

Ordinance No. 498-2025

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

AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned properties no longer needed for the City's public use located in the vicinity of the I-90 Central Interchange from East 9th Street to Carnegie Avenue for the purpose of constructing improvements to the interchange.

WHEREAS, the Director of Capital Projects has requested the sale of certain City-owned properties to the Ohio Department of Transportation (the "Redeveloper") no longer needed for the City's public use and are located south of Carnegie Avenue between East 14th Street and East 18th Street and known as Permanent Parcel No. 103-11-027 and the other property located within the I-90 right-of-way, south of East 19th Street and Central Avenue and known as Permanent Parcel No. 103-26-009 which includes an existing ODOT highway easement, for the purpose of allowing the Redeveloper to construct improvements to the I-90 Central Interchange from East 9th Street to Carnegie Avenue (CCG3A); 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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described properties are no longer needed for the City's public use:

PARCEL 302-WD
CUY-90-16.28
Permanent Parcel Number 103-11-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 12 and 13 in the Seymour and Baldwin's Allotment of part of Original Ten Acre Lot No. 52 as recorded in Volume U, Page 616 of the Cuyahoga County Map Records.

Also being part of the land conveyed to The City of Cleveland, Ohio as recorded in Volume 10181, Page, 483 of the Cuyahoga County Records, and being a parcel lying on the right side of centerline of right of way of Carnegie Avenue (86 feet wide) being more definitely described as follows;

Commencing at the intersection of the centerline of right of way of Carnegie Avenue Station 34+78.45 and the centerline of right of way of East 18th Street (width varies) Station 3+63.30, said point being referenced by a drill hole in a stone in a monument box found South 08 degrees 52 minutes 48 seconds East, 0.03 feet;

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Thence, along the centerline of right of way of Carnegie Avenue, South 68 degrees 03 minutes 48 seconds West, 66.85 feet to a point in the centerline of right of way of Carnegie Avenue Station 34+11.60;

Thence, leaving the centerline of right of way of Carnegie Avenue, South 21 degrees 56 minutes 12 seconds East, 43.00 feet to the intersection of the southerly right of way of Carnegie Avenue and the westerly right of way of East 18th Street, said point being 43.00 feet right of centerline of right of way of Carnegie Avenue Station 34+11.60 and 55.41 feet left of centerline of right of way of East 18th Street Station 3+06.31 and being the True Point of Beginning for the parcel herein described;

- 1) Thence, along the westerly right of way of East 18th Street, South 01 degrees 16 minutes 06 seconds East, 20.39 feet to an iron pin set, said point being 62.08 feet right of centerline of right of way of Carnegie Avenue Station 34+04.40 and 58.11 feet left of centerline of right of way of East 18th Street Station 2+86.10;
- 2) Thence, leaving the westerly right of way of East 18th Street, South 68 degrees 03 minutes 48 seconds West, 94.09 feet to an iron pin set at in the northerly right of way of Central Avenue (66 feet wide), said point being 33.00 feet left of centerline of right of way of Central Avenue Station 11+78.45 and 62.08 feet right of centerline of right of way of Carnegie Avenue Station 33+10.32;
- 3) Thence, along the northerly right of way of Central Avenue, along the arc of a curve which deflects to the right, 27.09 feet to a point on the southerly right of way of Carnegie Avenue, said point being 43.00 feet right of centerline of right of way of Carnegie Road Station 33+14.51, said curve having a radius of 10.00 feet, a central angle of 155 degrees 11 minutes 57 seconds and a chord of 19.53 feet which bears North 09 degrees 32 minutes 10 seconds West;
- 4) Thence, leaving the northerly right of way of Central Avenue, along the southerly right of way of Carnegie Avenue, North 68 degrees 03 minutes 48 seconds East, 97.09 feet to the point of beginning and enclosing an area of 0.0445 acres.

The iron pins set are $\frac{3}{4}$ inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap stamped "ODOT PS NO. 7730 KS ASSOCIATES, INC.".

The basis of bearings for this survey is Ohio State Plane, North Zone NAD83 (2011).

The stations referred to herein are from the centerlines of right-of-way of Carnegie Avenue, Central Avenue and East 18th Street as found on ODOT Right-of-Way Plan CUY-90-16.28.

The above described area is contained within Cuyahoga County Permanent Parcel Number 103-11-027.

This description was prepared and reviewed under the supervision of Trevor A. Bixler, P.S. 7730 from a survey performed by KS Associates, Inc. in August, 2020.

