

The City Record

Official Publication of the City of Cleveland

February the Eighteenth, Nineteen Hundred and Ninety-Eight

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	1428 Fairfield Avenue	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council-Artha Woods, 216 City Hall, 664-2840.
First Assistant Clerk-Sandra Franklin.

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Susan E. Axelrod, Executive Assistant for Communications and Support Services
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

DEPT. OF LAW - Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Gayle Goodwin-Smith, Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Keith D. Schuster, Controller, Room 18
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue
DIVISIONS - 1201 Lakeside Avenue
Water - Julius Ciaccia, Jr., Commissioner
Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - Morry Blech, Commissioner
Cleveland Public Power - James F. Majer, Commissioner
Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - LaVonne Sheffield-McClain, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner, Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - JoMarie Wasik, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Kenneth Nobilio, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building, 1925 St. Clair Avenue.
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard

Parking Facilities - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.
Recreation - Michael Cox, Acting Commissioner, Room 8
Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director, 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, Commissioner.
Neighborhood Development - Terri Hamilton, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Joseph Nolan, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT - Christopher P. Warren, Director, Room 210

DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

COMMUNITY RELATIONS BOARD - Room 11, Cornell P. Carter, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Bucksot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS - Law Director Sylvester Summers, Jr., President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Henry Guzmán; Law Director Sylvester Summers, Jr.; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Sylvester Summers, Jr.; Utilities Director Michael Konicek; Council President Jay Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.

CLEVELAND BOXING AND WRESTLING COMMISSION - Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION - Law Director Sylvester Summers, Jr.; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION - Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilman Craig E. Willis.

**CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO
CENTRAL SCHEDULING DEPARTMENT
JUDGE COURTROOM ASSIGNMENTS**

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Gerald F. Sweeney	13D
Judge Robert J. Triozzi	12A

Earle B. Turner - Clerk of Courts, John J. O'Toole-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Magistrate

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WEDNESDAY, FEBRUARY 18, 1998

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CITY COUNCIL

MONDAY, FEBRUARY 16, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Willis, Chairman; Dolan, Vice Chairman; Britt, Lewis, Polensek, Sweeney, White.

9:30 A.M.—**Public Health Committee:** Gordon, Chairman; Britt, Vice Chairman; Cimperman, Cintron, Jackson, Melena, Robinson.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Cintron, Vice Chairman; Britt, Johnson, Jones, Melena, Moran, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Moran, Vice Chairman; Britt, Cintron, Gordon, Lewis, Johnson.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Coats, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Zone.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Zone.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Jones, Vice Chairman; Britt, Cimperman, Dolan, Johnson, Rybka.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Patmon, White, Willis.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, Moran, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patmon, Chairman; Coats, Vice Chairman; Britt, Cintron, Dolan, Jones, Lewis, Moran, Polensek.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Robinson, Vice Chairman; Cimperman, Jackson, White, Willis, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measure will be on its final passage at the next meeting:

ORDINANCE

Ord. No. 2024-97.

By Councilmen Coats, Rybka and Westbrook (by departmental request).
An emergency ordinance determining the method of making the public improvement of repairing or replacing the retaining wall at West 61st Street, including contiguous improvements; authorizing the Director of Public Service to employ professional design services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

BOARD OF CONTROL

February 11, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 11, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Absent: Director Denihan.

Others: William A. Moon, Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 83-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that bid of Hirsch Electric Company for the public improvement of Crown Water Works Expansion — Rehabilitation and Expansion Auxiliary Space Heating for Administration Building for the Division of Water, Department of Public Utilities, received on January 7, 1998, pursuant to the authority of Ordinance No. 965-93, passed by the Council of the City of Cleveland on July 14, 1993, upon a unit basis in the aggregate amount of Twenty Six Thousand Eight Hundred Forty Dollars (\$26,840.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Hirsch Electric Company for the above-mentioned public improvement is hereby approved:

NAME	MBE/FBE
Leader Electric	28% (FBE)

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 84-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Markie Construction Co., Inc. for the public improvement of Rustic Avenue sewer replacement for the Division of Water Pollution Control, Department of Public Utilities, received on December 11, 1997, pursuant to the authority of Ordinance No. 2201-96, passed February 10, 1997, upon a unit basis for the improvement in the aggregate amount of Two Hundred Seventy-Four Thousand and Thirty-Two Dollars and 00/100 (\$274,032.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors to Markie Construction Co., Inc. for the above-mentioned public improvement hereby is approved:

Subcontractor	Work MBE/FBE
Midtown Trucking	Trucking MBE
Steward Supply	Material Supply MBE
Thompson Ground	Material Supply MBE
Cook Paving	Paving MBE

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 85-98.

By Director Konicek.
Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of Install new fencing and repair existing fencing for the Division of Water Pollution Control, Department of Public Utilities, for the period one (1) year beginning with the date of execution of a contract, received on December 18, 1997, pursuant to the authority of Ordinance No. 669-97, passed June 2, 1997, which on the basis of the estimated quantity would amount to One Hundred Ten Thousand Eight Hundred Fifty and 00/100 Dollars (\$110,850.00), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 16367 which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it resolved that the employment of the following subcontractor to Able Contracting Group, Inc. for the above-mentioned requirement contract hereby is approved:

Subcontractor	Work MBE/FBE
Crawford Fence	Guard rail & ornamental fence MBE

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 86-98.

By Acting Director Sheffield-McClain.

Whereas, pursuant to Ordinance No. 203-97, passed June 17, 1997, the Mayor, Director of Law and Director of Port Control entered into a Settlement Agreement with the City of Brook Park, dated July 10, 1997, concerning the expansion of Cleveland Hopkins International Airport ("Settlement Agreement"); and Whereas, in accordance with Ordinance No. 318-97, passed June 17, 1997, the Commissioner of Purchases and Supplies is authorized to convey certain real property to the City of Brook Park as part of the settlement; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, the Commissioner of Purchases and Supplies is hereby directed to convey to the City of Brook Park the real property which is described in the legal descriptions and shown on the maps contained in the City Council File No. 318-97-A, including any technical adjustments to such descriptions needed to comply with the requirements of the Ohio Revised Code, in consideration of the terms and provisions contained in the Settlement Agreement.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 87-98.

By Acting Director Sheffield-McClain.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 625-97, passed by the Cleveland City Council on June 2, 1997, Ralph C. Tyler Companies, Inc. (MBE "Consultant") is hereby selected upon the nomination of the Director of Port Control to provide professional surveying services for Cleveland Hopkins International and Burke Lakefront Airports for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Ralph C. Tyler Companies, Inc. based on its proposal dated June 20, 1997. The fee for such services shall be in an amount not to exceed One Hundred Thousand and no/ 100 dollars (\$100,000.00).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Ralph C. Tyler Companies, Inc. ("Consultant") is hereby approved:

SUBCONTRACTOR SERVICE

KS Associates, Inc.
(FBE - \$40,000.00) Survey Services

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 88-98.

By Acting Director Sheffield-McClain.

Be it resolved that the Board of Control Resolution No. 877-96, adopted on December 12, 1996, approving

Shoe Shine Management Co. for a valet/shoe shine Lease by Way of Concession at Cleveland Hopkins International Airport for the Department of Port Control is hereby rescinded.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 89-98.

By Acting Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Montgomery KONE, Inc. for an estimated quantity of labor and materials to maintain and repair escalators and elevators (Items No. 1, 2, 3, 4, 5, and 6 (35% discount of list)) for the various divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of contract, received on the 5th day of December, 1997, pursuant to the authority of Ordinance No. 1468-97, as amended by Ordinance No. 2022-97, passed September 22, 1997 and February 2, 1998 respectively, which on the basis of the estimated quantity would amount to Six Hundred Eighteen Thousand Four Hundred Eighteen and no/100 (\$618,418.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098939 which shall be certified against such contract in the sum of One Hundred Twenty-Four Thousand and no/100 (\$124,000.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 90-98.

By Acting Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Action Door Company for an estimated quantity of Labor and materials to maintain and repair rolling overhead doors (Items Nos. 1, 2, 3, and 4 (including 25% discount off list price)), for the various divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of contract, received on the 24th day of December, 1997, pursuant to the authority of Ordinance No. 1467-97, passed September 22, 1997, which on the basis of the estimated quantity would amount to Ninety Six Thousand Five Hundred and no/100 (\$96,500.00) Dollars, (2%

10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098937 which shall be certified against such contract in the sum of Nineteen Thousand Three Hundred and no/100 (\$19,300.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 91-98.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, Ordinance No. 1000-97, passed June 16, 1997, as amended by Ordinance No. 2036-97, passed December 15, 1997, authorized the sale of said parcel to Shore Bank Enterprise Group for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, by Resolution No. 531-97, adopted on July 2, 1997, this Board authorized the Mayor to execute a deed for said parcel to Glenville Enterprise Center; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 531-97, adopted July 2, 1997, is hereby amended by deleting Glenville Enterprise Center and substituting Shore Bank Enterprise Group, where appearing.

Be it further resolved that all other provisions of said Resolution No. 531-97 not expressly amended hereby, shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 92-98.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Donley's Inc., for the public improvement of the new Cleveland Browns NFL Stadium General Trades Package (Bid Package #9), including deduct alternate 3, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on January 30, 1998, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for

a gross price for the improvement in the aggregate amount of Twenty Million Five Hundred Seven Thousand and no/100 (\$20,507,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Donley's Inc. for the public improvement of the new Cleveland Browns Stadium general trades work, hereby is approved:

Bradley Construction (MBE) — \$1,700,000

Bean and Bennett (MBE) — \$270,000

Mull Iron (MBE) — \$300,000

Builders Glass (MBE) — \$35,000

H.C. Painting (MBE) — \$474,000

Rivera Construction (FBE) — \$650,000

Ohio Diversified (FBE) — \$300,000

Western Waterproofing (FBE) — \$200,000

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 2, 1998

9:30 A.M.

