C OF C 125-174

Ordinance No. 667-2025

By Council Members Bishop and Hairston (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Directors of Parks and Recreation, Public Works, Community Development and Public Safety to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located within various City owned properties and declaring the easement rights not needed for the City's public use.

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORSD") is constructing its Kingsbury Run Consolidation Sewer Project as part of NEORSD's "Project Clean Lake" with a goal to reduce pollution in Lake Erie; and

WHEREAS, NEORSD's Kingsbury Run Consolidation Sewer Project is to reduce the combined sewer overflows released into the Cuyahoga River and in order to have access to the project area for construction and future maintenance, NEORSD is seeking easement rights for the construction of the project;

WHEREAS, NEORSD has requested the City through its Directors of Parks and Recreation, Public Works, Community Development and Public Safety to convey certain easement rights and temporary easement rights in property located within various City owned properties (both surface and subterranean easements) and known as Permanent Parcel Nos. 125-13-006, 125-13-003, 125-13-002, 125-12-151, 125-16-001, 125-17-014, 125-17-015, 126-38-016, and 128-30-001; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests in the following described properties are not needed for the City's public use:

Permanent Surface Easement
125-13-006-KRCS-P2
0.0320 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 329. Also being part of the land conveyed to City

of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 39.95 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said northwesterly line, South 66° 44' 11" East, 28.33 feet;

Thence, South 60° 00' 01" East, 80.79 feet;

Thence, South 50° 34' 26" East, 41.91 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 155.86 feet to the northwesterly line of said land conveyed to City of Cleveland;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, North 56° 41' 48" East, 12.05 feet to the point of beginning.

Containing within said bounds 0.0320 acres (1,395 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-16-001-KRCS-P1
0.1846 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 326 and 327. Also being part of the land conveyed to City of Cleveland as recorded in Volume 8419, Page 323 and Volume 8666, Page 471 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 68th Street (40 feet wide) and the centerline of Hoppensack Avenue (40 feet wide);

Thence, along the centerline of East 68th Street, North 01° 11' 17" West, 179.08 feet to a point in the westerly extension of the northerly line of said Parcel No. 2 in Halmarnie, Inc. Plat of Partition as recorded in AFN 202305160416 of the Cuyahoga County Map Records;

Thence, leaving said centerline, along the northerly line of said Parcel No. 2, and its westerly extension, the following three courses;

North 89° 42' 32" East, 271.25 feet;

Thence, North 01° 18' 26" West, 53.20 feet;

Thence, North 88° 41' 34" East, 267.34 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, along the arc of a curve which deflects to the left, 202.01 feet the True Point of Beginning for the easement herein described, said curve having a radius of 1555.00 feet, a central angle of 07° 26' 36", and a chord of 201.87 feet which bears South 50° 11' 43" East;

Thence, leaving said southwesterly line, South 78° 03' 53" East, 362.87 feet to the southerly right of way of Garden Valley Avenue (63 feet wide);

Thence, along the southerly right of way of Garden Valley Avenue, along the arc of a curve which deflects to the left, 142.38 feet, said curve having a radius of 1445.00 feet, a central angle of 05° 38' 44", and a chord of 142.32 feet which bears South 69° 59' 12" East;

Thence, leaving said southerly right of way, North 78° 03' 53" West, 457.15 feet to southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, along the arc of a curve which deflects to the right, 50.74 feet to the point of beginning, said curve having a radius of 1555.00 feet, a central angle of 01° 52' 11", and a chord of 50.74 feet which bears North 54° 51' 06" West;

Containing within said bounds 0.1846 acres (8,041 square feet) of land and having a lower elevation of 538.00 (148 feet below ground surface) and an upper elevation of 588.00 (98 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
128-30-001-KRCS-P1
0.0905 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 433. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320 and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 470.53 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right of way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, leaving the northerly right of way of Kinsman Road, North 09° 46' 06" East, 21.21 feet;

Thence, North 63° 07' 52" East, 76.16 feet;

Thence, North 04° 40' 16" East, 16.42 feet;

Thence, South 85° 27' 27" East, 29.78 feet;

Thence, South 04° 17' 39" West, 33.27 feet;

Thence, South 63° 07' 52" West, 46.93 feet;

Thence, South 15° 06' 29" West, 29.59 feet to the northerly right of way of Kinsman Road;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 52.30 feet to the point of beginning.

