 003-28-012

B. Name of Owner*: PAUL FOURTEEN'SNIGHT LLC

C. Name, title and signature of authorized representative of owner:*
   Name: PAUL MITCHEN
   Title: MANAGING MEMBER
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th St #315

Permanent Parcel No.: 

B. Name of Owner* Katalin Paroska

C. Name, title and signature of authorized representative of owner:*

Name: 
Title: Owner
Signature: Katalin Paroska

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 2700 Lecain Ave, Cleveland, OH 44113
Permanent Parcel No.: 003-38-037
B. Name of Owner* 2700 Lecain Ave, LLC
C. Name, title and signature of authorized representative of owner:*
Name: David Harvey
Title: President Member
Signature: [signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th St. #401 Cleveland, OH 44113
Permanent Parcel No.: 003-38-364

B. Name of Owner* Michael Foran

C. Name, title and signature of authorized representative of owner:*
   Name: Michael Foran
   Title: Owner
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1756-1766 West 25th Street
Permanent Parcel No.: 003-32-00B
B. Name of Owner*: Lutheran Medical Center
C. Name, title and signature of authorized representative of owner:*
   Name: Donald A. Malene, Jr., M.D.
   Title: President
   Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1730 West 25th Street
Permanent Parcel No.: 007-33-004

B. Name of Owner* Lutheran Medical Center

C. Name, title and signature of authorized representative of owner:* Name: Donald A. Malone, Jr., M.D.
Title: President
Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1522 West 25th St
Permanent Parcel No.: 003-26-018, 003-28-017

B. Name of Owner* Lutheran Hospital, Inc.

C. Name, title and signature of authorized representative of owner:

   Name: Donald A. Malene, Jr., MD
   Title: President
   Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1939 W. 25th Street
Permanent Parcel No.: 003-23-028

B. Name of Owner* Market Square Cup, Ltd

C. Name, title and signature of authorized representative of owner:*
   Name: David W. Sherwood
   Title: Managing Member
   Signature:

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1950 W. 25th St, Cleveland, OH
Permanent Parcel No.: 003-38-302

B. Name of Owner* New Village Care

C. Name, title and signature of authorized representative of owner:*
   Name: [Signature]
   Title: President
   Signature: LINDA M. WARREN

* Please refer to the enclosed instructions for signing the Petition.
A. Property:  Address:  1951 W 26 n 212
Permanent Parcel No.:  00338306

B. Name of Owner*:  MICHAEL KILBANE

C. Name, title and signature of authorized representative of owner:*  
Name:  MICHAEL KILBANE
Title:  OWNER
Signature:  

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th St #507 CLEVELAND OH 44113
Permanent Parcel No.: 003-38-379

B. Name of Owner* JAMES A. KEOING

C. Name, title and signature of authorized representative of owner:* N/A
Name: __________________________
Title: _________________________
Signature: _______________________

*Please refer to the enclosed instructions for signing the Petition.
A. Property:  
Address: 2421 Bridge Ave 44113  
Permanent Parcel No.: 003-23-075  

B. Name of Owner*  
Shafter Wynn & Michael Kaplan

C. Name, title and signature of authorized representative of owner:*  
Name: Michael Kaplan  
Title: Owner  
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property:  
Address: 1951 W 26th Street #412

Permanent Parcel No.: 003-38-332

B. Name of Owner*  Margaret E. Latch

C. Name, title and signature of authorized representative of owner:*  
Name: Margaret E. Latch  
Title: Owner  
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: ___________________________  
   Address: 1951 West 36th Street #8 Cleveland, OH 44113  
   Permanent Parcel No.: 003-38-319  

B. Name of Owner*:  GREGORY GAZA  

C. Name, title and signature of authorized representative of owner:*  
   Name: GREGORY S. GAZA  
   Title:  
   Signature:  

*Please refer to the enclosed instructions for signing the Petition.
A. Property: [Address: 8700 Carroll Ave.]
   Permanent Parcel No.: 002-38-008

B. Name of Owner: D.C. Realty LLC

C. Name, title and signature of authorized representative of owner:
   Name: Daniel Saltzman
   Title: Managing Partner
   Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.*
A. Property:  
Address: 18401 W. 25th St

Permanent Parcel No.: 003-23-037

B. Name of Owner*  
Two Doc's Inc.

C. Name, title and signature of authorized representative of owner:*

Name: [Signature]
Title: [Signature]
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 2538-2542 Lorain Avenue, 1950 West 26th St, 2515 Bridge Ave.
Permanent Parcel No.: 003-96-032, 003-96-02B, 003-96-011

B. Name of Owner* 2523 Market Corp.

C. Name, title and signature of authorized representative of owner.*

Name: Thomas S. McNair
Title: Executive Director
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 2516 Mound St; 2554 2556 Mound; 1902 W. 28th St.

Permanent Parcel No.: 003-39-023: 026; 050

B. Name of Owner* 2516 Cont. 

C. Name, title and signature of authorized representative of owner:*

Name: Daniel J. Conway
Title: Sec. 1 Treas.
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property:  
Address: 1951 W. 2675 S.  
Permanent Parcel No.: 003-38-382  

B. Name of Owner*:  
1951 LLC  

C. Name, title and signature of authorized representative of owner:*  
Name: Daniel J. Conway  
Title: Sec. (Treas.)  
Signature: [Signature]  

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 2528 Lorain Avenue

Permanent Parcel No.: 003-38-031

B. Name of Owner: James Hayes & Michael Natal

C. Name, title and signature of authorized representative of owner:

Name: James L. Hayes
Title: General Partner
Signature: [signature]

*Please refer to the enclosed instructions for signing the Petition.
A. Property: Address: 1951 W. 26th St. #403, Cleveland, OH
Permanent Parcel No.: 003-38-366 44113
B. Name of Owner* Matthew T Schmidt

C. Name, title and signature of authorized representative of owner:
Name: Matthew T Schmidt
Title: Owner
Signature: [Signature]

*Please refer to the enclosed instructions for signing the Petition.