Calendar No. 98-16: 479 East 118th Street

Arthur Echols, owner, appeals to erect a 12' x 10' wood frame deck on the rear east wall of a 2-1/2 story frame nonconforming single family house on a 35' x 86' lot located in a Single Family District on the easterly side of East 118th Street at 479 East 118th Street; the north side yard being 18' instead of the 3' x 6" required by Section 357.09(b)(2)(B) but subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-17: 17480 Lorain Road

Kamms Plaza Shopping Center, owner, and Family Dental Center, tenant, c/o Greg Wilson, appeals to change the use of an existing 26' x 96' tenant space located in a Shopping Center District at Kamms Plaza Shopping Center at 17480 Lorain Road into a Dental Center; said use being contrary to the permitted buildings and uses in Shopping Center Districts limitations of Section 343.04 of the Codified Ordinances.

Calendar No. 98-18: 3401 East 53rd Street

Catholic Diocese, owner, c/o Reverend James J. Masek and tenants, Viola Pickins-Mitchell and Deborah Mortan, appeal to change use from a convent to a co-ed 3-5 adult care facility, (with a long range goal of 15 residents) 65 years of age and older, the 46' x 81' 2-1/2-story masonry non-conforming convent building on a 265' x 340' irregular shaped lot located in a Two-Family District at 3401 East 53rd Street; said use being contrary to the residential limitations of Section 359.01 but subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-19: 6025 St. Clair Avenue

Joe Sheliga owner, appeals under Section 357.09 from the refusal to approve a lot split for the 82' x 235' irregular "L" shaped lot located in a Local Retail Business District and occupied by a 1-story masonry building, a 2-1/2-story dwelling unit, a brick garage and a 2-story dwelling unit at 6025 St. Clair Avenue; said refusal being by J. Christopher Nielson, Commissioner of Engineering and Construction and Hunter Morrison, Director of City Planning under authority of Section 355.04 of the Codified Ordinances.

Calendar No. 98-20: 11619 Fairport Avenue

Willie J. Tyree, owner appeals to change use from a two-family dwelling to a three-family dwelling use on a 40' x 100' lot located in a Two-Family District on the northerly side of Fairport Avenue, at 11619 Fairport Avenue; said use being contrary to the residence limitations of Sections 337.03(a) and 355.04(a) and the interior side yard at the east property line being 3' x 0" instead of 8' x 0" as required by Section 357.09(b)(2)(C), but subject to the substitution limitations of Section 359.01(a) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 17, 1998

At the Meeting of the Board of Zoning Appeals on Monday, February 9, 1998, the following appeals were heard by the Board, and, on Tuesday, February 17, 1998 were decided by the Board.

The following appeals were **Granted**:

Calendar No. 97-267: 10300 Ignatius Ave., S.W.

Anthony M. Pilla, Bishop, owner, and Cleveland Board of Education, tenant, c/o Raymond S. Ling, appealed, to install a 14' x 50' one-story modular classroom building.

Calendar No. 98-03: 4669 Rocky River Drive

Ronald and Ruth Shipley, owners, appealed, to change use to a food warehouse/distribution center for non-profit distribution of food.

The following appeals were **Refused**:

Calendar No. 97-240: Appeal of Richard Geiger.

Richard Geiger, appealed, under Section 76-6 of the Charter of the City of Cleveland and Section 403.09 of the Codified Ordinances from the revocation of the license to operate a taxicab.

Calendar No. 97-270: 3847 Riveredge Road, S.W.

George Packis, owner, and Ahmed Ayyad, tenant, appealed, to change use to a carryout restaurant.

The following appeals were **Postponed**:

Calendar No. 98-9: 3344 East 80th Street to March 2, 1998.

Calendar No. 98-11: 21000 West 95th Street to March 9, 1998.

Calendar No. 98-10: 12914 Union Avenue to March 16, 1998.

Calendar No. 97-260: 1266 Parkwood Drive, N.E. to March 16, 1998.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, FEBRUARY 26, 1998

Roof Replacement and Masonry Restoration for the Fairfax Recreation Center, for the Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1284-94 and 1455-94, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, FEBRUARY 17, 1998, 10:00 A.M. AT THE FAIRFAX RECREATION CENTER, 2335 EAST 82ND STREET, CLEVELAND, OHIO 44104.

February 4, 1998, February 11, 1998 and February 18, 1998

WEDNESDAY, FEBRUARY 25, 1998

Bid Package #11 — Fencing for the Consolidated Rental Car Facility, for the Division of Cleveland Hop-

kins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 19, 1998, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

February 11, 1998 and February 18, 1998

THURSDAY, MARCH 5, 1998

Automotive Parts and Supplies for Repair, Replacement and Maintenance of Airport Maintenance Vehicles and Equipment, for the various divisions of Department of Port Control, as authorized by Ordinance No. 399-97, passed by the Council of the City of Cleveland, May 12, 1997.

February 11, 1998 and February 18, 1998

THURSDAY, MARCH 5, 1998

Bid Package #12 — Finish Paving for the Consolidated Rental Car Facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 26, 1998, 11:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

February 11, 1998, February 18, 1998 and February 25, 1998

WEDNESDAY, MARCH 11, 1998

Cleaning and Cement Mortar Lining of Distribution Water Mains Areas 98-1, 98-2 and 98-3, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1937-97, passed by the Council of the City of Cleveland, January 26, 1998.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 25, 1998, 10:00 A.M. IN THE AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

February 11, 1998 and February 18, 1998

FRIDAY, MARCH 13, 1998

Cleaning and Cement Mortar Lining of Distribution Water Mains Areas 98-4, 98-5 and 98-6, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1937-97, passed by the Council of the City of Cleveland, January 26, 1998.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 25, 1998, 10:00 A.M. IN THE AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

February 11, 1998 and February 18, 1998

WEDNESDAY, MARCH 4, 1998

Landscaping for the Consolidated Rental Car Facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 26, 1998, 11:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

February 18, 1998 and February 25, 1998

THURSDAY, MARCH 5, 1998

Rental of One (1) Concrete Rock Saw, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2181-97, passed by the Council of the City of Cleveland.

Labor and Materials to Fabricate Ring and Pinion Gears, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2147-97, passed by the Council of the City of Cleveland.

February 18, 1998 and February 25, 1998

FRIDAY, MARCH 6, 1998

Automotive Paint, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 642-96, passed by the Council of the City of Cleveland, May 13, 1996.

February 18, 1998 and February 25, 1998

WEDNESDAY, MARCH 11, 1998

Installation and Maintenance of City Telephones, Products and Ancillary Equipment, for the Department of Finance, as authorized by

Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

February 18, 1998 and February 25, 1998

THURSDAY, MARCH 12, 1998

The Reconstruction of the Bridge Railing and the Abutments, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1643-97, passed by the Council of the City of Cleveland, September 15, 1997.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.

Meters and Metering Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Ballistic Vests, Helmets and Shields, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

February 18, 1998 and February 25, 1998

FRIDAY, MARCH 13, 1998

One (1) Tractor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 666-97, passed by the Council of the City of Cleveland, June 2, 1997.

Runway Broom Heads, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

One (1) Boom Truck, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2557-89, passed by the Council of the City of Cleveland, November 13, 1989.

Lawn Tractors, Front Cutter Mowers, Traffic Scooters and Vacuum Sidewalk Sweeper/Litter Vacuum, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

February 18, 1998 and February 25, 1998

FRIDAY, MARCH 20, 1998

New Cleveland Browns NFL Football Stadium — Bid Package No. 11 — Seating, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

BID DOCUMENTS CAN BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES FOR THE NON-REFUNDABLE

COST OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED CHECK ONLY. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, MARCH 3, 1998, 10:00 A.M. IN ROOM 211 OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.

Building Materials, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2205-96, passed by the Council of the City of Cleveland, January 13, 1997.

Hand Tools and Hand Power Tools, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2209-96, passed by the Council of the City of Cleveland, January 13, 1997.

February 18, 1998 and February 25, 1998

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 2156-97.**

By Councilman Smith (by request). An emergency resolution declaring the intention to vacate portions of Titus Ave., S.W., Evelyn Ave., S.W. & Ketteringham Rd., S.W. (formerly View Rd.).

Whereas, this Council is satisfied that there is good cause for vacating portions of Titus Avenue, S.W., Evelyn Avenue, S.W. and Ketteringham Road, S.W. (formerly View Road), as hereinafter described; 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 it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being that portion of:

TITUS AVENUE, S.W.: (50.00 feet wide), extending Easterly from the Easterly line of Scranton Road, S.W. (60.00 feet wide) to the Westerly line of Ketteringham Road, S.W. (width varies).

KETTERINGHAM ROAD, S.W. (formerly View Road): (width varies), extending Southwesterly and Westerly from the Southerly line of Engldale Avenue (50.00 feet wide) to the Easterly line of Scranton Road, S.W. (60.00 feet wide).

EVELYN AVENUE, S.W.: (35.00 feet wide), extending Easterly from the Easterly line of Scranton Road, S.W. (60.00 feet wide) to the Westerly right-of-way of Interstate Route 71, so called.

Section 2. That this resolution is hereby 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 February 9, 1998.
Effective February 17, 1998.

Res. No. 2196-97.
By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of Penn Court S.W. and a portion of an Unnamed Alley West of West 30th Street.

Whereas, this Council; is satisfied that there is good cause for vacating a portion of Penn Court S.W. and a portion of an Unnamed Alley west of West 30th Street, as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides 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 it hereby declares its intention to vacate portions of the following described real property:

PENN COURT (WITHIN THE ST. IGNATIUS CAMPUS) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all of that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeasterly of the following described line:

Beginning on the Northwesterly line of said unnamed alley, at its intersection with the Northeasterly line of a parcel of land conveyed to the St. Ignatius Development Corporation by deed dated June 29, 1989, and recorded in Volume 89-3210, Page 51 of Cuyahoga County Records; thence South 31°-10'-00" West along the Southeasterly prolongation of said Northeasterly line, 8.00 feet to its intersection with the centerline of said unnamed alley; thence South 58°-50'-00" West along said centerline, 2.20 feet to its intersection with the Northwesterly prolongation of the Northeasterly line of a parcel of land conveyed to the City of Cleveland by deed dated January 2, 1975, and recorded in Volume 12730, Page 563 of Cuyahoga County Records; thence South 26°-04'-36" East, along said prolongation, 8.03 feet to the Southeasterly line of said alley.

