THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 1, at the second paragraph of the legal description, line 1, strike "And all of Midvale Avenue S.W. (50 feet wide)," and insert "And being all of West 188th Street (Ellwood Avenue) (50 feet wide) and a portion of Midvale Avenue S.W. (50 feet wide), in the Conger Helper Realty Company's Home Gardens Allotment as shown by the recorded plat in Volume 63 of Maps, Page 10 of Cuyahoga County Records".

2. In Section 2, at the end, insert the following new paragraph:

"Notwithstanding the foregoing, to the extent any portion of the easement is no longer necessary for the utility purposes for which it is reserved, including as a result of the relocation, removal, abandonment, or modification of utility facilities, such portion may be released or relocated in accordance with applicable law. Any such release or relocation shall be evidenced by an appropriate instrument executed on behalf of the City and, when required, approved by the Director of Law and recorded with the Cuyahoga County Recorder. For easement interests relating to City utility facilities, any release of an easement that is no longer needed shall be undertaken in accordance with Section 129.20 of the Codified Ordinances of Cleveland.".

Date: _____ (Signed): _____

Andrea Paspek
Assistant Director of Law

Ord. No. 921-2026