Containing within said bounds 0.0905 acres (3,943 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-16-001-KRCS-P2
0.5275 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 327. Also being part of Parcel No. 2 conveyed to City of Cleveland as recorded in Volume 8419, Page 323 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 79th Street (width varies) and the centerline of Garden Valley Avenue (63 feet wide);

Thence, along the centerline of Garden Valley Avenue, South 89° 17' 46" West, 162.23 feet;

Thence, leaving said centerline, South 00° 42' 14" East, 30.00 feet to the southerly right of way of Garden Valley Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving said southerly right of way, along the arc of a curve which deflects to the right, 353.16 feet, said curve having a radius of 610.00 feet, a central angle of 33° 10' 16", and a chord of 348.25 feet which bears South 73° 24' 52" West;

Thence, North 90° 00' 00" West, 265.61 feet;

Thence, along the arc of a curve which deflects to the right, 335.38 feet, said curve having a radius of 1610.00 feet, a central angle of 11° 56' 07", and a chord of 334.77 feet which bears North 84° 01' 57" West;

Thence, North 78° 03' 53" West, 297.64 feet to the southerly right of way of Garden Valley Avenue;

Thence, along the southerly right of way of Garden Valley Avenue, along the arc of a curve which deflects to the left, 142.38 feet, said curve having a radius of 1445.00 feet, a central angle of 05° 38' 44", and a chord of 142.32 feet which bears South 86° 08' 35" East;

Thence, leaving said southerly right of way, South 78° 03' 53" East, 156.73 feet;

Thence, along the arc of a curve which deflects to the left, 331.21 feet, said curve having a radius of 1590.00 feet, a central angle of 11° 56' 07", and a chord of 330.61 feet which bears South 84° 01' 57" East;

Thence, South 90° 00' 00" East, 265.61 feet;

Thence, along the arc of a curve which deflects to the left, 308.69 feet the southerly right of way of Garden Valley Avenue, said curve having a radius of 590.00 feet, a central angle of 29° 58' 37", and a chord of 305.18 feet which bears North 75° 00' 41" East;

Thence, along the southerly right of way of Garden Valley Avenue, North 89° 17' 46" East, 38.96 feet to the point of beginning

Containing within said bounds 0.5275 acres (22,979 square feet) of land and having a lower elevation of 541.00 (151 feet below ground surface) and an upper elevation of 591.00 (101 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
125-17-014+-KRCS-P1
0.0400 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Meyer and Thoman's Allotment of part of Original 100 Acre Lot No. 329 as recorded in Volume 7, Page 4 of the Cuyahoga County Map Records. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 12133 Page 265 and Volume 12133 Page 797 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 66th Street (40 feet wide) and the centerline of Berwick Road (40 feet wide);

Thence, along the centerline of Berwick Road, South 57° 11' 21" East, 421.93 feet to a point in the northerly extension of the westerly line of said Sublot No. 31;

Thence, leaving said centerline, along the westerly line of said Sublot No. 31 and its northerly extension, South 32° 48' 39" West, 102.79 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said westerly line, South 33° 49' 46" East, 87.10 feet to the easterly line of said Sublot No. 30;

Thence, along the easterly line of said Sublot No. 30, South 32° 48' 39" West, 21.79 feet;

Thence, leaving said easterly line, North 33° 49' 46" West, 87.10 feet to the westerly line of said Sublot No. 31;

Thence, along the westerly line of said Sublot No. 31, North 32° 48' 39" East, 21.79 feet to the point of beginning.

Containing within said bounds 0.0400 acres (1,742 square feet) of land of land and having a lower elevation of 583.00 (92 feet below ground surface) and an upper elevation of 621.00 (54 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
125-13-003-KRCS-P1
0.4164 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "D" in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority of part of Original 100 Acre Lot Nos. 326 and 329 as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland as recorded in Volume 6867, Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 67th Street (50 feet wide) and the centerline of Selma Avenue (40 feet wide);

Thence, along the centerline of East 67th Street, North 01° 09' 54" West, 100.00 feet to a point in the westerly extension of the southerly line of Sublot No. 33 in J. H. Webster's Re-Allotment of Block "A" and Sublot No. 9 in J. H. Webster's Re-Allotment as recorded in Volume 42, Page 24 of the Cuyahoga County Records;

Thence, leaving said centerline, along the southerly line of said Sublot No. 33 and its westerly extension, North 89° 56' 06" East, 133.83 feet to the southeasterly corner thereof, also being the northwesterly corner of said Parcel "D";

Thence, along the northerly line of said Parcel "D", North 56° 41' 48" East, 288.99 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said Parcel "D", North 56° 41' 48" East, 24.60 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 913.58 feet to the southerly line of said Parcel "D";

Thence, along the southerly line of said Parcel "D", North 89° 54' 54" West, 20.01 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 900.04 feet to the point of beginning.