AND

AN UNNAMED ALLEY WEST OF WEST 30TH STREET Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of that portion of an Unnamed Alley (11.67 feet wide), located North of Lorain Avenue and South of Carroll Avenue, lying Southwesterly of the Southwesterly line of West 30th Street (as vacated by Ordinance No. 1351-78 and shown by the recorded plat in Volume 223 of Maps, Page 46 of Cuyahoga County Records) and extending to its Southwesterly terminus.

Section 2. That this resolution is hereby 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 February 9, 1998.
 Effective February 17, 1998.

Ord. No. 1274-97.
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to replace lighting at the long term parking facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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 the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to replace lighting at the long term parking facility, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104 and 60 SF 106, Request No. 22620.

Section 3. That this ordinance is hereby 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 February 9, 1998.
 Effective February 17, 1998.

Ord. No. 1281-97.
By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing navigational aids and associated appurtenances, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing navigational aids and associated appurtenances, for the Division of Burke Lakefront Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the costs for such public improvement herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said improvement are credited, Request No. 22521.

Section 4. That this ordinance is hereby 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 February 9, 1998.
 Effective February 17, 1998.

Ord. No. 1282-97.
By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of removing underground storage tanks, removing soil at tank sites, performing soil remediation, as necessary and disposal, replacing underground storage tank with above ground tanks; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ an engineering and environmental consultant to provide professional services necessary to make said public improvement.

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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of removing underground storage tanks, removing soil at tank sites, performing soil remediation, as necessary and disposal, replacing underground storage tanks with above ground tanks, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers and/or environmental consultants or one or more firms of engineering and/or environmental consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland

in order to provide professional services necessary to effectuate the public improvement authorized above.

Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by means of a request for proposals by the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 4. That the costs for such public improvement and professional services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said improvement are credited, Request No. 22518.

Section 5. That this ordinance is hereby 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 February 9, 1998.
Effective February 18, 1998.

Ord. No. 1328-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an amendment to Lease By Way of Concession No. 46956 with the Board of Park Commissioners of the Cleveland Metropark District to modify the leased premises and make miscellaneous revisions; and to repeal Ordinance No. 1755-96, passed September 23, 1996.

Whereas, pursuant to Ordinance No. 1202-93, passed June 14, 1993, the Director of Parks, Recreation and Properties entered into Lease by Way of Concession No. 46956 with the Cleveland Metroparks District; and

Whereas, the City wishes to amend the Lease By Way of Concession No. 46956 to make changes to the leased premises and to make other miscellaneous revisions; and

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 the Director of Parks, Recreation and Properties is hereby authorized to enter into an Amendment to Lease By Way of Concession No. 46956 between the City and the Board of Park Commissioners of the Cleveland Metroparks District ("Amendment"), to amend the leased premises as described by the legal description contained in File No. 1328-97-A.

The Director of Parks, Recreation and Properties shall obtain a legal description of the leased premises and provide a copy of the same to the Clerk of Council for inclusion in the File for this piece of legislation, and the Amendment to the Lease authorized by this legislation shall not be executed until this is accomplished.

Section 2. That the Director of Parks, Recreation and Properties is also authorized to include in the Amendment an extension of the renovation term of ball diamond No. 1, and an additional ball diamond for use by the City which diamond shall also be covered by the City's Indemnity provision.

Section 3. That all other terms and conditions contained in the original lease shall remain the same.

Section 4. That the Amendment herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 5. That Ordinance No. 1755-96, passed September 23, 1996, is hereby repealed.

Section 6. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 1639-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into supplements to the Master Site Lease between the City and the Federal Aviation Administration ("FAA") and to enter into subsequent supplements with the FAA to install, operate and maintain radar facilities, instrument landing systems and other air navigational aids on certain premises at Cleveland Hopkins International Airport (the "Airport") and on certain premises contiguous to the Airport.

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 the Director of Port Control is hereby authorized to enter into supplements to the Master Site Lease between the City and

the Federal Aviation Administration ("FAA"), Master Site Lease No. DTFA14-89-L-R700, as found in File No. 1096-90-A, filed with the Clerk of Council. Any supplements shall be approved by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 2. That the Director of Port Control is further authorized to enter into subsequent agreements with the FAA to install, operate and maintain radar facilities, instrument landing systems, and other air navigational aids on certain premises at the Airport and on certain other premises contiguous to the Airport in which the City has obtained an interest to install said air navigational aids. Any subsequent supplements as described above shall be entered into with the United States of America without charge in consideration of the benefits said air navigational aids will provide to the City at the Airport. The Director of Law shall approve all subsequent agreements and such agreements shall contain any other terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 13, 1998.

Ord. No. 1782-97.

By Councilman Smith.

An emergency ordinance to vacate a portion of Auburn Ave. S.W. hereinafter described.

Whereas, on the 14th day of August, 1996, the Council of the City of Cleveland adopted Resolution No. 1115-96 declaring its intention to vacate a portion of Auburn Ave. S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1115-96 has been served upon the owners of all the property abutting Auburn Ave. S.W. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of Auburn Ave. S.W., hereinafter described, in accordance with 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 Auburn Ave. S.W., hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of Auburn Ave. S.W., (20 00 feet wide), extending Easterly from the Easterly line of W. 25 St., to the Southerly prolongation of the Westerly line of W. 19th St. (30.00 feet wide) is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and Division of Water Pollution Control equipment.

The description of easement is as follows:

That portion of Auburn Ave. S.W., (20.00 feet wide), extending Easterly from the Easterly line of W. 25th St. (66.00 feet wide), to the Southerly prolongation of the Westerly line of West 19th St. (30.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Commissioner of the Division of Light and Power, and the Commissioner of the Division of Water Pollution Control, of the the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Auburn Ave. S.W., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 1784-97.
By Councilman Patton.

An ordinance to change the Use and Area Districts of lands located approximately 180' south of Seville Road, S.E. and approximately 470' west of East 162 Street. (Map Change No. 1957, Sheet No. 10)

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Use and Area Districts of lands bounded and described as follows,

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original Warrensville Township Lot No. 103, further bounded and described as follows:

Commencing in the centerline of Seville Road, S.E. (60 feet wide) at its intersection with the centerline of Johnston Parkway, S.E. (60 feet wide);

Thence North 88°-41'-42" East along the centerline of Seville Road, S.E., 78.41 feet to a point therein;

Thence South 1°-18'-18" East and perpendicular to the centerline of Seville Road, S.E., 30.00 feet to the Southerly line thereof;

Thence North 88°-41'-42" East along said Southerly line, 427.56 feet to the Northeastly corner of Block "D" in the Lee-Seville/Cleveland Outerbelt Industrial Park as shown by the recorded plat in Volume 231 of Maps, Page 42 of Cuyahoga County Records;

Thence South 0°-07'-05" East along the Easterly line of Block "D", 180.00 feet to a point therein, and the principle place of beginning of the following described parcel:

Thence Continuing South 0°-07'-05" East along said line of Block "D" as aforesaid, 776.38 feet to a point in the Northerly line of Sublot 2 as shown by said plat;

Thence North 89°-54'-36" East along the Northerly line of Sublot 2, 172.22 feet to a point distant 20 feet by rectangular measurement from the Westerly line of the Homestead Allotment Company's Orchard Subdivision as shown by the recorded plat in Volume 98 of Maps, Page 17 of Cuyahoga County Records;

Thence North 0°-07'-05" West and parallel with said subdivision line, 771.76 feet to a point in the Southerly line of a parcel of land conveyed to Maymie McLin by deed recorded in Volume 7870, Page 143 of Cuyahoga County Records;

Thence Westerly along said Southerly line and along the Southerly line of a parcel of land conveyed to Hope Incorporated by deed recorded in Volume 13304, Page 369 of Cuyahoga County Records, 172.22 feet to the place of beginning.

This description was prepared by David J. Bruckner, Registered Ohio Professional Surveyor No. 6939, from information in the Lee-Seville/Cleveland Outerbelt Industrial Park plat, recorded as aforesaid.

Containing within said bounds, an area of about 3.4158 acres of land, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

and as outlined in red on the map hereto attached be and the same are hereby changed to a Semi Industry Use District and an 'A' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified in Section 1 as Map Change No. 1957, Sheet No. 10 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 9, 1998.
Effective March 21, 1998.

Ord. No. 1966-97.
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed, uniformed security guard services, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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 the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of unarmed, uniformed securi-

ty guard services to provide security for various City-owned properties within the various divisions of the Department of Port Control in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22598)

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 2012-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to design, layout and produce 1997 and 1998 annual report and consumer information materials for the various divisions of the Department of Public Utilities.

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 the Director of Public Utilities is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design, layout and produce 1997 and 1998 annual reports and consumer information materials, including but not limited to writing, photography, artwork and offset lithographic reproduction for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the

purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance. The Director of Public Utilities shall furnish to the Chairman of the Committee on Public Utilities a copy of all requests for proposals used to employ consultants pursuant to this ordinance and a copy of the drafts of all printed materials prepared by any consultants employed pursuant to this ordinance for the Chairman's review prior to final production.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 58 SF 001 and 54 SF 001, Request No. 23405.

Section 3. That this ordinance is hereby 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 February 2, 1998.
Effective February 11, 1998.

Ord. No. 2027-97.

By Councilman Gordon.

An emergency ordinance to vacate a portion of Park Drive S.W., hereinafter described.

Whereas, on the 29th day of April 1996 the Council of the City of Cleveland adopted Resolution No. 1709-95 declaring its intention to vacate a portion of Park Drive S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1709-95 has been served upon the owners of all the property abutting the Park Drive S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of Park Drive S.W., hereinafter described, in accordance with 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 of Park Drive S.W., hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of Park Drive S.W. (40.00 feet wide) is hereby vacated.

