

Ordinance No. 163-2020

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to enter into a license agreement with the Greater Cleveland Regional Transit Authority, or its designee, to construct and maintain a bus shelter on City-owned property on East 105th Street within the new City park located at the Glenville Circle North development at East 105th Street and Ashbury Avenue.

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 Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Director of Public Works is authorized to enter into a license agreement with the Greater Cleveland Regional Transit Authority, or its designee (“GCRTA”), whereby the City is granting GCRTA the right to construct and maintain a bus shelter on City-owned property located on East 105th Street within the new City park located at the Glenville Circle North development at East 105th Street and Ashbury Avenue, at a cost of \$1.00 and other valuable consideration. The location is more fully described as follows:

LEGAL DESCRIPTION
E. 105th St. & Ashbury Ave.
GCRTA BUS SHELTER

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being part of Original 100 Acre Lot No. 385. Bounded and describe as follows;
Beginning at the Intersection of the Northeasterly Line of Ashbury Avenue (60 Feet Wide), and the Westerly Line of East 105th Street (60 Feet Wide);
Thence Northerly, along said Westerly Line of East 105th Street, a distance of 48.5 feet, to a point, said point being the Point of Beginning;
Thence Westerly, along a line Perpendicular to the Westerly Line of East 105th Street, a distance of 10.0 feet, to a point;
Thence Northerly, along a line Parallel to said Westerly Line of East 105th Street, a distance of 15.0 feet, to a point;
Thence Easterly, along a line Perpendicular to the Westerly Line of East 105th Street, a distance of 10.0 feet, to a point on said Westerly Line of East 105th Street;
Thence Southerly, along the Westerly Line of East 105th Street, a distance of 15.0 feet, to the Point of Beginning.
Containing 150 Square Feet, 0.0034 Acres, be the same more or less.

Section 2. That the term of the license agreement shall be perpetual, automatically renewed from year to year unless terminated by either party.

Section 3. That the license agreement shall be prepared by the Director of Law which shall include the requirement that GCRTA maintain and repair the bus shelter as

Ordinance No. 163-2020

necessary at no cost to the City during the term of the agreement and remove the bus shelter at no cost to the City when the agreement is terminated.

Section 4. That the Director of Public Works and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement authorized by this ordinance.

Section 5. 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.

GK:nl
2-3-20

FOR: Director Cox

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READ FIRST TIME on FEBRUARY 3, 2020
and referred to DIRECTORS of Public Works,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

**REPORT
after second Reading**

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

FILED WITH COMMITTEE

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

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE

