

Ordinance No. 987-2021

AN EMERGENCY ORDINANCE

To vacate a portion of Chadakoin Court S.E., East 59th Place, East 61st Street and East 63rd Street.

By Council Members Gray, Bishop, Brancatelli and Kelley (by departmental request)

WHEREAS, under Resolution No. 863-2019, adopted March 29, 2021 this Council declared its intention to vacate a portion of Chadakoin Court S.E., East 59th Place, East 61st Street and East 63rd Street, 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 September 29, 2021, 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:

Chadakoin Court S.E.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Chadakoin Court S.E. (16.00 feet wide) in the L.M. Southern & W.S. Chamberlain's Subdivision of part of Original 100 Acre Lot No's 334 and 335, as shown by the recorded plat in Volume 11 of Maps, Page 42 and 43 of Cuyahoga County Records, further described as follows:

Being all that portion of Chadakoin Court S.E. (16.00 feet wide) and its turnouts extending from that portion of East 57th Street (16.00 feet wide) vacated by City of Cleveland Ordinance No. 888-68, passed May 27th, 1968, as shown in Volume 215, Page 27 of the Cuyahoga County Map Records, easterly to its intersection with the southwesterly line of Ashland Road (70.00 feet wide).

East 59th Place

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of East 59th Place (10.00 feet wide) in the L.M. Southern & W.S. Chamberlain's Subdivision of part of Original 100 Acre Lot No's 334 and 335, as shown by the recorded plat in Volume 11 of Maps, Page 42 and 43 of Cuyahoga County Records, further described as follows:

Being all that portion of East 59th Place (10.00 feet wide) and its turnouts extending from the North line of Hawthorne Avenue S.E. (70.00 feet wide) to the South line of Thackeray Avenue S.E. (70.00 feet wide).

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East 61st Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of East 61st Street (10.00 feet wide) in the L.M. Southern & W.S. Chamberlain's Subdivision of part of Original 100 Acre Lot No's 334 and 335, as shown by the recorded plat in Volume 11 of Maps, Page 42 and 43 of Cuyahoga County Records, further described as follows:

Being all that portion of East 61st Street (10.00 feet wide) and its turnouts extending from the North line of Hawthorne Avenue S.E. (70.00 feet wide) to the South line of Thackeray Avenue S.E. (70.00 feet wide).

East 63rd Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of East 63rd Street (10.00 feet wide) in the L.M. Southern & W.S. Chamberlain's Subdivision of part of Original 100 Acre Lot No's 334 and 335, as shown by the recorded plat in Volume 11 of Maps, Page 42 and 43 of Cuyahoga County Records, further described as follows:

Being all that portion of East 63rd Street (10.00 feet wide) and its turnouts extending from the North line of Hawthorne Avenue S.E. (70.00 feet wide) to the South line of Thackeray Avenue S.E. (70.00 feet wide).

Legal Description approved by Greg Esber, 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 Cleveland Public Power, Dominion Energy, and The Illuminating Company.

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, Cleveland Public Power, Dominion Energy and The Illuminating Company.

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:cb
11-8-2021
FOR: Interim Director Gentile

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READ FIRST TIME on NOVEMBER 8, 2021
and referred to DIRECTORS of Capital Projects,
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

Recorded Vol. **108** Page _____

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