Section 2. Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a portion of Park Drive S.W., in the Memphis Ridge Subdivision of part of Original Brooklyn Township Lot Number 44 as shown by the recorded plat in Volume 56 of Maps, Page 24 of Cuyahoga County Records, and bounded and described as follows: Beginning on the Easterly line of West 56th Street, 50.00 feet wide,

being the Westerly line of Sublot Number 109 of the Memphis Ridge Subdivision at a point distant North 0°-24'-15" West, 92.31 feet from the Southwesterly corner thereof, thence Northeasterly, along a curve to the right, an arc distance of 19.90 feet, said curve having a radius of 15.00 feet and a chord which bears North 37°-36'-10" East, 18.47 feet to a point of reverse curvature; thence continuing Northeasterly, along the Northerly line of Sublot Number 109, 110 and 111 on a curve to the left, an arc distance of 114.73 feet, said curve having a radius of 2,400.00 feet and a chord which bears North 74°-14'-25" East, 114.72 feet to a point of tangency; thence North 72 degrees-52'-15" East, 1.56 feet to a point in the Northeasterly corner of Sublot Number 111; thence South 89°-35'-45" West, parallel to the Southerly line of Sublot Number 109, 110 and 111, 123.49 feet to a point; thence South 0°-24'-15" East, 45.38 feet to the point of beginning and containing 2175 square feet of land, be the same more or less, but subject to all legal highways.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Park Drive S.W., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 2028-97.

By Councilman Patton.

An emergency ordinance to vacate a portion of Mann Avenue, S.E., hereinafter described.

Whereas, on the 14th day of August 1996, the Council of the City of Cleveland adopted Resolution No. 1202-96 declaring its intention to vacate a portion of Mann Avenue, S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1202-96 has been served upon the owners of all the property abutting the Mann Avenue S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of Mann Avenue, S.E., hereinafter described, in accordance with 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 of Mann Avenue, S.E., hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of Mann Avenue, S.E. (50.00 feet wide), extending Westerly from the West-

erly line of Jo-Ann Drive, S.E. (50.00 feet wide), to the Easterly line of East 183rd Street (50.00 feet wide) is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Mann Avenue, S.E., herein provided by sending him a copy of this Ordinance.

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 2032-97.

By Councilman White.

An emergency ordinance to vacate a portion of the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., hereinafter described.

Whereas, on the 14th day of August 1996, the Council of the City of Cleveland adopted Resolution No. 1203-96 declaring its intention to vacate a portion of the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1203-96 has been served upon the owners of all the property abutting the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., hereinafter described, in accordance with the provisions of Section 178 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of the first unnamed alley (15.00 feet wide) East of East 93rd Street, extending from the Northerly line of Cassius Avenue S.E. (50.00 feet wide), to that portion of said alley vacated by the Council of the City of Cleveland by Ordinance Number 1395-49 is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power. The description is as follows:

That portion of the first unnamed alley (15.00 feet wide) East of East 93rd Street, extending from the

Northerly line of Cassius Avenue S.E. (50.00 feet wide) to that portion of said alley vacated by the Council of the City of Cleveland by Ordinance Number 1395-49.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of the first unnamed alley east of East 93rd Street and north of Cassius Avenue S.E., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2033-97.

By Councilman White.

An emergency ordinance to vacate a portion of the first alley north of Rosewood Avenue S.E. and Joliet Road S.E., hereinafter described.

Whereas, on the 5th day of June 1995 the Council of the City of Cleveland adopted Resolution No. 531-95 declaring its intention to vacate a portion of the first alley north of Rosewood Avenue S.E. and Joliet Road S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 531-95 has been served upon the owners of all the property abutting the first alley north of Rosewood Avenue S.E. and Joliet Road S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of the first alley north of Rosewood Avenue S.E. and Joliet Road S.E., hereinafter described, in accordance with 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 first alley north of Rosewood Avenue S.E. and Joliet Road S.E., hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of THE FIRST ALLEY (20 feet wide) NORTH OF ROSEWOOD AVENUE S.E. (width varies), extending from the Northerly prolongation of the Westerly line of Effie Road S.E. (50

feet wide) to the Northerly prolongation of the Easterly line of Joliet Road S.E. (30 feet wide), AND

JOLIET ROAD S.E. (30 feet wide) extending Southerly from the Easterly prolongation of the Southerly line of the FIRST ALLEY NORTH OF ROSEWOOD AVENUE S.E. (width varies) to the dividing line between the City of Cleveland and the City of Garfield Heights is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power. The description is as follows:

That portion of THE FIRST ALLEY (20 feet wide) NORTH OF ROSEWOOD AVENUE S.E. (width varies), extending from the Northerly prolongation of the Westerly line of Effie Road S.E. (50 feet wide) to the Northerly prolongation of the Easterly line of Joliet Road S.E. (30 feet wide), AND

JOLIET ROAD S.E. (30 feet wide) extending Southerly from the Easterly prolongation of the Southerly line of the First Alley North of Rosewood Avenue S.E. (width varies) to the dividing line between the City of Cleveland and the City of Garfield Heights.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of the first alley north of Rosewood Avenue S.E. and Joliet Road S.E., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2037-97.

By Councilmen Skrha, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Pomodoro Properties, Ltd., or their designee, to provide economic development assistance to partially finance exterior and interior renovation of property at 3821 Prospect Avenue, Cleveland, Ohio.

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 the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with the Pomodoro Properties, Ltd., or their designee, to pro-

vide economic development assistance to partially finance exterior and interior renovation of property at 3821 Prospect Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2037-97-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$141,000 and a Rebate Amount equal of forty percent (40%) of the Loan Amount. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the Rebate Amount shall be paid from Fund No. 18 SF 003, Request No. 23701.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 8. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 9. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2038-97.

By Councilmen Moran, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Micro Pro, Inc. and Fadel Properties to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate Micro Pro, Inc. from 5400 Brookpark Road to 5700 Brookpark Road in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and

described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Micro Pro, Inc. and Fadel Properties (the "Enterprise") has proposed to relocate Micro Pro, Inc.'s facility from 5400 Brookpark Road to 5700 Brookpark Road; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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 hereby approves the application of Micro Pro, Inc. and Fadel Properties for enterprise zone incentives on the basis that Micro Pro, Inc. and Fadel Properties are qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Micro Pro, Inc. and Fadel Properties, or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate Micro Pro, Inc.'s facility from 5400 Brookpark Road to 5700 Brookpark Road, Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2038-97-A.

Section 4. That the agreement authorized herein may not be assigned to any other entity, and that the period of the tax exemption and the level of tax exemption stated in the executive summary contained in the above mentioned file may not be extended or increased absent approval of Cleveland City Council.

Section 5. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the pur-

poses set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 7. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2058-97.

By Councilman Lewis.

An emergency ordinance to vacate a portion of East 72nd Place, hereinafter described.

Whereas, on the 29th day of April 1996 the Council of the City of Cleveland adopted Resolution No. 96-96 declaring its intention to vacate a portion of East 72nd Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 96-96 has been served upon the owners of all the property abutting East 72nd Place, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of East 72nd Place, hereinafter described, in accordance with 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 East 72nd Place, hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of East 72nd Place (40.00 feet wide), extending from the northerly line of Chester Avenue, N.E. (width varies), Northerly, to it's Northerly terminus, as shown by the Miller, Simpson & Waite Allotment in Volume 6 of Maps, Page 22 of Cuyahoga County Records is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 72nd Place, herein provided by sending him a copy of this Ordinance.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2075-97.

By Councilmen Sweeney, Coats, Rybka and Westbrook (by departmental request).

An emergency ordinance to appropriate property for the public purpose of developing a public road.

Whereas, the Council of the City of Cleveland, by Resolution No. 2087-97, adopted November 17, 1997, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of developing a public road; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; 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 for the public purpose of developing a public road, the following described fee simple interests be and the same hereby are appropriated:

Roadway and Utility Easement
Phyllis J. Churnega
to
Emerald Corporate Park

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 4 and more fully described as follows:

Commencing at the Southwesterly corner of a parcel of land conveyed to Phyllis Jean Churnega by deed recorded in Volume 91-3169, Page 35 of Cuyahoga County Deed Records;

Thence North 01° 37' 51" East along the Westerly line of said land conveyed to Phyllis Jean Churnega, 300.00 feet to the Northwesterly corner of said land of Phyllis Jean Churnega;

Thence North 82° 33' 35" East along the Northerly line of said land conveyed to Phyllis Jean Churnega, 18.51 feet to a point and the principal place of beginning;

Thence continuing North 82° 33' 35" East along said Northerly line, 83.40 feet to the Northeasterly corner of said land conveyed to Phyllis Jean Churnega;

Thence South 01° 37' 51" West along the Easterly line of said land conveyed to Phyllis Jean Churnega, 53.42 feet;

Thence North 62° 18' 41" West, about 91.68 feet to a point on said Northerly line of land conveyed to Phyllis Churnega and the principal place of beginning.

