

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., His manager

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

Name: DARRELL A. YOUNG

Title: [Signature]

Signature: General Partner

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

A. Property: Address: 2546 Lorain Avenue, Cleveland, OH

Permanent Parcel No.: 003-38-033 44113

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] POA
Michael D'Amico



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

A. Property: Address: 1867 WEST 25TH ST.

Permanent Parcel No.: 003-23-036

B. Name of Owner* P AND M OHIO CITY LLC

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

Name:  MICHAEL R. MITCHELL
Title: MEMBER
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

003-23-027 003-23-042

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: 

*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 Cul, Ltd.

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

Name: Ed 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: N French

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

1898 W. 25th St, Cleveland, OH 44113
1899 W. 25th St, Cleveland, OH 44113
1889 W. 25th St, Cleveland, OH 44113
1900-1904 W. 25th St, Cleveland, OH 44113

A. Property:

Address: 2516 Carroll Ave, Cleveland, OH 44113

003-23-033 003-38-017 003-38-069

Permanent Parcel No.: 003-23-034 003-38-051


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. Pethours

Title: Manager Merrell

Signature: 

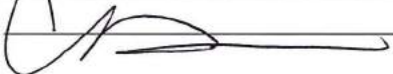
*Please refer to the enclosed instructions for signing the Petition.

A. Property: Address: 1951 W. 26th St 305

Permanent Parcel No. _____

B. Name of Owner* Candace Papoff

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

Name: Candace Papoff
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: Nancy Reeves jmr

*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 AND LORAN AUGUST

Title: OWNER

Signature: 

Loran August

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

A. Property: Address: 1951 West 26th Street # 506

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.: 003-38-337

B. Name of Owner* Linda Stekelenburg

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

Name: Linda Stekelenburg
Title: owner
Signature: [Handwritten Signature]

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

A. Property: Address: 2801 BRIDGE AVE CLEVELAND 44113

Permanent Parcel No.: 003-38-071

B. Name of Owner* BLACK NINE CAPITAL LLC

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

Name: ERIC L. DIETRICH

Title: OWNER


Signature: Eric Dietrich

*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: RICC 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 FOURTEENSIXTEEN, LLC

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

Name: PAUL WELLEN
Title: MANAGING MEMBER
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 Lorain Ave, Cleveland, OH 44173

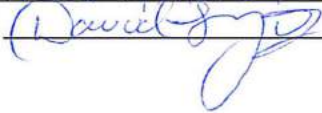
Permanent Parcel No.: 003-38-037

B. Name of Owner* 2700 Lorain Ave. LLC

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

Name: David Harvey

Title: President Member


Signature: 

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

A. Property: Address: 1951 W. 26th St. #401 Cleveland, OH
Permanent Parcel No.: 003-38-364 44113

B. Name of Owner* Michael Foran

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


Name: Michael Foran
Title: Owner
Signature: 

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

A. Property: Address: 1756-1766 West 25th Street
Permanent Parcel No.: 003-33-000

B. Name of Owner* Lutheran Medical Center

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


Name: Ronald A. Malene, Jr., MD
Title: president
Signature: 

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

A. Property: Address: 1730 West 25th Street
Permanent Parcel No.: 003-33-004

B. Name of Owner* Lutheran Medical Center

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

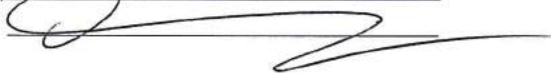
Name: Donald A. Malone, Jr., MD
Title: President
Signature: 

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

A. Property: Address: 1532 West 25th Street
Permanent Parcel No.: 003-28-016, 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. SIEBOW

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 44113

B. Name of Owner* New Village Corp

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

Name: Linda M. Warren
Title: President
Signature: LINDA M. WARREN

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

A. Property: Address: 1951 W 26 # 212

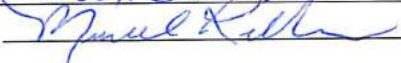
Permanent Parcel No.: 00338306

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 4413

Permanent Parcel No.: 003-38-379

B. Name of Owner* JAMES A. KEATING

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* ~~Shafar Wynn & Michael Kaplan~~ Shafar Wynn & Michael Kaplan

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

Name: Michael Kaplan

Title: owner

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: Margaret E. Latch

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

A. Property: Address: 1951 West 26th Street #8 Cleveland, OH 44113

Permanent Parcel No.: 003-38-319

B. Name of Owner* GREGORY GRCHA

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

Name: GREGORY S. GRCHA

Title: _____

Signature: Gregory S. Grcha

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

A. Property: Address: 2700 Carroll Ave.

Permanent Parcel No.: 003-38-008

B. Name of Owner* OL Realty LLC

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

Name: Daniel Saltzman
Title: Managing Partner
Signature: Daniel Saltzman

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

A. Property: Address: 1801 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: Adam Waldbaum
Title: President
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.: 003-38-032, 003-38-02B, 003-38-011

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: 

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

A. Property: Address: 2516 MARKET; 2554-2526 MARKET; 1947 W. 28TH ST.

Permanent Parcel No.: 003-37-023; 026; 050

B. Name of Owner* 2516 Corp.

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

Name: DANIEL J. CONWAY
Title: SEC. / TREAS.
Signature: [Handwritten Signature]

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

A. Property: Address: 1951 W. 26TH ST.

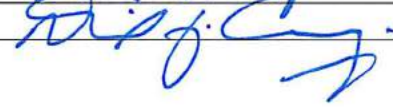
Permanent Parcel No.: 603-38-382

B. Name of Owner* 1951 LLC

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

Name: DANIEL J. CONWAY

Title: SEC. / TREAS.

Signature: 

*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 Dostal

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

Name: James d. Hayes

Title: General Partner


Signature: 

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

A. Property: Address: 1951 W. 20th St. #403, Cleveland, OH
Permanent Parcel No.: 003-38-360 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: 

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