

Ordinance No. 696-2020

AN EMERGENCY ORDINANCE

To vacate a portion of Keene Court S.W. and West 31st Street.

By Council Members McCormack,
Johnson, Brancatelli and Kelley (by
departmental request)

WHEREAS, under Resolution No. 997-2019, adopted December 2, 2019, this Council declared its intention to vacate a portion of Keene Court S.W. & West 31st 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 July 29, 2020, 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 a portion of the above and that it will not be detrimental to the general interest and that it should be made; 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:

A portion of Keene Court S.W.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion Keene Court S.W. (16 feet wide) (formerly known as an un-named alley) in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lot No's. 51 and 52, as shown in Volume 11 of Maps, Page 26 of Cuyahoga County Records, further described as follows:

All that remaining portion of Keene Court S.W. (16 feet wide) (formerly known as an un-named alley) extending easterly from the east right of way line of West 32nd Street (66.00 feet wide) (formerly known as Penn Street) to the portion of Keene Court S.W. vacated by City of Cleveland ordinance 1622-98 passed September 14, 1998.

A portion of West 31st Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of West 31st Street (16 feet wide) (formerly known as an un-named alley) in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lot No's. 51 and 52, as shown in Volume 11 of Maps, Page 26 of Cuyahoga County Records, further described as follows:

All that portion of West 31st Street (16 feet wide) extending southerly from the south right of way line of Keene Court (16.00 feet wide) (formerly known as an un-named alley) to the north right of way line of Chatham Avenue (66.00 feet wide) (formerly known as Chatham Street).

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

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Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, The Illuminating Company, Cleveland Division of Water, and Cleveland Public Power.

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 AT&T, The Illuminating Company, Cleveland Division of Water, and Cleveland Public Power.

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:JOS
8-26-2020
FOR: Director Dumas

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By Council Members McCormack, Johnson, Brancatelli and Kelley
(by departmental request)

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READ FIRST TIME on AUGUST 26, 2020
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **107** Page _____

Published in the City Record _____

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

