Ordinance No. 921-2026

Desk copy prepared for October 5, 2026 meeting

AN EMERGENCY ORDINANCE

To vacate a portion of each of the following streets: Forestwood Avenue S.W., Midvale Avenue S.W., West 185th Street, West 188th Street and West 190th Street.

WHEREAS, under Resolution No. 653-2026, adopted June 1, 2026, this Council declared its intention to vacate a portion of Forestwood Avenue S.W., Midvale Avenue S.W., West 185th Street, West 188th Street and West 190th Street; and

WHEREAS, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

WHEREAS, on August 5, 2026, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

WHEREAS, this Council is satisfied that there is good cause for vacating the above stated street portions and that such vacation will not be detrimental to the general interest; 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 this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of West 185th Street (40 feet wide), West 188th Street (50 feet wide), West 190th Street (70 feet wide) and a portion of Forestwood Avenue S.W. (width varies), in The West Riverside Subdivision, No. 1, as shown by the recorded plat in Volume 159, Page 27, C.C.R., extending easterly from the easterly line of vacated West 192nd Street (width varies) and Forestwood Avenue S.W. (70.00 feet wide), in Ordinance No. 599-03, passed April 14, 2003, to the northerly projection of the easterly line of Sublot No. 1 in The West Riverside Subdivision No. 4, as shown by the recorded plat in Volume 194, Page 70, C.C.R.,

~~And all of Midvale Avenue S.W. (50 feet wide),~~ 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 extending easterly from the easterly line of vacated West 192nd Street (width varies), in Ordinance No. 599-03, passed April 14, 2003, to the southerly projection of the westerly line of Sublot No. 3 in The Conger Helper Realty Company's Home Gardens Allotment as shown by the recorded plat in Volume 63 of Maps, Page 10 of C.C.R.

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

Section 2. That there is reserved to the City of Cleveland a permanent easement of full width over, under, and through the real property as described in Section 1 above for Enbridge Gas Ohio, Division of Water and Division of Water Pollution Control.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved

by the City of Cleveland, Enbridge Gas Ohio, Division of Water, and the Division of Water Pollution Control.

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.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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.

DS:lb
8-19-2026

FOR: Director Barrett

Ord. No.

REPORT
after second Reading

AN EMERGENCY ORDINANCE

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READ FIRST TIME **REPORTS**

and referred to _____

_____

by the council _____

_____

CITY CLERK

READ SECOND TIME

by the council _____

_____

CITY CLERK

READ THIRD TIME

by the council _____

_____

PRESIDENT

_____

CITY CLERK

_____

APPROVED

_____

_____

MAYOR

Recorded Vol. _____ Page _____

Published in the City Record _____