Containing within said bounds 0.4164 acres (18,136 square feet) of land and having a lower elevation of 544.00 (96 feet below ground surface) and an upper elevation of 582.00 (58 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
128-30-001-KRCS-P2
0.0848 Acres

Original 100 Acre Lot No. 433. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320 and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 1135.84 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right of way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, leaving the northerly right of way of Kinsman Road, North 14° 54' 58" East, 37.40 feet;

Thence, North 75° 03' 23" West, 44.00 feet;

Thence, North 14° 56' 37" East, 46.00 feet;

Thence, South 75° 03' 23" East, 64.00 feet;

Thence, South 14° 56' 37" West, 83.46 feet to the northerly right of way of Kinsman Road;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 19.98 feet to the point of beginning.

Containing within said bounds 0.0848 acres (3,692 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-12-151-KRCS-P1
0.0560 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 16 through 19 in the John H. Poisa Re- Allotment of part of Original 100 Acre Lot No. 326 as recorded in Volume 36, Page 29 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland as recorded in Volume 11362, Page 215, Volume 11363, Page 101, Volume 11369, Page 311, Volume 11371, Page 17 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 65th Street (66 feet wide) and the centerline of Newman Avenue (50 feet wide);

Thence, along the centerline of Newman Avenue, South 89° 54' 54" East, 583.01 feet to the westerly line of land conveyed to Angela J. Smith as recorded in AFN 201004300484 of the Cuyahoga County Records;

Thence, along the easterly extension of the centerline of Newman Avenue, South 89° 54' 54" East, 50.00 feet to the westerly line of land conveyed to City of Cleveland as recorded in Volume 7298, Page 277 of the Cuyahoga County Records;

Thence, along the westerly line of said land conveyed to City of Cleveland, the following three courses;

South 01° 09' 54" East, 156.33 feet;

Thence, North 89° 57' 34" East, 19.48 feet;

Thence, South 01° 18' 26" East, 261.82 feet to the northerly line of said Sublot No. 19;

Thence, along the northerly line of said Sublot No. 19, North 89° 53' 18" East, 33.88 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said Sublot No. 19, North 89° 53' 18" East, 20.02 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 148.58 feet to the southerly line of said Sublot No. 16;

Thence, along the southerly line of said Sublot No. 16, South 89° 53' 18" West, 4.55 feet to the southwesterly corner of said land conveyed to City of Cleveland as recorded in Volume 11362, Page 215 of the Cuyahoga County Records;

Thence, along the westerly line of said land conveyed to City of Cleveland, North 01° 18' 26" West, 37.12 feet to the southerly line of said Sublot No. 17;

Thence, along the southerly line of said Sublot No. 17, South 89° 53' 18" West, 13.13 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 111.44 feet to the point of beginning.

Containing within said bounds 0.0560 acres (2,441 square feet) of land and having a lower elevation of 541.00 (136 feet below ground surface) and an upper elevation of 579.00 (98 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
125-13-003-KRCS-P2
0.2493 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel “D” in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority of part of Original 100 Acre Lot No. 329 as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland as recorded in Volume 6867, Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 52.00 feet to the northwesterly corner of said Parcel “D” and the True Point of Beginning for the easement herein described;

Thence, along the northeasterly line of said Parcel “D”, South 62° 39' 30" East, 155.86 feet;

Thence, leaving said northeasterly line, South 50° 34' 26" East, 2.44 feet;

Thence, South 44° 55' 42" East, 161.96 feet;

Thence, South 56° 49' 35" East, 9.96 feet;

Thence, South 62° 09' 41" East, 23.84 feet;

Thence, South 77° 54' 42" East, 20.92 feet;

Thence, South 83° 11' 40" East, 30.70 feet;

Thence, North 84° 12' 37" East, 42.10 feet;

Thence, North 72° 31' 19" East, 16.70 feet to the northeasterly line of said Parcel “D”;

