

# Ordinance No. 695-2020

By Council Members Mooney, Johnson, Brancatelli and Kelley (by departmental request)

## AN EMERGENCY ORDINANCE

To vacate a portion of the 1<sup>st</sup> un-named alley (10.00 feet wide) West of Bellaire Road and North of Guardian Boulevard.

WHEREAS, under Resolution No. 862-2019, adopted August 21, 2019, this Council declared its intention to vacate a portion of the 1st un-named alley (10.00 feet wide) West of Bellaire Road and North of Guardian Boulevard; and

WHEREAS, a notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

WHEREAS, on July 29, 2020, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

WHEREAS, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; 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 this Council declares that the following described real property is vacated:

### **A portion of the 1<sup>st</sup> un-named alley West of Bellaire Road and North of Guardian Boulevard**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the 1<sup>st</sup> un-named alley (10.00 feet wide) West of Bellaire Road and North of Guardian Boulevard in the Guardian Subdivision, of part of Original Rockport Township Section No. 10 as shown by the recorded plat in Volume 65 of Maps, Page 9 of Cuyahoga County Records, further described as follows:

Being all that portion of the 1<sup>st</sup> un-named alley (10.00 feet wide) West of Bellaire Road (100.00 feet wide) and North of Guardian Boulevard (60.00 feet wide) extending from the Northerly right of way of said Guardian Boulevard northerly approximately 85.00 feet to its terminus.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys, and House Numbering Section.

Section 2. That provided all required approvals have been obtained, the Commissioner of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 3. That the Clerk of Council is directed to transmit a copy of this ordinance to the Auditor of Cuyahoga County.

Section 4. 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.

DS:JOS  
8-26-2020  
FOR: Director Dumas

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READ FIRST TIME on AUGUST 26, 2020

and referred to DIRECTORS of Capital Projects,  
City Planning Commission, Finance, Law;  
COMMITTEES on Municipal Services and Properties,  
Development Planning and Sustainability, Finance

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

Recorded Vol. **107** Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

REPORT  
after second Reading

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

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**DEVELOPMENT, PLANNING AND  
SUSTAINABILITY**

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**FINANCE**

FILED WITH COMMITTEE

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