

Ordinance No. 699-2020

AN EMERGENCY ORDINANCE
To vacate a portion of Buettner Court.

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

WHEREAS, under Resolution No. 1147-2019, adopted October 28, 2019, this Council declared its intention to vacate a portion of Buettner Court; 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 Buettner Court

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Buettner Court (width varies) of part Original Newburgh Township Lot No. 324 as shown in the Caroline Buettner Subdivision in Volume 14 of Maps, Page 23 of Cuyahoga County Records further described as follows:

Being all that remaining portion of Buettner Court (width varies) extending from the East line of Broadway (width varies) easterly to that portion of Buettner Court vacated by City of Cleveland Council ordinance 1081-47 passed May 5th 1947.

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

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

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 and The Illuminating Company.

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 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

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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

