C OF C 125-174

Resolution No. 1285-2022

AN EMERGENCY RESOLUTION
Declaring the intent to vacate a portion of the Detroit Superior Viaduct.

By Council Members McCormack, Bishop and Hairston

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of the Detroit Superior Viaduct, as described; and

WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

Legal description for the vacation of a portion of the Detroit Superior Viaduct

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Commencing at a 1-inch rebar in a monument box found at the intersection of West 25th Street (Variable width Right-of-way) and Detroit Avenue (U.S. Route 6 & 20) (Variable width Right-of-way); thence North 30° 28' 45" West along the centerline of West 25th Street, 142.71 feet to a point; thence North 59° 30' 58" East, 30.00 feet to a Drill Hole the northeast right-of-way line of West 25th Street; thence North 30° 28' 45" West, along the northeast right-of-way of said West 25th Street, 87.83 feet to a Drill Hole found on the southeast right-of-way line of Vermont Avenue (33 feet wide); thence North 59° 26' 35" East along the southeast right-of-way line of said Vermont Avenue, 229.00 feet to a P-K nail found; thence South 30° 29' 02" East, 6.20 feet to a P-K Nail found and being the PLACE OF BEGINNING for the parcel herein described;

Course No. 1: thence North 59° 26' 35" East, along a new split line, passing over an iron pin set at 133.60 feet, 238.36 feet to an iron pin set on the southeast right-of-way of Superior Viaduct (80 feet wide);

Course No. 2: thence South 39° 49' 58" West, along the southeast right-of-way of Superior Viaduct, 30.96 feet to a drill hole found;

Course No. 3: thence South 59° 26' 52" West, along the southeast right-of-way of Vermont Avenue, 238.36 feet to a 5/8-inch iron pin with ID cap "N.M. Juhnke S-7878" found;

Cource No. 4: thence North 39° 50' 01" East, 30.96 feet to the PLACE OF BEGINNING, containing *0.0569 acres*, more or less, but subject to all highways, covenants, and easements of legal record as surveyed in November 2021 by Ryan A. Snezek, Registered Professional Land Surveyor No. 8495 on behalf of *McSteen Land Surveyors* under Project No. 21-271,

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

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

JD:ebw 12-5-2022 FOR: Director DeRosa

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READ FIRST TIME on DECEMBER 5, 2022 **REPORTS**
and referred to DIRECTORS of Capital Projects, City Planning Commission, Finance, Law; COMMITTEES on Municipal Services and Properties, Development Planning and Sustainability

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PRESIDENT

CITY CLERK

APPROVED

MAYOR

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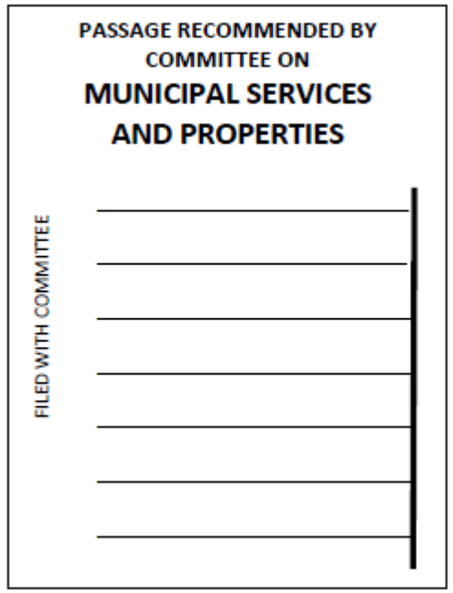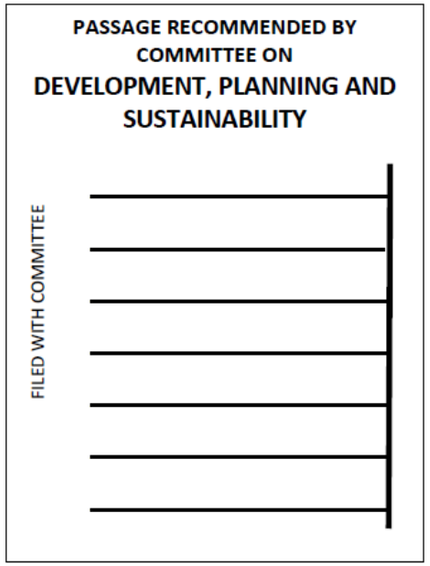
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