

Ordinance No. 1411-17

AN EMERGENCY ORDINANCE

**Council Members K. Johnson and Kelley
(by departmental request)**

Authorizing the Director of Public Works to lease certain property located north of Otter Avenue between East 81st Street and East 83rd Street to Rid-All Foundation, Inc. for the purpose of continuing operation of a greenhouse and an EPA-licensed Level 2 compost facility and for associated urban agriculture and educational uses, for a term of five years.

WHEREAS, the City of Cleveland owns certain property located north of Otter Avenue between East 81st Street and East 83rd Street, which is not needed for the City's public use; and

WHEREAS, Rid-All Foundation, Inc. ("Rid-All") has proposed to lease the property from the City for the purpose of continuing operation of a greenhouse and an EPA-licensed Level 2 compost facility and for associated urban agriculture and educational uses; 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 Public Works is authorized to lease to Rid-All ("Lessee"), certain property located north of Otter Avenue between East 81st Street and East 83rd Street, also known as PPN 126-27-028, which is not needed for the City's public use and is more fully described as follows:

Parcel "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot Nos. 264 and 265 in the Gill, Brainard, Hower and Higbys Subdivision as shown in the recorded plat, Volume 5, Page 37 of Cuyahoga County Map Records, being part of Sublot Nos. 38, 39 and 40 in the William Brooker Subdivision as shown in the recorded plat, Volume 5, Page 56 of Cuyahoga County Map Records, being part of Sublot Nos. 33, 34, 40, 41, 47 and 48 in the Walker and Betts Subdivision as shown in the recorded plat, Volume 11, Page 21 of Cuyahoga County Map Records and being a part of East 82nd Street as vacated by City of Cleveland Ordinance Number 45532, all of which are part of Original One Hundred Acre Lot No. 423, further described as follows:

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Being a 1.4292 acre parcel of land known as Parcel "A" in the Consolidation Plat prepared for The City of Cleveland, Ohio as shown in the recorded plat, Volume 365, Page 36 of Cuyahoga County Map Records, be the same more or less and subject to all legal highways.

Section 2. That the term of the lease authorized by this ordinance shall be for a term of five years.

Section 3. That the property authorized by this ordinance shall be leased at the appraised leased value of \$5,150.00 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 the leased premises subject to the approval of appropriate City agencies and officials.

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

Section 6. That the Director of Public Works, 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.

LW:nl
11-20-17

FOR: Director Cox

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REPORT
after second Reading

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READ FIRST TIME on NOVEMBER 20, 2017
and referred to DIRECTORS of Public Works,
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

Recorded Vol. _____ Page _____

Published in the City Record _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE
