

Ordinance No. 718-2025

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to The Boards of Park Commissioners of the Cleveland Metropolitan Park District to encroach into the public rights-of-way of Old Lorain Road and Riveredge Road by installing, using and maintaining a 10’-wide asphalt multi-purpose trail.

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 the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the Board of Park Commissioners of the Cleveland Metropolitan Park District, located at 4101 Fulton Parkway, Cleveland, Ohio 44144 (“Permittee”), to encroach into the public rights-of-way of Old Lorain Road and Riveredge Road by installing, using and maintaining a 10’-wide asphalt multi-purpose trail at the following locations:

Encroachment Description
(Old Lorain Road)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of original Rockport Township lot No. 13, and further described as follows:

COMMENCING at the centerline intersection of Old Lorain Road (60 feet wide) and Riveredge Road (60 feet wide); Thence, on the centerline of said Old Lorain Road S 72°14’24” W, a distance of 188.24 feet; Thence, S 63°32’24” W, continuing on said centerline, a distance of 138.95 feet; Thence, N 77°42’46” W, continuing on said centerline, a distance of 201.50 feet; Thence, N 71°14’42” W, continuing on said centerline, a distance of 98.61 feet; Thence, S 86°37’52” W, continuing on said centerline a distance of 113.02 feet; Thence, S 80°53’20” W continuing on said centerline, a distance of 90.00 feet; Thence, S 09°06’40” E, leaving said centerline, a distance of 5.00 feet to the POINT OF BEGINNING for the parcel described further herein;

Course No.1: Thence, S 09°06’40” E, a distance of 25.00 feet to the southerly right of way line of said Old Lorain Road;

Course No.2: Thence, S 80°53’20” W, on said southerly right of way, a distance of 216.43 feet;

Course No.3: Thence, N 36°38’08” W, continuing on said southerly right of way, a distance of 162.95’ feet;

Course No.4: Thence, N 71°33’23” W, continuing on said southerly right of way, a distance of 174.15’ feet;

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Course No.5: Thence, N 86°19’30” W, continuing on said southerly right of way, a distance of 306.86’ feet;

Course No.6: Thence, N 06°54’15” W, continuing on said southerly right of way, a distance of 129.92’ feet;

Course No.7: Thence, N 83°05’45” E, leaving said southerly right of way, a distance of 60.00’ feet, to the northerly right of line of said Old Lorain Road;

Course No.8: Thence, S 06°54’15” E, on said northerly right of way, a distance of 80.00’ feet;

Course No.9: Thence, S 86°19’30” E, continuing on said northerly right of way, a distance of 8.00’ feet;

Course No.10: Thence, S 47°21’49” E, leaving said northerly right of way, a distance of 63.61 feet;

Course No.11: Thence, S 86°19’30” E, a distance of 210.00 feet;

Course No.12: Thence, S 71°33’23” E, a distance of 174.32 feet;

Course No.13: Thence, S 36°38’08” E, a distance of 115.00 feet;

Course No.14: Thence, S 63°45’33” E, a distance of 59.86 feet;

Course No.15: Thence, N 80°53’20” E, a distance of 175.00 feet to the Point of Beginning and containing 27,316 Square Feet (0.6271 Acres).

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

Encroachment Description (Riveredge Road)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of original Rockport Township lot No. 8, and further described as follows:

COMMENCING at the intersection of the centerline of Bradgate Avenue (50’ wide) with the easterly right of way line of Riveredge Road (60’ wide) being witnessed by a 5/8” iron pin in a monument box at N 76°57’43 W, a distance of 0.17 feet; Thence, S 13°02’17” W on a projection of said easterly right of way a distance of 7.21 feet; Thence, N 76°57’43” W, a distance of 5.00 feet to the Point of Beginning for a parcel described further herein:

Course No.1: Thence, S 13°02’17” W, a distance of 25.00 feet;

Course No.2: Thence, N 76°57’43” W, a distance of 55.00 feet, to the westerly right of way of said Riveredge Road;

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Course No.3: Thence, N 13°02’17” E, on said westerly right of way, a distance of 25.00’ feet;

Course No.4: Thence, S 76°57’43” E, a distance of 55.00 feet, to the Point of Beginning and containing 1,375 Square Feet (0.0316 Acres).

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

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly agreed to indemnify the City against any loss that may result from the encroachment permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City’s Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to building permits, before installing the encroachments.

Section 4. That the permit(s) shall reserve to the City reasonable right of entry to the encroachment locations.

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.

JMA:uo
6-2-2025
FOR: Director DeRosa

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

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READ FIRST TIME on JUNE 2, 2025
and referred to DIRECTORS of Capital Projects,
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

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY