

Ordinance No. 898-2021

By Council Members McCormack, Bishop and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to lease certain property located under the Superior Viaduct Arch Number 4 to John L. Textoris, Jr. and Sara Textoris for the purpose of yard expansion.

WHEREAS, the City of Cleveland owns certain property located under the Superior Viaduct Arch Number 4, which is not needed for the City's public use; and

WHEREAS, John L. Textoris, Jr. and Sara Textoris have proposed to lease the property from the City for the purpose of yard expansion; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to lease to John L. Textoris, Jr. and Sara Textoris ("Lessee"), certain property located under the Superior Viaduct Arch Number 4 which is not needed for the City's public use and is more fully described as follows:

Legal Description – Superior Viaduct Arch Number 4

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Numbers 392 through 396 both inclusive and a part of Sublot Numbers 386, 387 and 377 in The Buffalo Company's Allotment of a part of Original Brooklyn Township Lot Numbers 51 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 51 of Cuyahoga County Records; said Arch Number 4 extends from the Easterly line of Elm Street (66.00 feet wide), Easterly, approximately 108.00 feet to the centerline of Pier Number 11 and being 80.00 feet in width and containing 8,640 square feet of land; 2,222 square feet of the above parcel is within Pier Number 12 and the westerly one-half of Pier Number 11.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years.

Section 3. That the property authorized by this ordinance shall be leased at the appraised value of \$1,400 annually, which is determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make improvements to, and maintain, the leased premises subject to the approval of appropriate City agencies and officials.

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Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Capital Projects, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SM:nl

10-11-2021

FOR: Interim Director Spronz

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REPORT
after second Reading

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READ FIRST TIME on OCTOBER 11, 2021
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

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