C OF C 125-174

Ordinance No. 961-2025

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

AN EMERGENCY ORDINANCE
Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on East 79th Street to Rust Belt Riders Composting, LLC, or its designee.

FOR PASSAGE
August 13, 2025

WHEREAS, the Directors of Public Works and Capital Projects have requested the sale of the City-owned property no longer needed for public use on East 79th Street to Rust Belt Riders Composting, LLC, or its designee (the "Redeveloper"); 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 property is no longer needed for public use:

PPN 125-16-003

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Sublot No. 50 and all of Sublots Nos. 51 and 52 in Charles H. Seymour's Allotment of a part of Original One Hundred Acre Lots 431 and 439, as shown by the recorded plat in Volume 5 of Maps, Page 38 of Cuyahoga County Records, and also parts of Original One Hundred Acre Lots Nos. 323 and 327, and bounded and described as follows:

Beginning in the Westerly line of East 79th Street, 60 feet wide at the Northeasterly corner of said Sublot No. 50; thence South 2 degrees 23 minutes 15 seconds West 114.42 feet along said Westerly line of East 79th Street to the Southeasterly corner of said Sublot No. 52; thence North 88 degrees 14 minutes 45 seconds West 129 feet along the southerly line of said Sublot No. 52 to the Southwesterly corner thereof, being also a point in the Easterly line of said Original Lot No. 323; thence South 2 degrees 23 minutes 15 seconds West 19.77 feet along said Easterly line of Original Lot No. 323 to an angle point in the Northerly line of land conveyed to The Cleveland Hardware Company by Deed recorded in Volume 1658, Page 463 of Cuyahoga County Records; thence North 89 degrees 56 minutes 40 seconds West 796.72· feet along said Northerly line of land so conveyed to the Cleveland Hardware Company to an angle point therein; thence North 1 degree 44 minutes 50 seconds East 61.17 feet following one of the lines of the land so conveyed to The Cleveland Hardware Company to a point in the Northerly line of said Original Lot No. 323; thence North 89 degrees 25 minutes 20 seconds West 47.47 feet along said Northerly line of Original Lot No. 323 and following one of the lines of the land so conveyed to The Cleveland Hardware Company to a point in the Northeasterly line of land conveyed to The Cleveland and Pittsburgh Railroad Company by Deed recorded in Volume 381, Page 408 of Cuyahoga County Records; thence North 31 degrees 24 minutes 48 seconds West 80.52 feet along said Northeasterly line of land so conveyed to The Cleveland and Pittsburgh Railroad Company to a point; thence South 89 degrees 56 minutes 40 seconds East 1018.82 feet to the place of beginning, containing 2.8276 acres of land, according to a Survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, March 6 and 10, 1953, be the same more or less, but subject to

all legal highways.

Situated in the City of Cleveland County of Cuyahoga and State of Ohio, and known as being a part of Sublots Nos. 46 and 50 and all of Sublots Nos 47, 48 and 49 in Charles H. Seymour's Allotment of a part of Original One Hundred Acre Lots Nos. 431 and 439, as shown by the recorded plat in Volume 5 of Maps, Page 38 of Cuyahoga County Records, and also part of Original One Hundred Acre Lot No. 327, and bounded and described as follows:

Beginning in the Westerly line of East 79th Street, 60 feet wide, at the Northeasterly corner of said Sublot No. 50; thence North 89 degrees 56 minutes 40 seconds West 1018.82 feet to a point in the Northeasterly line of land conveyed to the Cleveland and Pittsburgh Railroad Company by deed recorded in Volume 381, Page 408 of Cuyahoga County Records; thence North 31 degrees 24 minutes 48 seconds West 187.58 feet along said Northeasterly line of land so conveyed to the Cleveland and Pittsburgh Railroad Company to a point; thence South 87 degrees 36 minutes 45 seconds East 1122.33 feet to the Northeasterly corner of said Sublot No. 47, being a point in said Westerly line of East 79th Street; thence South 2 degrees 23 minutes 15 seconds West 114.42 feet along said Westerly line of East 79th Street to the place of beginning, containing 3.3450 acres of land, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, as appears from a revised survey plat dated August 8, 1953, be the same more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 3. That the conveyance 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 parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. 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.

SMa:nl
8-13-2025
FOR: Director McNair and Interim Director Laird

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REPORT
after second Reading

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READ FIRST TIME **REPORTS**
and referred to

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on AUGUST 13, 2025

PRESIDENT

CITY CLERK

APPROVED

MAYOR

READ FIRST, SECOND AND THIRD TIME

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