Section 2. That the Director of Law be and hereby is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests hereinbefore described.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2079-97.**By Councilman Sweeney.**

An ordinance to change the Use and Area Districts of lands east of West 146 Street between Coe Avenue, S.W. and Justin Avenue, S.W. (Map Change No. 1965, Sheet No 13)

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of Coe Avenue, S.W. and the northerly extension of a line located approximately four hundred thirty six and eighty eight hundredths (436.88) feet east of the easterly line of West 146 Street; thence southerly along said northerly extension and along said line which is almost parallel to and approximately four hundred thirty six and eighty eight hundredths (436.88) feet east of said easterly line of West 146 Street to its intersection with a line located approximately four hundred fifty two and seventy three hundredths (452.73) feet south of the southerly line of Coe Avenue, S.W. (said southerly line being an extension of the southerly line of Coe Avenue, S.W. which is open); thence westerly along said line which is parallel to and approximately four hundred fifty two and seventy three hundredths (452.73) feet south of said southerly line of Coe Avenue, S.W. for a distance of approximately one hundred thirty five (135) feet to its intersection with a line located approximately two hundred ninety nine and three hundredths (299.03) feet east of said easterly line of West 146 Street; thence southerly along said line which is almost parallel to and approximately two hundred ninety nine and three hundredths (299.03) feet east of said easterly line of West 146 Street to its intersection with the easterly extension of the southerly line of Sublot No. 581 in the Glenmore Gardens (S. H. Kleinman Realty Co.) Subdivision as recorded in Volume 47, Page 20 of the Cuyahoga County Map Records; thence westerly along said easterly extension of said Sublot No. 581 to its intersection with the easterly line of said Sublot No. 581; thence northerly along said easterly line of said Sublot No. 581 and continuing northerly along the easterly lines of Sublots Nos. 580, 579, 578, 577, 576, 575, 574, 573, 572, 571, 570, 569, 568, 567, 566, 565, 564, 563, 562, 561, 560, 559, 558, 557, 556, 555, 554, 553, 552, 551, 550, 549, in said Glenmore Gardens (S. H. Kleinman Realty Co.) Subdivision and along its northerly extension to the center line of Coe Avenue, S.W.; thence easterly along said center line of Coe Avenue, S.W. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a One Family Use District and an 'A' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1965, Sheet No. 13 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the easterly extension of the southerly line of said Sublot No. 581 in said Glenmore Gardens (S. H. Kleinman Realty Co.) Subdivision and a line located approximately one hundred seventy three and ninety two hundredths (173.92) feet east of the easterly line of said Sublot No. 581; thence northerly along said line to its intersection with a line located approximately four hundred fifty two and seventy three hundredths (452.73) feet south of said southerly line of Coe Avenue, S.W.; thence easterly along said line which is parallel to and approximately four hundred fifty two and seventy three hundredths (452.73) feet south of said southerly line of Coe Avenue, S.W. to its intersection with a line located approximately four hundred thirty six and eighty eight hundredths (436.88) feet east of said easterly line of West 146 Street; thence northerly along said line which is almost parallel and approximately four hundred thirty six and eighty eight hundredths (436.88) feet east of said easterly line of West 146 Street and along its northerly extension to said center line of Coe Avenue, S.W.; thence easterly for a distance of ten (10) feet to its intersection with the northerly extension of a line located approximately four hundred forty six and eighty eight hundredths (446.88) feet east of said easterly line of West 146 Street; thence southerly along said northerly extension and along said line which is almost parallel to and approximately four hundred forty six and eighty eight hundredths (446.88) feet east of said easterly line of West 146 Street to its intersection with a line located approximately four hundred sixty two and seventy three hundredths (462.73) feet south of said southerly line of Coe Avenue, S.W.; thence westerly along said line which is parallel to and approximately four hundred sixty two and seventy three hundredths (462.73) feet south of said southerly line of Coe Avenue, S.W. to its intersection with a line located approximately three hundred nine and three hundredths (309.03) feet east of said easterly line of West 146 Street; thence southerly along said line which is almost parallel to and approximately three hundred nine and three hundredths (309.03) feet east of said easterly line of West 146 Street to its intersection with the easterly extension of the southerly line of said Sublot No. 581; thence westerly along said easterly extension of said Sublot No. 581 to the place of beginning,

and as outlined in green on the map hereto attached, be and the same is hereby changed to a Residence-Office District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 1965, Sheet No. 13 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 9, 1998.
Effective March 21, 1998.

Ord. No. 2104-97.**By Councilmen Johnson, Patmon and Westbrook (by departmental request).**

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties for a period of one year.

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 the Directors of Parks, Recreation and Properties and Personnel and Human Resources are hereby authorized and directed to employ by contract one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Services from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

Section 2. That the contract shall provide that all employees supplied by the contractor to be employed by the City shall be residents of the City of Cleveland at the time of hire for work under this contract.

Section 3. That, on or before November 1, 1998, the Director of Parks, Recreation and Properties shall provide a report to the President of Council, the Chairman of the Public Parks, Property & Recreation Committee, and the Clerk of Council that will provide a cost benefit analysis which shall include the number of lots cleaned over the last year and the previous three years.

Section 4. That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 253, 62 SF 001, 01-70-12-0380, 63 SF 001, and 13 SF 800, Request No. 22458.

Section 5. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 2106-97.**By Councilman Polensek.**

An ordinance to change the Use of lands between South Waterloo Road, N.E. and the New York/Central Railroad and between Neff Road, N.E. and approximately 1240 feet northwesterly (Map Change No. 983, Sheet No. 7).

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the center line of Neff Road, N.E. and the center line of South Waterloo Road, N.E.; thence northeasterly along said center line of South Waterloo Road, N.E. to its intersection with the northwesterly extension of the northeasterly line of Parcel C2 of land conveyed by the Consolidated Iron-Steel Manufacturing Company to the City of Cleveland by Deed dated November 6, 1964 and recorded in Volume 11358, Page 411 of the Cuyahoga County Records (said northeasterly line being approximately six hundred sixty-eight (668) feet southwest of the center line of East 200th Street); thence southeasterly along said northwesterly extension and along said northeasterly line of said parcel of land so conveyed to the City of Cleveland By Deed to a point in the northwesterly right-of-way line of the New York Central Railroad (said point being six hundred sixty-eight and fifty-seven hundredths (668.57) feet southwest of the center line of East 200th Street); thence southwesterly along said northwesterly right-of-way line of the New York Central Railroad and the southwesterly extension thereof to the center line of Neff Road, N.E.; thence northwesterly along said center line of Neff Road, N.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Local Retail Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1966, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 9, 1998.

Effective March 21, 1998.

Ord. No. 2107-97.**By Councilman Rybka.**

An ordinance to change the Use Area of lands on the westerly side of East 78 Street between Aetna Road, S.E., and Osage Avenue, S.E. (Map Change No. 1964, Sheet No. 6).

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the westerly extension of the southerly line of Sublot No. 17 in the Hight and Brown Subdivision as recorded in Volume 7, Page 9 of the Cuyahoga County Map Records and the center line of East 77 Street; thence northerly along said center

line of East 77 Street to the center line of Aetna Road, S.E.; thence easterly along said center line of Aetna Road, S.E. to its intersection with the northerly prolongation of the easterly line of said Sublot No. 17; thence southerly along said northerly prolongation of said easterly line of said Sublot No. 17 and along its southerly extension to its intersection with a line located one hundred twenty six (126) feet north of the northerly line of Issler Court, S.E.; thence easterly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Issler Court, S.E. and along its easterly extension to the center line of East 78 Street; thence southeasterly along said center line of East 78 Street to the center line of Osage Avenue, S.E.; thence westerly along said center line of Osage Avenue, S.E. to its intersection with the southerly extension of a line located approximately one hundred eighty (180) feet east of the easterly line of East 77 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately one hundred eighty (180) feet east of said easterly line of East 77 Street to its intersection with a line located approximately sixty one and sixty three hundredths (61.63) feet north of the northerly line of Osage Avenue, S.E.; thence easterly along said line which is parallel to and approximately sixty one and sixty three hundredths (61.63) feet north of said northerly line of Osage Avenue, S.E. to its intersection with a line located approximately one hundred ninety seven and seven tenths (197.7) feet east of said easterly line of East 77 Street; thence northerly along said line which is parallel to and approximately one hundred ninety seven and seven tenths (197.7) feet east of said easterly line of East 77 Street and along its northerly extension to the center line of Issler Court, S.E.; thence easterly along said center line of Issler Court, S.E. to its intersection with the southerly extension of a line located approximately two hundred seven and eleven hundredths (207.11) feet east of said easterly line of East 77 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately two hundred seven and eleven hundredths (207.11) feet east of said easterly line of East 77 Street to its intersection with said line located one hundred twenty six (126) feet north of the northerly line of Issler Court, S.E.; thence westerly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Issler Court, S.E. to its intersection with said line located one hundred (100) feet east of said easterly line of East 77 Street; thence northerly along said line which is parallel to and one hundred (100) feet east of said easterly line of East 77 Street to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Semi-Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1964, Sheet No. 6 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of

the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 9, 1998.

Effective March 21, 1998.

Ord. No. 2154-97.**By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into contracts with Food Ingredient Specialties, Inc., dba L.J. Minor, Inc., or its designee, to provide economic development assistance to partially finance the land acquisition and the access road construction between Auburn and Barber Roads, located at 2621 West 25th Street, Cleveland, Ohio; and authorizing said director to apply for and accept a grant from the State of Ohio to assist the grantee in their expansion.

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 the Director of Economic Development is hereby authorized to enter into contracts with Food Ingredient Specialties, Inc., dba L.J. Minor, Inc., or its designee ("L.J. Minor"), to provide economic development assistance to partially finance the land acquisition and the access road construction between Auburn and Barber Roads, including incidental costs necessary to effect the expansion of L.J. Minor, including but not limited to the purchase of homes and the relocation of utility lines, located at 2621 West 25th Street, Cleveland, Ohio.

Section 2. That for the purposes of the contracts authorized herein, "designee" shall mean an entity controlled by L.J. Minor, or an entity controlled by those persons or entities holding a controlling interest in L.J. Minor as of the date of passage of this ordinance. Where a designee is named for purposes of the contracts authorized herein, L.J. Minor shall provide a corporate guaranty in a form acceptable to the City's Director of Law.

Section 3. That the term of said contracts shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2154-97-A.

Section 4. That the Director of Economic Development is hereby authorized to apply for and accept a grant in the amount of \$60,000, from the 629 Roadwork Development Fund of the State of Ohio, for the purpose of assisting L.J. Minor in their expansion by reimbursing L.J. Minor Company for the cost of infrastructure improvements associated with their expansion, and for other purposes set forth in the application and according thereto; that the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application for said grant, set forth in the file

described in Section 2, a part hereof as if fully rewritten herein, is hereby approved in all respects. The proceeds of said grant shall be deposited into Fund No. 17 SF 071.

Section 5. That the costs of the contracts authorized by Section 1 hereof shall not exceed \$325,000.00, \$60,000.00 of which shall be paid from Fund No. 17 SF 071 and \$265,000.00 of which shall be paid from Fund No. 17 SF 652 (RL 24254).

Section 6. That the Director of Economic Development is hereby authorized to accept any monies in repayment from L.J. Minor and to deposit said monies in Fund No. 17 SF 006.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 8. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2160-97.

By Councilmen Jackson, Lewis, Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of security guard services at Carr Municipal Center and Hough Multi-Purpose Center, and other City locations during special events, if required, for the Division of Property Management, Department of Parks, Recreation and Properties.

