

Ordinance No.761-2026

AN EMERGENCY ORDINANCE

To vacate a portion of East 81st Street.

By Council Members Griffin, Bishop and Santana (by departmental request)

WHEREAS, under Resolution No. 1096-2025, adopted November 10, 2025, this Council declared its intention to vacate a portion of East 81st as described; and

WHEREAS, 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 April 22, 2026, 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 all 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:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 431;

Beginning at a 5/8-inch capped (#7343) iron pin found in the west line of East 81st Street, 50.00 feet wide, at the northeast corner of Sublot 21 in C.C. Baldwin's Re-Allotment of AC. Armstrong's Subdivision as recorded in Volume 14, Page 20 of Cuyahoga County Map Records (CCMR);

Course 1: Thence North 89°25'59" East, 50.00 feet to a point in the east line of said East 81st Street;

Course 2: Thence South 00°34'01" East along said east line of East 81st Street, 78.24 feet to the northeast corner of vacated East 81st Street as recorded in Volume 198, Page 4 of CCMR;

Course 3: Thence South 89°25'59" West along the north line of said vacated East 81st Street, 50.00 feet as witnessed by a 5/8-inch capped (#7343) iron pin found to be west 0.29 feet;

Course 4: Thence North 00°34'01" West along said west line of East 81st Street, 78.24 feet to the Point of Beginning and containing 0.0898 acres (3,912 square feet) of land.

Legal Description approved by Eric B. Westfall, P.S., Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for Enbridge Gas Ohio (a permanent easement in the vacant street(s) for the purposes of maintaining, operating, renewing, reconstructing, and removing Enbridge Gas Ohio's facilities and for purposes of access to said facilities

Ordinance No. 761-2026

pursuant to Ohio Revised Code Section 723.041), The Illuminating Company, and the City of Cleveland Division of Water.

A full-width utility easement, as described above, is hereby reserved for the benefit of the City of Cleveland Division of Water as a condition precedent to the vacation of the street. The easement shall remain unrestricted, and no fence or other structure may be installed within the easement area until the existing hydrant has been relocated and the water main has been properly abandoned within the remaining right-of-way. All plans for such work must be submitted to and approved by the Division of Water, and all work shall be performed under its supervision.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by the City of Cleveland, Enbridge Gas Ohio, The Illuminating Company, and the City of Cleveland Division of Water.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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.

DS:lb
7-15-26

FOR: Director Barrett

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READ FIRST TIME on JULY 15, 2026

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

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **113** Page _____
Published in the City Record

REPORTS

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

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

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**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION**

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