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PARCEL 335-WD
CUY-90-16.28
Permanent Parcel Number 103-26-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel No. 1 in Lot Split and Consolidation Plat of part of Original Ten Acre Lot Nos. 29 and 30 as recorded in Volume 326, Page 67 of the Cuyahoga County Map Records. Also being the land conveyed to the City of Cleveland as recorded in Volume 9079, Page 168 and Volume 9488, Page 15 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Central Avenue (66 feet wide) and the centerline of East 19th Street (66 feet wide), said point being referenced by a drill hole in a stone in a monument box found South 08 degrees 45 minutes 55 seconds East, 0.79 feet;

Thence, along the centerline of Central Avenue, North 87 degrees 08 minutes 09 seconds West, 5.24 feet;

Thence, leaving the centerline of Central Avenue, South 02 degrees 51 minutes 51 seconds West, 33.00 feet to an iron pin set in the southerly right of way of Central Avenue, also being the existing northerly limited access right of way of Interstate 90, at the northeasterly corner of Sublot No. 11 in Philo Scovill's Allotment as recorded in Deed Volume 43, Page 758 of the Cuyahoga County Records, said point being the True Point of Beginning for the parcel herein described;

- 1) Thence, along the southerly right of way of Central Avenue and the existing northerly limited access right of way of Interstate 90, South 87 degrees 08 minutes 09 seconds East, 15.00 feet to an iron pin set at the northwesterly corner of Parcel No. 2 in said Lot Split and Consolidation;
- 2) Thence, leaving the southerly right of way of Central Avenue and the existing northerly limited access right of way of Interstate 90, along the westerly line of said Parcel No. 2, South 02 degrees 51 minutes 51 seconds West, 37.13 feet to an iron pin set at the southwesterly corner of said Parcel No. 2;
- 3) Thence, along the southerly line of said Parcel No. 2 the following three courses:

North 35 degrees 13 minutes 24 seconds East, 28.27 feet, said point being referenced by a "5160" capped 5/8" iron pin found North 72 degrees 16 minutes 21 seconds West, 0.17 feet;
- 4) Thence, North 70 degrees 05 minutes 11 seconds East, 21.32 feet, said point being referenced by a "5160" capped 5/8" iron pin found North 32 degrees 03 minutes 38 seconds East, 0.23 feet;
- 5) Thence, South 87 degrees 08 minutes 09 seconds East, 70.21 feet to the southeasterly corner of said Parcel No. 2;
- 6) Thence, leaving the southerly line of said Parcel No. 2, along the easterly line of said Parcel 1, South 02 degrees 51 minutes 51 seconds West, 216.00 feet to the southerly line of said Parcel No. 1;
- 7) Thence, leaving the easterly line of said Parcel No. 1, along the southerly line of said Parcel No. 1, North 81 degrees 08 minutes 09 seconds West, 120.66 feet to the easterly line of said Sublot No. 11;
- 8) Thence, along the easterly line of said Sublot No. 11, North 02 degrees 51

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minutes 51 seconds East, 139.98 feet to the existing northerly limited access right of way of Interstate 90;

- 9) Thence, continuing along the easterly line of said Sublot No. 11 and the existing northerly limited access right of way of Interstate 90, North 02 degrees 51 minutes 51 seconds East, 68.41 feet to the point of beginning and enclosing an area of 0.5705 acres, more or less of which the present road occupies 0.5705 acres resulting in a net area of 0.0000 acres.

The iron pins set are $\frac{3}{4}$ inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap stamped "ODOT PS NO. 7730 KS ASSOCIATES, INC.".

The basis of bearings for this survey is Ohio State Plane, North Zone NAD83 (1995).

The above described area is contained within Cuyahoga County Permanent Parcel Number 103-26-009.

This description was prepared and reviewed under the supervision of Trevor A. Bixler, P.S. 7730 from a survey performed by KS Associates, Inc. in August, 2020.

Section 2. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described properties to the Redeveloper at a price not less than the appraised value of \$85,300.00, which is determined to be fair market value.

Section 3. That the conveyances shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Capital Projects is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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.

PMA:nl
4-14-2025
FOR: Director DeRosa

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

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Authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned properties no longer needed for the City's public use located in the vicinity of the I-90 Central Interchange from East 9th Street to Carnegie Avenue for the purpose of constructing improvements to the interchange.

READ FIRST TIME on APRIL 14, 2025

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

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **112** 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, DIVERSITY, EQUITY
and INCLUSION**

FILED WITH COMMITTEE _____