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 the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of (1) one year the necessary items of security guard services at Carr Municipal Center and Hough Multi-Purpose Center, and other City locations during special events, if required, in an amount not to exceed \$150,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than (1) one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certi-

fy thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21700)

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2184-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for the disposal of construction and demolition debris, for the Division of Waste Collection and Disposal, Department of Public Service.

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 the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary for the disposal of construction and demolition debris in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21335)

Section 3. The Director of Public Service shall notify residents through brochures and other appropriate means that the City is conducting a program under which residents may obtain vouchers for the disposal of construction and demolition debris without cost to the resident, with such limitations upon the volume and frequency of disposal as the Director establishes.

Section 4. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2189-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, relating to renovating and rehabilitating the Third District Police Station.

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 Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, are hereby amended to read, respectively, as follows:

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating and rehabilitating the Third District Police Station, for the Division of Police, Department of Public Safety, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Safety is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 2. That existing Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, are hereby repealed.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 2190-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into contract without competitive bidding with Anacomp, Inc. for the purchase of archiving, conversion and retrieval

services of certain reports in conjunction with the Division of Police Records Management System project, for the Department of Public Safety.

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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Anacomp, Inc. Therefore, the Director of Public Safety is hereby authorized and directed to make a written contract with said Anacomp, Inc. upon the basis of its proposal dated September 4, 1997, for archiving, conversion and retrieval services of certain reports in conjunction with the Division of Police Records Management System project, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 10 SF 006 and 10 SF 025, Request No. 20111.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

**Ord. No. 69-98.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Concession Agreement with Goodtime Cruise Line, Inc. for use and occupancy of dockage for the Goodtime III in the North Coast Harbor.**

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 Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, or any provision of any other section of the Codified Ordinances to the contrary, the Director of Parks, Recreation and Properties is hereby authorized to enter into a Concession Agreement with Goodtime Cruise Line, Inc. ("Grantee"), for use, maintenance and occupancy of approximately 175 feet of dockage for the Goodtime III in the North Coast Harbor on the south side of the state park area or other areas along the lakefront and between Burke Lakefront Airport and the Cuyahoga River as may be determined by the Director of Parks, Recreation and Properties from time to time ("Dockage Space"), and a license for ingress and egress on East Ninth Street Pier for supply vehicles, space for a trash container, and a license to occupy a portion of any permanent visitor facility at North Coast Harbor for the purpose of selling tickets. The license and docking fee beginning in 1998 shall be \$6,500 a month for the period May through September, increasing effec-

tive January 1 of each year thereafter to reflect increases in the Bureau of Labor Statistics Consumer Price Index. In all other months of the year, the fee shall be \$1.50 per month per foot, unless and until the Goodtime provides advance written notice that it will dock elsewhere in the following months. In addition to the License and Docking Fee, Goodtime III shall pay a portion of the current annual CAM budget. Maintenance, operations and repairs shall all be the responsibility of the Goodtime III, e.g., expenses including utilities, real estate taxes and those expenses associated with operating the docking space and the Goodtime III. The agreement shall be for five years. There shall be three (3) five-year options, exercisable by the City with notice given at least 60 days before the expiration of the original term or any renewal thereof. The City shall have the right to relocate the Dockage space inside or outside North Coast Harbor between Burke Lakefront Airport and the Cuyahoga River. In the event of such relocation and to the extent the City deems necessary, the City shall be responsible for providing similar amenities for docking, for ingress and egress, and for utility access. The Goodtime III shall obtain the approvals of the City of Cleveland in writing in advance of making improvements to the docking space or improvements in, above or under the water adjacent thereto. The Goodtime III shall provide tours on the second Tuesday in the months May through August for up to 400 people each tour, at a rate of \$1.00 per person. The 400-person total may include any combination, at the City's option, of inner-City youth, supervisors of such youth and senior citizens. The Goodtime III shall maintain comprehensive general public liability and property damage insurance naming the City as an additional insured.

Section 2. That the Concession Agreement hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said director deems; necessary to protect and benefit the public interest.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

**Ord. No. 71-98.
By Councilman Jackson.
An emergency ordinance to vacate a portion of Falcon Court S.E. hereinafter described.**

Whereas, on the 25th day of September, 1995 the Council of the City of Cleveland adopted Resolution No. 1253-95 declaring its intention to vacate a portion of Falcon Court, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1253-95 has been served upon the owners of all the property abutting Falcon Court, affected by said Resolution, notifying the said properly owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 3rd day of December, 1997, the Board of Revision of Assessments approved the vacation of Falcon Court, hereinafter described, in accordance with 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 Falcon Court hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of Falcon Court, S.E., (16.00 feet wide) extending Southeasterly from the Southeasterly line of Minnie Avenue S.E. (50.00 feet wide), to the Westerly line of East 79th Street (60.00 feet wide), be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Falcon Court, herein provided by sending him a copy of this Ordinance.

Section 3. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

**Ord. No. 72-98.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of Blaw Knox paver equipment parts, including labor, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of Blaw Knox paver equipment parts, including labor, if necessary in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the

proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22911)

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 73-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of towing services for all city vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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 the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of towing services for all city vehicles and equipment in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22913)

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 74-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Leach packer parts including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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 the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of Leach packer parts, including labor if necessary in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22909)

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 75-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of automobile and truck spring parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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 the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of automobile and truck spring parts, including labor if necessary in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22910)

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 78-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Section 12 of Ordinance No. 2368-92, passed December 14, 1992, as amended by Ordinance No. 1454-97, passed November 24, 1997, relating to the rehabilitation of Memphis Avenue from Ridge Road to Pearl Road.

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 Section 12 of Ordinance No. 2368-92, passed December 14, 1992, as amended by Ordinance No. 1454-97, passed November 24, 1997, is hereby amended to read as follows:

Section 12. That the payment authorized in the above section shall be payable from Fund Nos. 20 SF 190, 20 SF 181, 20 SF 146, 20 SF 170, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, and from the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 14325.

Section 2. That existing Section 12 of Ordinance No. 2368-92, passed December 14, 1992, as amended by

Ordinance No. 1454-97, passed November 24, 1997, is hereby repealed.

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 79-98.

By Councilman Zone.

An emergency ordinance to vacate a portion of West 118th Street hereinafter described.

Whereas, on the 16th day of December, 1996 the Council of the City of Cleveland adopted Resolution No. 1847-96 declaring its intention to vacate a portion of West 118th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1847-96 has been served upon the owners of all the property abutting West 118th Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 3rd day of December, 1997, the Board of Revision of Assessments approved the vacation of West 118th Street, hereinafter described, in accordance with 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 West 118th Street, hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of West 118th Street (40 feet wide), extending Northerly from the Northerly line of Arden Avenue (50.00 feet wide), to the Southerly Limited Access Line of the I-90 Freeway be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of West 118th Street, herein provided by sending him a copy of this Ordinance.

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 80-98.

By Councilman Zone.

An emergency ordinance to vacate a portion of West 121st Street hereinafter described.

Whereas, on the 17th day of July, 1996 the Council of the City of Cleveland adopted Resolution No. 835-96 declaring its intention to vacate a

portion of West 121st Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 835-96 has been served upon the owners of all the property abutting West 121st Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 3rd day of December, 1997, the Board of Revision of Assessments approved the vacation of West 121st Street, hereinafter described, in accordance with 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 West 121st Street, hereinafter described and that it will not be detrimental to the general interest and ought to 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 all that portion of West 121st Street, (50.00 feet wide), extending Southerly from the Southerly line of Elmwood Avenue N.W., (width varies), to the Northerly Limited Access Line of I-90, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and the Division of Water and Heat equipment.

The description of easement is as follows:

That portion of West 121st Street, (50.00 feet wide), extending Southerly from the Southerly line of Elmwood Avenue N.W., (width varies), to the Northerly Limited Access Line of I-90, as proposed to be vacated by Ordinance Number 835-96.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power, and the Commissioner of Water and Heat of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of West 121st Street, herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 145-98.

By Councilmen Cimperman, Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 1938-97, passed December 15, 1997, relating to the vacation of a portion of East 3rd Street (formerly Hickox Street).

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 Section 1 of Ordinance No. 1938-97, passed December 15, 1997, is hereby amended to read as follows:

Section 1. That all that portion of East 3rd Street (formerly Hickox Street), between the Southerly line of Euclid Avenue and the Northerly line of Prospect Avenue, lying within the periphery of a circle and being Westerly of a line 16.50 feet Westerly of the Easterly line of said East 3rd Street as established by Ordinance passed by the Council of the City of Cleveland on March 13, 1838, is hereby vacated.

Section 2. That existing Section 1 of Ordinance No. 1938-97, passed December 15, 1997, is hereby vacated.

Section 3. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 154-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept a gift of youth soccer merchandise, apparel and equipment for the Division of Recreation, Department of Parks, Recreation and Properties.

Whereas, Bart Wolstein has indicated a desire to make a gift of youth soccer merchandise, apparel and equipment valued at \$50,000, to the Division of Recreation, Department of Parks, Recreation and Properties; 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 the Director of Parks, Recreation and Properties is hereby authorized to accept youth soccer merchandise, apparel and equipment on behalf of the Division of Recreation, valued at \$50,000, from Mr. Bart Wolstein.

Section 2. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 155-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into an agreement with the Board of County Commissioners of Cuyahoga County, Ohio, dedicating plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses.

Whereas, it is the desire of the City of Cleveland and the Board of

County Commissioners of Cuyahoga County, Ohio (the "Commissioners") to set aside additional grave spaces in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses; and

Whereas, the Commissioners have agreed to pay the expenses involved therein; and

Whereas, it is deemed fitting and proper that this Council should set aside such additional grave spaces as an expression of appreciation for the very great service rendered by such veterans; 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 the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into a new agreement with the Board of County Commissioners of Cuyahoga County, Ohio (the "Commissioners") for their purchase of two hundred (200) grave spaces in Highland Park Cemetery to be dedicated for the burial of Honorably Discharged Soldiers, Sailors, Marines, and Nurses. At the City's sole future discretion the County may be able to purchase additional grave sites, not to exceed two hundred (200).

Said agreement shall provide that only Honorably Discharged Soldiers, Sailors, Marines and Nurses, who are residents of Cuyahoga County or who may die within the territorial limits of Cuyahoga County, shall be eligible for burial in such dedicated ground, and that the City of Cleveland shall maintain said plot in the same manner as plots similarly set aside for the burial of GAR veterans and Spanish War veterans and that said graves shall be available for use for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses, upon order of the Commissioners or any agency designated by them to issue orders and to determine the eligibility of persons for burial therein.

Section 2. That fees for the burials described in Section 1 shall be as follows:

(a) setting fees for flat granite government markers shall not exceed Two Hundred Dollars (\$200.00) for the first year of the agreement, and thereafter may be increased not more frequently than annually; provided that the maximum fee allowable under the agreement shall be Two Hundred and Fifty Dollars (\$250.00); and

(b) opening and closing fees shall not exceed Two Hundred and Fifty Dollars (\$250.00) each weekday for the first year of the agreement, and thereafter may be increased not more frequently than annually; provided that the maximum fee allowable under the agreement shall not exceed Three Hundred Fifty Dollars (\$350.00).

Section 3. That said agreement shall provide that the Commissioners shall pay to the City of Cleveland the sum of Two Hundred Seventy-Five Dollars (\$275.00) per grave site that said funds shall be set aside and used as follows:

75% to the Cemetery Operating Fund;

25% to the Cemetery General Endowment Fund.

Section 4. That the agreement shall be prepared by the Director of

Law and shall contain such other terms and conditions as may be required to protect the interests of the parties.

Section 5. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 251-98.

By Councilman Westbrook.
An emergency ordinance to affirm and approve the bid of Legal News Publishing Company for the printing of The City Record and the furnishing of other printed and accessory services for the Clerk of Council.

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 the provisions of any other ordinance including Ordinance No. 163-98, passed January 26, 1998, to the contrary notwithstanding, the bid of Legal News Publishing Company for the printing of The City Record and the furnishing of other printing and accessory services for the Clerk of Council for a period not to exceed twenty four (24) months is hereby affirmed and approved as the lowest and best bid and that the Clerk of Council proceed to enter into an appropriate requirement contract for such services.

Section 2. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 252-98.

By Councilman Britt.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located in area of East 79th to East 84th Streets, Central to Woodland Avenues and East 89th to East 93rd Streets, Quincy to Woodland Avenue to Fairfax Renaissance Development Corporation or designee.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-051 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or designee.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 119-26-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 40 in H. and A. Jaynes Allotment of part of Original One Hundred Acre Lot No. 407, formerly in East Cleveland, now in the City of Cleveland, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, bounded and described as follows:

Beginning at a the Northerly line of Sublot No. 40, (which is also the Southerly line of Lucia Avenue), at a point distant Easterly 40 feet (measured along said Northerly line) from the Northwesterly corner of said Sublot No. 40 (said point being also the Northeasterly corner of a parcel of land conveyed to Harold L. Golden and Ruby Golden, by deed dated September 1, 1957, and recorded in Volume 9061, Page 414 of Cuyahoga County Records) and the principal place of beginning; thence Easterly along the Northerly line of Sublot No. 40 about 111.2 feet to the Westerly line of East 82nd Street (being also the Easterly line of Sublot No. 40); thence Southerly along the Westerly line of East 82nd Street, 50 feet to the Southeasterly corner of said Sublot; thence Westerly along the Southerly line of Sublot No. 40 about 111 feet to the Easterly line of land conveyed to Harold L. Golden and Ruby Golden as aforesaid; thence Northerly along the Easterly line of land so conveyed 50 feet to the principal place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-056 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation or designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 119-26-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 30 feet of Sublot No. 53 in Harris and Andrew Jaynes' Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being 30 feet front on

the Southerly side of Lucia Avenue, S.E., (formerly Race Street) and extending back of equal width 150 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-057 as more fully described in Section 6 below, Fairfax Renaissance Development Corporation or designee.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 119-26-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33'-4" of Sublot No. 52 in Harris and Andrew Jayne's Allotment of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being 33'-4" front on the Southerly side of Lucia Avenue, and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-050 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation or designee.

Section 8 That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 119-26-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 and the Northerly 6-1/2 feet from front to rear of Sublot No. 38 I. Harris and Andrew Jayne's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and together forming a parcel of land 56-1/2 feet front on the Westerly side of Edwards Avenue (now known as East 82nd Street), 150, 7/10 feet deep on the Southerly line, 151 feet deep on the Northerly line, and 56-1/2 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-078 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation or designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 119-26-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West-

erly 28 feet of Sublot No. 11 in Holden and Judson's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 28 feet front on the Southerly side of Amos Avenue, S.E., (formerly Lawn Street) and extending back of equal width 142 feet deep to the Northerly line of an alley, 13 feet wide as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-26-079 as more fully described in Section 12 below, to Fairfax Renaissance Development Corporation or designee.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 119-26-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 14 feet of Sublot No. 12 and the Easterly 12 feet of Sublot No. 11, in Holden and Judson's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 26 feet front on the Southerly side of Amos Avenue, S.E., and extending back of equal width 142 feet deep to the Northerly line of an alley, 13 feet wide as appears by said plat, be the same more or less, but subject to all legal highways.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-003 as more fully described in Section 14 below, Fairfax Renaissance Development Corporation or designee.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 119-27-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 25 feet of Sublot No. 8 in Harris and Andrew Jayne's Allotment of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being a parcel of land 25 feet front on the Easterly side of East Madison Avenue, now known as East 79th Street, and extending back width 170 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-004 as more fully described in Section 16 below, Fairfax Renaissance Development Corporation or designee.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 119-27-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 40 feet of Sublot No. 9 in Harris and Andrew Jayne's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 79th Street (formerly Madison Avenue) and extending back of equal width 170 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-005 as more fully described in Section 18 below, Fairfax Renaissance Development Corporation or designee.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 119-27-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 10 feet of Sublot No. 9 and the Southerly 20 feet of Sublot No. 10 in Harris and Andrew Jayne's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and together forming a parcel of land 30 feet front on the Easterly side of East 79th Street (formerly Jaynes Avenue) and extending back of equal width 170 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-053 as more fully described in Section 20 below, Fairfax Renaissance Development Corporation or designee.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 119-27-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Easterly one-half Sublot No. 26 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 and being 25 feet front on the Southerly side of Golden Avenue, S.E., and extending back of equal width 146.74 feet appears by said plat.

Also subject to all zoning ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-062 as more fully described in Section 22 below, to Fairfax Renaissance Development Corporation or designee.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 119-27-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 1 and 2 in Holden and Rowe Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Golden Avenue, S.W., (formerly Golden Avenue) at the Northeastly corner, Sublot No. 1, thence Southerly along the Easterly line of Sublots Nos. 1 and 2 about 100 feet to the Southeastly corner of Sublot No. 2, thence Westerly along the Southerly line of Sublot No. 2, 40 feet, thence Northerly to a point on the Southerly line of Golden Avenue, S.E., 40 feet West from the place of beginning, thence Easterly along the Southerly line of Golden Avenue, S.E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-110 as more fully described in Section 24 below, to Fairfax Renaissance Development Corporation or designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 119-27-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 41 in Harris and Andrew Jaynes Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3, of Maps, Page 60 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 82nd Street, (50 feet wide), and extending back between parallel lines 151.6 feet deep on the Northerly line, 151.4 feet deep on the Southerly line which is also the Northerly line of Lucia Avenue, S.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-28-082 as more fully described in Section 26 below, to Fairfax Renaissance Development Corporation or designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 119-28-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 131 in the Curtiss, Ambler Realty Company Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Westerly

side of East 82nd Street and extending back between parallel lines 101.5 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-18-028 as more fully described in Section 28 below, to Fairfax Renaissance Development Corporation or designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 121-18-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 1 in Thomas H. Sayle's Subdivision of a part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 8 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 105th Street (formerly Doan Street), at the Northeast corner of said Sublot No. 1; thence Westerly along the Northerly line of said Sublot No. which is also the Southerly side of Wain Court, S.E. 185 feet to the Easterly line of land conveyed by Almira Gill and husband, to Dinah E. Sprague by Deed dated January 19, 1886, and recorded in Volume 390, Page 114 of Cuyahoga County Records; thence Southerly along the Easterly line of said land conveyed to Dinah E. Sprague, 50 feet to the Southerly line of said Sublot; thence Easterly along the Southerly line of said Sublot, 185 feet the Westerly line of said East 105th Street; thence Northerly along the Westerly line of said East 105th Street, 50 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-028 as more fully described in Section 30 below, Fairfax Renaissance Development Corporation or designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 126-01-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Roger O'Brien McNamara and McGinness Allotment of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Platt Avenue, S.E., and extending back of equal width, 150 feet deep, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-079 as

more fully described in Section 32 below, to Fairfax Renaissance Development Corporation or designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 126-01-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in Keyes Edwards' Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 8 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 82nd Street (formerly Edwards Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-124 as more fully described in Section 34 below, to Fairfax Renaissance Development Corporation or designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 126-01-124

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 40 feet of Sublot No. 88 in Rogers, O'Brien, McNamara and McGinness' Allotment of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Keyes Avenue, S.E., and extending back of equal width 80 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-134 as more fully described in Section 36 below, to Fairfax Renaissance Development Corporation or designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 126-01-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 24 feet of Sublot No. 79 and the Westerly 3 feet of Sublot No. 78 in Rogers, O'Brien, McNamara and McGinness' Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and together forming a parcel of land 27 feet front on the Northerly side of Sherman Avenue, S.E. (formerly Keyes Street) Keyes Avenue, S.E. and extending back of equal width 117 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-135 as more fully described in Section 38 below, to Fairfax Renaissance Development Corporation or designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 126-01-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 78 in Rogers, O'Brien, McNamara and McGinness' Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Northerly line of Keyes Avenue, S.E. (formerly Sherman Avenue) at a point 37 feet Westerly measured along said Northerly line from the Southeastern corner of said Sublot No. 78; thence Easterly along the Northerly line of Keyes Avenue, S.E. 37 feet to the Southeastern corner of said Sublot; thence Northerly along the Easterly line of said Sublot No., about 117 feet to the Southerly line of Sublot No. 46 in the Keyes and Edwards Subdivision of part of said Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 4 of Maps, Page 8 of Cuyahoga County Records; thence Westerly along the Southerly line of Sublots Nos. 46 and 47 of said Keyes and Edwards Subdivision, 37 feet; thence Southerly about 117 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-142 as more fully described in Section 40 below, Fairfax Renaissance Development Corporation or designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 126-01-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 73 in Rogers, O'Brien, McNamara and McGinness' Allotment of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Keys Avenue, S.E., (formerly Keyes Street) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-01-156 as more fully described in Section 42 below, Fairfax Renaissance Development Corporation or designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 126-01-156

