

Resolution No. 704-2019**Council Member:** McCormack

An emergency resolution declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018.

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue, as described in this ordinance; and

WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council declares its intent to vacate the following-described real property:

THE VACATION OF A PORTION OF THE DETROIT SUPERIOR VIADUCT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the intersection of West 25th Street, 60 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 30°28'45" West, along the centerline of said West 25th Street, a distance of 142.71 feet to a point;

Thence North 59°31'15" East a distance of 30.00 feet to the easterly line of said West 25th Street;

Thence North 39°50'15" East, along the northwesterly line of the Detroit Superior Viaduct, 80.00 feet wide, a distance of 21.32 feet to the proposed easterly line of said West 25th Street and the Principal Place of Beginning of land herein described:

Thence North 39°50'15" East, along the northwesterly line of the Detroit Superior Viaduct, a distance of 190.93 feet to a point;

Thence North 59°26'52" East a distance of 238.36 feet to the southeasterly line of said Detroit Superior Viaduct;

Thence South 39°50'15" West, along the southeasterly line of said Detroit Superior Viaduct, a distance of 415.95 feet to a point;

Thence South $30^{\circ}03'48''$ East a distance of 5.19 feet to the proposed northeasterly line of said West 25th Street;

Thence, along the proposed northeasterly line of said West 25th Street along a curve deflecting to the right, an arc distance of 35.46 feet to a point. Said curve having delta of $67^{\circ}43'19''$, a radius of 30.00 feet and a chord that bears North $68^{\circ}12'01''$ West, 33.43 feet;

Thence, continuing along the proposed northeasterly line of said West 25th Street along a curve deflecting to the left, an arc distance of 54.58 feet to a point. Said curve having delta of $4^{\circ}55'03''$, a radius of 636.00 feet and a chord that bears North $36^{\circ}47'53''$ West, 54.57 feet to the principal place of beginning and containing 24,915 square feet (0.5720 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

THE VACATION OF A PORTION OF DETROIT AVENUE.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the centerline intersection of West 24th Street, 33 feet wide, and Detroit Avenue, 66 feet wide.

Thence North $35^{\circ}10'04''$ West, along the centerline of said West 24th Street, a distance of 29.08 feet to a point;

Thence South $54^{\circ}49'56''$ West a distance of 16.50 feet to the southwesterly line of said West 24th Street also being the northwesterly line of Detroit Avenue:

Thence South $34^{\circ}31'16''$ West, along the northwesterly line of said Detroit Avenue, a distance of 35.12 feet to the Principal Place of Beginning of land herein described;

Thence South $35^{\circ}12'07''$ East a distance of 37.33 feet;

Thence South $55^{\circ}43'14''$ West a distance of 96.83 feet to the northwesterly line of said Detroit Avenue;

Thence North $34^{\circ}31'16''$ East, along said northwesterly line of Detroit Avenue, a distance of 103.21 feet to the Principal Place of Beginning and containing 1,807 square feet (0.0415 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

Legal Descriptions approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That Resolution No. 1130-18, adopted October 15, 2018, is repealed.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted July 24, 2019.

Effective July 26, 2019.