

Cleveland -  
W. W. W. W. W.  
V.M.O.

August 28, 1953

Armenian Apostolic Church,  
Cleveland, Ohio

Attention: Building Committee

In re: Sublots 529 and 530 Southeast  
corner, intersection Fairmont  
Blvd. and Demington Drive,  
Cleveland Heights, Ohio.

Gentlemen:

We have made investigation of the condition of title of the above property with respect to your contemplated use of same for the construction of a church, and wish to report as follows:

1. The lots are owned by L.M. Gunderson who acquired them on August 27, 1947.
2. A sketch is attached showing the size of the lots as indicated by the Cuyahoga County Auditors Plat Book.
3. The Auditors record shows a tax valuation of \$8350.00 for Sublot No. 529, with annual taxes of \$291.06, and a tax valuation of \$5990.00 for Sublot No. 530, with annual taxes of \$196.48.
4. The Land Title Guarantee and Trust Company advise us that the only private restrictions of which they have any record are those which for a number of years past restricted use of the lots to single residence purposes only and against spiritous or vinous liquors. However these restrictions expired on May 1st, 1950, so there appear to be no private restrictions on the property at this time. Therefore owners of other property in the neighborhood would have no right to make complaint or take any action against you to prevent you from building the church.

Note: We did not have the title company make a formal search or issue a certificate of title guarantee with respect to these restrictions, but the information in their files on any property is very complete and may be relied on for preliminary purposes.

5. We have had several conferences with the Director of Law, Attorney Roger A. Zucker and Building Commissioner, Joseph Maloney, of the City of Cleveland Heights, and relative to zoning and other requirements of the city.

They advise us as follows:

- (a) Under the present zoning ordinance use of the property is permitted for single residence and for church purposes.
- (b) As you would be using both lots for a single church, a permit would have to be secured making both lots a single parcel of land for permit purposes. This would be a routine matter and should meet with no objection or difficulty.
- (c) The construction of the church would have to meet with the building code requirements of the city and also with requirements of off-street parking. This latter requirement would mean space for one car for each 5 or 6 seating capacity of the church and such additional space as the city would determine by reason of the assembly hall which you have in mind.

The size of the property should give you plenty of space if the seating capacity of the church would be 150 or 200 persons.

- (d) Before you build it will be necessary for you to make application to the City for a building permit, submitting detailed plans and specifications. This permit will be good for six months; that is, it is necessary for building to be started within the six months period. If it is not so started a new permit would have to be secured later.
- (e) Of course it would be possible between the time you acquired the property and the time you built the church for the council of the city to change the ordinance so as to restrict against churches in this area. However Mr. Zucker and Mr. Maloney assure us they know of no request or suggestion by anybody of any such move, and public officials in general do not like to appear to be unfriendly to churches. Therefore we think any such possibility would be very remote indeed, but we feel you should be advised regarding it.

It seems to us, therefore, that as matters stand, there is nothing to interfere with or prevent you from acquiring the property and building the church if you should decide to do so.

The writer would be glad to meet with your committee at your convenience for any further discussion of this matter which may be desired.

Very truly yours,

HORAN AND BELL

BY. RSH