Thence, along the northeasterly line of said Parcel “D”, South 62° 39' 30" East, 35.47 feet;

Thence, leaving said northeasterly line, South 72° 31' 19" West, 44.41 feet;

Thence, South 84° 12' 37" West, 47.41 feet;

Thence, North 83° 11' 40" West, 34.61 feet;

Thence, North 77° 54' 42" West, 25.53 feet;

Thence, North 62° 09' 41" West, 28.46 feet;

Thence, North 56° 49' 35" West, 13.71 feet;

Thence, North 45° 00' 43" West, 165.76 feet;

Thence, North 50° 34' 26" West, 38.64 feet;

Thence, North 60° 00' 01" West, 77.26 feet;

Thence, North 66° 44' 11" West, 39.21 feet;

Thence, North 65° 02' 42" West, 4.07 feet to the northwesterly line of said Parcel “D”;

Thence, along the northwesterly line of said Parcel “D”, North 56° 41' 48" East, 17.76 feet to the point of beginning.

Containing within said bounds 0.2493 acres (10,859 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Surface Easement
125-13-006-KRCS-P1
0.0324 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 329. Also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right of way of East 71st Street (50 feet wide);

Thence, along the westerly right of way of East 71st Street, South 04° 38' 46" West, 56.81 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly right of way of East 71st Street, South 04° 38' 46" West, 26.99 feet;

Thence, leaving said westerly right of way, South 72° 31' 19" West, 38.81 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 35.47 feet;

Thence, leaving said southwesterly line, North 72° 31' 19" East, 74.13 feet to the point of beginning.

Containing within said bounds 0.0324 acres (1,412 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-13-002-KRCS-P1
0.2645 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 326. Also being part of the land conveyed to City of Cleveland as recorded in Volume 7298, Page 277 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 65th Street (66 feet wide) and the centerline of Newman Avenue (50 feet wide);

Thence, along the centerline of Newman Avenue, South 89° 54' 54" East, 583.01 feet to the westerly line of land conveyed to Angela J. Smith as recorded in AFN 201004300484 of the Cuyahoga County Records;

Thence, along the easterly extension of the centerline of Newman Avenue, South 89° 54' 54" East, 50.00 feet to the westerly line of said land conveyed to City of Cleveland;

Thence, along the westerly line of said land conveyed to City of Cleveland, North 01° 09' 54" West, 157.81 feet to the northwesterly corner thereof;

Thence, along the northerly line of said land conveyed to City of Cleveland, South 89° 54' 54" East, 88.85 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said land conveyed to City of Cleveland, South 89° 54' 54" East, 20.01 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 576.01 feet to the southerly line of said land conveyed to City of Cleveland;

Thence, along the southerly line of said land conveyed to City of Cleveland, South 89° 53' 18" West, 20.02 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 576.08 feet to the point of beginning.

Containing within said bounds 0.2645 acres (11,521 square feet) of land and having a lower elevation of 542.00 (122 feet below ground surface) and an upper elevation of 580.00 (84 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Section 2. 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 temporary easement interests in the following described properties

are not needed for the City's public use:

Temporary Easement
126-38-016-KRCS-T2
0.0544 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "A" in Lot Consolidation Map, of part of Original 100 Acre Lot No. 432 as recorded in Volume 370, Page 93 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland Land Reutilization Program as recorded in AFN 201110210330 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the westerly right of way of Woodhill Road (80 feet wide) at the southeasterly corner of said Parcel "A";

Thence, leaving said westerly right of way, along the southerly line of said Parcel "A", South 89° 42' 54" West, 442.36 feet to the southwesterly corner thereof;

Thence, along the westerly line of said Parcel "A", also being the easterly line of Parcel "A" in Lot Consolidation Plat for 93 Kinsman LLC, as recorded in AFN 201803220379 of the Cuyahoga County Map Records, North 23° 51' 28" East, 138.08 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly line of said Parcel "A", North 23° 51' 28" East, 48.08 feet;

Thence, leaving said westerly line, North 80° 09' 36" East, 49.37 feet;

Thence, South 00° 00' 00" East, 40.60 feet;

Thence, South 80° 09' 36" West, 69.10 feet to the point of beginning.

Containing within said bounds 0.0544 acres (2,369 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
126-38-016-KRCS-T1
0.0057 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "A" in Lot Consolidation Map, of part of Original 100 Acre Lot No. 433 as recorded in Volume 370, Page 93 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland Land Reutilization Program as recorded in AFN 201110210330 of the Cuyahoga County Records, being more definitely described as follows;

Beginning at a point in the westerly right of way of Woodhill Road (80 feet wide) at the southeasterly corner of said Parcel "A";

Thence, leaving said westerly right of way, along the southerly line of said Parcel “A”, South 89° 42' 54" West, 37.81 feet;

Thence, leaving said southerly line, North 21° 40' 03" East, 14.14 feet;

Thence, South 68° 19' 57" East, 35.07 feet to the point of beginning.

Containing within said bounds 0.0057 acres (248 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-003-KRCS-T1
0.0186 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel “D” in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority of part of Original 100 Acre Lot No. 329 as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records. Also being part of the land conveyed to City of Cleveland as recorded in Volume 6867, Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 52.00 feet to the northwesterly corner of said Parcel “D”;

Thence, along the northeasterly line of said Parcel “D”, South 62° 39' 30" East, 408.66 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northeasterly line of said Parcel “D”, South 62° 39' 30" East, 33.63 feet;

Thence, leaving said northeasterly line, South 72° 31' 19" West, 16.70 feet;

Thence, South 84° 12' 37" West, 42.10 feet;

Thence, North 83° 11' 40" West, 10.95 feet;

Thence, North 58° 54' 07" East, 45.32 feet to the point of beginning.

Containing within said bounds 0.0186 acres (808 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-006-KRCS-T2
0.0088 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 329. Also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right of way of East 71st Street (50 feet wide);

Thence, along the westerly right of way of East 71st Street, South 04° 38' 46" West, 83.80 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly right of way of East 71st Street, South 04° 38' 46" West, 17.87 feet;

Thence, leaving said westerly right of way, North 88° 13' 41" West, 25.17 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 11.72 feet;

Thence, leaving said southwesterly line, North 72° 31' 19" East, 38.81 feet to the point of beginning.

Containing within said bounds 0.0088 acres (385 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-006-KRCS-T1
0.0852 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 329. Also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right of way of East 71st Street (50 feet wide) and the True Point of Beginning for the easement herein described;

Thence, along the westerly right of way of East 71st Street, South 04° 38' 46" West, 56.81 feet;

Thence, leaving said westerly right of way, South 72° 31' 19" West, 74.13 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 33.63 feet;

Thence, leaving said southwesterly line, North 58° 54' 07" East, 122.83 feet to the point of beginning.

Containing within said bounds 0.0852 acres (3,710 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T1
0.1481 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 433. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320 and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 470.53 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right of way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 11.69 feet;

Thence, leaving the northerly right of way of Kinsman Road, North 01° 10' 04" West, 45.12 feet;

Thence, North 85° 41' 40" East, 29.51 feet;

Thence, North 05° 25' 10" West, 19.30 feet;

Thence, North 79° 21' 01" East, 44.13 feet;

Thence, North 82° 47' 47" East, 47.44 feet;

Thence, South 05° 43' 50" East, 61.28 feet;

Thence, South 03° 21' 56" East, 53.88 feet to the northerly right of way of Kinsman Road;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 66.94 feet;

Thence, leaving the northerly right of way of Kinsman Road, North 15° 06' 29" East, 29.59 feet;

Thence, North 63° 07' 52" East, 46.93 feet;

Thence, North 04° 17' 39" East, 33.27 feet;

Thence, North 85° 27' 27" West, 29.78 feet;

Thence, South 04° 40' 16" West, 16.42 feet;

Thence, South 63° 07' 52" West, 76.16 feet;

Thence, South 09° 46' 06" West, 21.21 feet to the point of beginning.

Containing within said bounds 0.1481 acres (6,452 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T2
0.1790 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 433. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320 and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 760.51 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right of way of Kinsman Road;

Thence, continuing North 15° 06' 29" East, 28.59 feet to the True Point of Beginning for the easement herein described;

Thence, North 11° 39' 35" East, 68.03 feet;

Thence, South 76° 58' 57" East, 116.00 feet;

Thence, South 11° 38' 28" West, 66.39 feet;

Thence, North 77° 47' 31" West, 116.00 feet to the point of beginning.

