

**Ordinance No. 667-2019**

**Council Members:** McCormack, Johnson, Brancatelli and Kelley (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 near the northwest corner of Starkweather Avenue and West 15<sup>th</sup> Street to Larry Zukerman for purposes of redevelopment.**

**WHEREAS**, the Director of Capital Projects has requested the sale of the City-owned property to Larry Zukerman (the “Redeveloper”) no longer needed for the City’s public use and known as Permanent Parcel No. 004-11-029 located near the northwest corner of Starkweather Avenue and West 15<sup>th</sup> Street for purposes of redevelopment; 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 known as Permanent Parcel No. 004-11-029 located near the northwest corner of Starkweather Avenue and West 15<sup>th</sup> Street is no longer needed for the City’s public use:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 158 in John G. Jennings’s University Heights Allotment of part of Original Brooklyn Township Lots Nos. 87, 86 and 71 as shown by the recorded plat in Volume 1 of Maps, Page 15 of Cuyahoga County Records and bounded and described as follows:

Beginning in the northerly line of Starkweather Avenue S. W., (100 feet wide) on the southwesterly corner of Sublot No. 158; thence easterly along the said northerly line of Starkweather Avenue S.W. 16.5 feet to its intersection with the easterly limited access line of Interstate Route 90, and the principal place of beginning of the parcel herein intended to be described; thence continuing easterly along said northerly line of Starkweather Avenue S.W. about 16.5 feet to the southeasterly corner of land conveyed to Rousangelos G. and Zona Cosmas by deed dated July 11, 1963, and recorded in Volume 10935, Page 213 of Cuyahoga County Records; thence northerly along the easterly line of said land so conveyed to Rousangelos G. and Zena Cosmas as aforesaid, about 100 feet to the northeasterly corner thereof; thence westerly along the northerly line of land so conveyed to Rousangelos G. and Zena Cosmas as aforesaid, about 16.5 feet to its intersection with the said easterly limited access line of Interstate Route 90; thence southerly, in a direct line along said easterly limited access line of Interstate Route 90 to the principal place of beginning and containing within said bounds 1,650

square feet of land, as appears by said plat, 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 the appraised value of \$1,000, which is determined to be fair market value.

**Section 3.** That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor 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 City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 4.** That the Director of Capital Projects is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

**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.

**Passed June 3, 2019.**

**Effective June 5, 2019.**