

Ordinance No. 719-2025

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to the Northeast Ohio Hispanic Center for Economic Development (NEOHCED) to encroach into the public right-of-way of West 25th Street by installing, using and maintaining bollards along the building frontage.

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 the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the Northeast Ohio Hispanic Center for Economic Development (NEOHCED), 3140 West 25th Street, Cleveland, Ohio 44125 (“Permittee”), to encroach into the public right-of-way of West 25th Street by installing, using and maintaining bollards along the building frontage at the following location:

3140 West 25th Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 67 and further bounded and described as follows:

Beginning at the intersection of the northerly right of way of Blatt Court (formerly Blatt Place) (30 feet wide) and the westerly right of way of West 25th Street (formerly Pearl Street) (State Route 42) (66 feet wide), being the southeasterly comer of Parcel "C" in the Plat of Consolidation as shown by the plat recorded in AFN. 202311010218 of Cuyahoga County Records;

Thence South 85° 16' 16" East, 6.00 feet to a point within the right of way of West 25th Street and the Principal Place of Beginning of the "Encroachment" herein described;

Course 1: Thence North 05° 35'00" East, 155.00 feet to a point;

Course 2: Thence South 84°25'00" East, 2.00 feet to a point;

Course 3: Thence South 05° 35'00" West, 155.00 feet to a point;

Course 4: Thence North 84° 25'00" West, 2.00 feet to the Principal Place of Beginning, containing 0.0071 acres (310 square feet) as described by Brian Siebenthal, P.S. No. 8740 of The Riverstone Company in March of 2025 and subject to all legal highways, restrictions, reservations and easements.

Legal Descriptions approved by Eric B. Westfall, Section Chief,
Plats, Surveys and House Numbering Section.

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Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly agreed to indemnify the City against any loss that may result from the encroachments permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to building permits, before installing the encroachments.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location.

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.

JBm:uo
6-2-2025
FOR: Director DeRosa

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READ FIRST TIME on JUNE 2, 2025.

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

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