

Ordinance No. 89-2026

**By Council Members Bishop and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Parks and Recreation to enter into one or more agreements with Urban Bridges for the exchange of easements; authorizing the Director to execute deeds of easement granting to Urban Bridges certain utility easement rights on City-owned property; declaring the easement rights not needed for the City's public use; and authorizing the Director to accept from Urban Bridges certain easement rights needed for mutual rights of entry and exiting access.

WHEREAS, the City of Cleveland ("City") through the Department of Parks and Recreation owns certain real estate identified as PPN 006-16-107. The City acquired this parcel from Urban Bridges, a non-profit corporation, in order for the Department of Parks and Recreation to develop the real estate as a parking lot for the City's Clark Recreation Center; and

WHEREAS, it has been determined that both the City and Urban Bridges need to obtain various easements to allow for ingress, egress and utility access to PPN 006-16-107 owned by the City and PPN 006-16-108 owned by Urban Bridges; and

WHEREAS, Urban Bridges requests the City to grant it a utility easement under City-owned PPN 006-16-107 to allow for the installation, maintenance, repair, and replacement of utilities necessary for its operations of which such utilities shall be underground; and

WHEREAS, the City and Urban Bridges require reciprocal easement(s) for the ingress and egress over Urban Bridges-owned PPN 006-16-108 to allow City access to its own PPN 006-16-107 and to allow Urban Bridges ingress and egress over the City-owned PPN 006-16-107. This will allow both the City and Urban Bridges ease of access to both identified parcels. The City will provide snowplow service to PPN 006-16-108 for the duration of the reciprocal easement(s); and

WHEREAS, in exchange for conveying the above utility easement(s) to Urban Bridges, the City will accept from Urban Bridges certain reciprocal easement rights on the property owned by Urban Bridges known as PPN 006-16-108 for egress access needed by the City; and

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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. The Director of Parks and Recreation is authorized to enter into one or more utility easement(s) with Urban Bridges to allow Urban Bridges the right to install, operate, maintain, repair, and replace necessary utilities on City’s PPN 006-16-107; and such utility/utilities shall be located underneath the property and subject to approval by the Director of Law.

Section 2. The Director of Parks and Recreation is authorized to enter into one or more reciprocal easement(s) with Urban Bridges to allow both the City and Urban Bridges mutual access to City’s PPN 006-16-107 and Urban Bridges’ PPN 006-16-108 for ingress and egress access. The access by both parties to the identified properties is for the benefit of the City and Urban Bridges for ease of access to both identified parcels. The City will provide snowplow services for PPN 006-16-108 in exchange for access to the property.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the easement interests in the following described property are not needed for the City’s public use:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot 48, further known as being all of PARCEL A as shown by plat LOT SPLIT as recorded by the plat in AFN. 202503180274 of Cuyahoga County Records, and containing 0.1023 Acres (4,456 SQ. Ft) of land as appears by said plat, be the same more or less, but subject to all legal highways and easements of record.

P.P.N. 006-16-107
Address: 5612 Clark Ave., Cleveland, Ohio 44102

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey as a property exchange

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the above-described easement interests to Urban Bridges for \$1.00, and other valuable consideration, to either Urban Bridges or the City.

Section 5. That the utility easement(s) shall be non-exclusive and shall only be for the stated purpose of the utility easement(s). The reciprocal easement(s) for ingress and egress access shall be non-exclusive.

Section 6. That the duration of the utility easement(s) shall be perpetual only for the purpose of providing utility access; if the utility easement(s) is no longer needed the easement(s) shall expire; the reciprocal easement(s) for ingress and egress access shall be perpetual; and both the utility easement and the reciprocal easement(s) for ingress and egress access shall run with the land; and that the easement(s) may include reasonable rights of entry to the City; that the easement(s) shall not be assignable without the consent of the applicable director; and that the utility easement(s) and the reciprocal easement(s) shall require that Urban Bridges provide reasonable insurance or self-insurance, and pay any applicable taxes and assessments.

Section 7. That the conveyances referred to above shall be made by official deeds of easement prepared by the Director of Law and executed by the Director of Parks and Recreation on behalf of the City. The deeds of easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Director of Parks and Recreation is authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effectuate this ordinance.

Section 8. That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire and record certain easement rights from Urban Bridges for the purpose of ingress and egress to PPN 006-16-108 for the Department of Parks and Recreation the property of which is more fully described as follows:

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Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot 48, further known as being all of PARCEL B as shown by plat LOT SPLIT as recorded by the plat in AFN. 202503180274 of Cuyahoga County Records, and containing 0.1853 Acres (8,072 SQ. Ft) of land as appears by said plat, be the same more or less, but subject to all legal highways and easements of record.

P.P.N. 006-16-108
Address: 5612 Clark Ave., Cleveland, Ohio 44102

Section 9. That the cost of acquiring and recording the easement rights shall be \$1.00, and other valuable consideration, determined to be fair market value. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring and recording the easement interests shall be paid from the fund or funds deemed appropriate by the Director of Finance.

Section 10. That the Director of Parks and Recreation is authorized to execute on behalf of the City all necessary documents and agreements to implement this ordinance.

Section 11. That all costs of acquiring, accepting, and recording the land shall be paid from funds approved by the Director of Finance.

Section 12. 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.

GB:uo
2-2-2026
FOR: Director Nichols

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READ FIRST TIME on FEBRUARY 2, 2026 **REPORTS**
and referred to DIRECTORS of Parks and Recreation, Capital Projects, City Planning Commission, Finance, Law; COMMITTEES on Municipal Services and Properties, Finance, Diversity, Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

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

FILED WITH COMMITTEE