Containing within said bounds 0.1790 acres (7,795 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T3
0.2980 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 433. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320 and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 1135.84 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right of way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 146.91 feet;

Thence, leaving the northerly right of way of Kinsman Road, North 14° 57' 03" East, 86.53 feet;

Thence, South 75° 03' 23" East, 115.43 feet;

Thence, North 14° 56' 37" East, 25.00 feet;

Thence, South 75° 03' 23" East, 59.53 feet;

Thence, South 14° 56' 37" West, 112.03 feet to the northerly right of way of Kinsman Road;

Thence, along the northerly right of way of Kinsman Road, North 74° 53' 31" West, 8.08 feet;

Thence, leaving the northerly right of way of Kinsman Road, North 14° 56' 37" East, 83.46 feet;

Thence, North 75° 03' 23" West, 64.00 feet;

Thence, South 14° 56' 37" West, 46.00 feet;

Thence, South 75° 03' 23" East, 44.00 feet;

Thence, South 14° 54' 58" West, 37.40 feet to the point of beginning.

Containing within said bounds 0.2980 acres (12,980 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interests and the exclusive temporary easements to the NEORSD subject to any conditions stated in this ordinance at an appraised price of $99,350 which is determined to be fair market value.

Section 4. That the purpose of the easements shall be for the construction and maintenance of Kingsbury Run Consolidation Sewer Project.

Section 5. That the duration of the non-exclusive easements shall be perpetual; that the duration of the exclusive temporary easements shall be until the construction of the Kingsbury Run Consolidation Sewer Project is completed; that the non-exclusive easements and exclusive temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Directors of Parks and Recreation, Public Works, Community Development and Public Safety; that the easements and temporary easements shall require that the NEORSD provide reasonable insurance and pay any applicable taxes and assessments.

Section 6. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Directors of Parks and Recreation, Public Works, Community Development and Public Safety on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Parks and Recreation, Public Works, Community Development and Public Safety and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 7. 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
5-19-2025
FOR: Directors Nichols, Williams, Hernandez and Drummond

Ord. No. 667-2025

By Council Members Bishop and Hairston (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Directors of Parks and Recreation, Public Works, Community Development and Public Safety to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located within various City owned properties and declaring the easement rights not needed for the City's public use.

READ FIRST TIME on MAY 19, 2025 **REPORTS**
Referred to DIRECTORS of Parks and Recreation, Public Works, Community Development, Public Safety, City Planning Commission, Finance, Law; COMMITTEES on Municipal Services and Properties, Development Planning and Sustainability

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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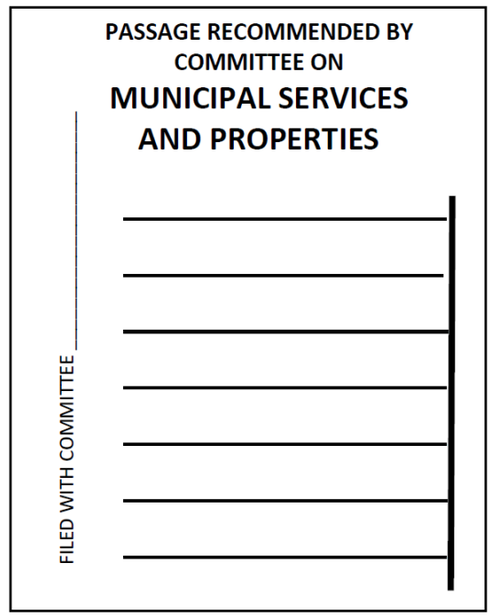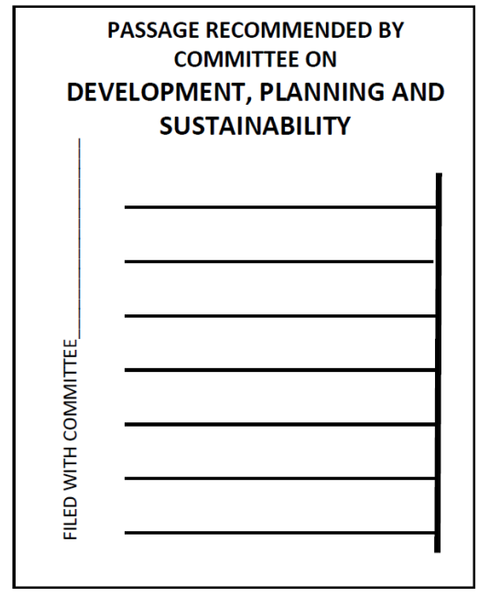
REPORT
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