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio Sublot No. 55 in Rogers, O'Brien, McNamara and McGinness' Allotment of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records and being 40 feet front on the Northerly side of Townsend Avenue, S.E., and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-02-038 as more fully described in Section 44 below, Fairfax Renaissance Development Corporation or designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P.P. No. 126-02-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Rogers, O'Brien, McNamara and McGinness' Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records and being 40 feet front on the Southerly side of Platt Avenue S.E., and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-02-041 as more fully described in Section 46 below, Fairfax Renaissance Development Corporation or designee.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P.P. No. 126-02-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 87 feet of Sublot No. 8 in Rogers, O'Brien, McNamara and McGinness' Re-Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 4 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Platt Avenue, S.E. and extending back of equal width 87 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-03-040 as more fully described in Section 48 below, Fairfax Renaissance Development Corporation or designee.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P.P. No. 126-03-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 98 in L.M. South, H.F. Hower and Levi Burgert's Subdivision of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 5 of Maps, Page 53 of Cuyahoga County Records and being 40.00 feet front on the Easterly side of East 84th Street (formerly Southern Avenue) and extending back of equal width 130.00 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-03-047 fully described in Section 50 below, Fairfax Renaissance Development Corporation or designee.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P.P. No. 126-03-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 120 in Southern Hower and Burgert's Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 53 of Cuyahoga County Records. Said Sublot No. 120 has a frontage of 40 feet on the Easterly side of East 84th Street (formerly Southern Avenue, S.E.) and extends back between parallel lines 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-03-061 as more fully described in Section 52 below, Fairfax Renaissance Development Corporation or designee.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P.P. No. 126-03-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 81 in Southern, Hower and Burgert's Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 5 of Maps, Page 53 of Cuyahoga County Records. Said Sublot No. 81 has a frontage of 40 feet on the Westerly side of East 84th Street (formerly Southern Avenue), and extends back between parallel lines 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-04-007 as

more fully described in Section 54 below, Fairfax Renaissance Development Corporation or designee.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P.P. No. 126-04-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Electa A. Nichols' Allotment of part of Original One Hundred Acre Lot No. 415, as shown by the recorded plat in Volume 3 of Maps, Page 41 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 83rd Street (formerly Lincoln Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-04-081 as more fully described in Section 56 below, Fairfax Renaissance Development Corporation or designee.

Section 56. That the real property to be sold pursuant to Section 55 of this Ordinance is more fully described as follows:

P.P. No. 126-04-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Southern, Hower and Burgert's Subdivision of part of Original One Hundred Acre Lot No. 415 next West of said Lot No. 21 and between it and the alley in Electa A. Nichols Subdivision of a part of said lot and is 1 foot wide and 40 feet long and together makes a parcel of land 40 feet front on East 84th Street (formerly Southern Avenue) and 131 feet deep to an alley.

Also subject to all zoning ordinances, if any.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-08-061 as more fully described in Section 58 below, Fairfax Renaissance Development Corporation or designee.

Section 58. That the real property to be sold pursuant to Section 57 of this Ordinance is more fully described as follows:

P.P. No. 126-08-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in L. Beckman Subdivision of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 20 of Maps, Page 3 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Capital Avenue, S.E., (formerly Ehart Street), and extending back of equal width 115.60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-08-062 as

more fully described in Section 60 below, Fairfax Renaissance Development Corporation or designee.

Section 60. That the real property to be sold pursuant to Section 59 of this Ordinance is more fully described as follows:

P.P. No. 126-08-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in the L. Beckman Re-Subdivision of Sublot No. 6 in John Remington's Subdivision, of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat of said Re-Subdivision in Volume 20 of Maps, Page 3 of Cuyahoga County Records.

Said Sublot No. 68 has a frontage of 30 feet on the Southerly side of Capital Avenue, S.E., (formerly Ehart Street), and extends back between parallel lines 115-6/10 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Zoning Ordinance, if any

Section 61. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 62. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 63. That the conveyance authorized hereby 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 such provisions as may be necessary to protect and benefit the public interest.

Section 64. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 253-98.

By Councilman Patmon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program to Famicos Foundation or its designee.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio

Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-03-002 as more fully described in Section 2 below, to Famicos Foundation or its designee.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 107-03-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in Zenas King's Subdivision of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 14 of Maps, Page 41 of Cuyahoga County Records, and being 40 feet front on the Southwesterly side of Wheelock Road, N.E., and extending back of equal width 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-03-008 as more fully described in Section 4 below, to Famicos Foundation or its designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 107-03-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 80 in Zenas King's Subdivision of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 14 of Maps, Page 41 of Cuyahoga County Records, and being 40 feet front on the Westerly side of Wheelock Road, N.E. and extends back between parallel lines 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-04-012 as more fully described in Section 6 below, to Famicos Foundation or its designee.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 107-04-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known Sublot No. 61 in Zenas King's Subdivision of Part of Original One Hundred Acre Lot Nos. 367 and 375, as shown by the recorded plat in Volume 14 of Maps, Page

41 of Cuyahoga County Records, and being 40 feet front on the Westerly side of Gibbs Place; (now known as Wheelock Road, N.E.) and extending back of equal width 100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-04-013 as more fully described in Section 8 below, to Famicos Foundation or its designee.

Section 8 That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 107-04-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in Zenas King's Subdivision of part of Original One Hundred Acre Lots Nos. 267 and 375; as shown by the recorded plat of said Subdivision in Volume 14 of Maps, Page 41 of Cuyahoga County Records. Said Sublot No. 60 has a frontage of 40 feet on the Westerly side of Wheelock Road N.E. and extends back between parallel lines 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject Easement for easement from Henry, Feiginbaum to East Ohio Gas Company, dated September 4, 1913, filed for record September 9, 1913 at 11:54 a.m., and recorded in Volume 1472, Page 388 of Cuyahoga County Records.

Also subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-04-030 as more fully described in Section 10 below, to Famicos Foundation or its designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 107-04-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in Zenas King's Subdivision of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 14 of Maps, Page 41 of Cuyahoga County Records and being 40 feet front on the Easterly side of Ansel Road, N.E., and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 12. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market

Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 13. That the conveyance authorized hereby 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 such provisions as may be necessary to protect and benefit the public interest.

Section 14. That this ordinance is hereby 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 February 9, 1998.
Effective February 17, 1998.

Ord. No. 254-98.
By Councilman White.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located in East 93rd Street and Miles Avenue area to Union Miles Development Corporation or designee.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-16-024 as more fully described in Section 2 below, to Union Miles Development Corporation or designee.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 135-16-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 6.69 feet of Sublot No. 27 and the Westerly 26.65 feet of Sublot No. 30 in L.W. Sapp Resurvey Subdivision of part of Original One Hundred Acre Lots Nos. 457 and 458 as shown by the recorded plat in Volume 12 of Maps, Page 25 of Cuyahoga County Records and being 33.34 feet front on the Northerly side of Prince Avenue and extending back 131.18 feet on the Easterly line, 131.21 feet on the Westerly line and having a rear line of 33.34, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-18-118 as more fully described in Section 4 below, to Union Miles Development Corporation or designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 135-18-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Coe, Brainard and Cheney's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 7 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Reno Avenue, S.E., and extending back of equal width 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-19-091 as more fully described in Section 6 below, Union Miles Development Corporation or designee.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 135-19-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Coe, Brainard and Cheney's Allotment of part of Original One Hundred Acre Lot No. 458, in said City. Said Sublot No. 27 has a frontage of 40 feet on the Southerly side of Reno Avenue, S.E. and extends back of equal width 130 feet deep, as per plat of said Subdivision recorded in Volume 7 of Maps, Page 23 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-041 as more fully described in Section 8 below, to Union Miles Development Corporation or designee.

Section 8 That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 136-13-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Erwin F. and Lucius R. Paynes' Subdivision of part of Original One Hundred Acre Lot No. 465, as shown by the recorded plat in Volume 6 of Maps, Page 17 of Cuyahoga County Records, and being 48 feet front on the Westerly side of Ruggles Street (now known as East 95th Street), and extending back of equal width 126 feet deep, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-042 as more fully described in Section 10 below, to Union Miles Development Corporation or designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 136-13-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in E.F. and R.L. Payne Subdivision of part of Original One Hundred Acre Lot No. 465, as shown by the recorded plat in Volume 6 of Maps, Page 17 of Cuyahoga County Records, and being 48 feet front on the Westerly side of East 95th Street, and extending back of equal width 126 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-058 as more fully described in Section 12 below, to Union Miles Development Corporation or designee.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 136-13-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 15 in Lucy M. Gaylord's Subdivision of part of Original One Hundred Acre Lot No. 465 as shown by the recorded plat in Volume 3 of Maps, Page 48 of Cuyahoga County Records, and being 32 feet front on the northerly side of Gaylord Avenue, S.E., and extending back of equal width 177 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement recorded October 2, 1926 in Volume 6222, Page 491 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-060 as more fully described in Section 14 below, to Union Miles Development Corporation or designee.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 136-13-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Westerly 32 feet of Sublot No. 14 in L.M. Gaylord's Subdivision of part of Original 100 Acre Lot No. 465, as shown by the recorded plat in Volume 3 of Maps, Page 48 of Cuyahoga County Records, and being 32 feet front on the northerly side of Gaylord

Avenue, S.W. (formerly Spring Street) and extending back between parallel lines 177 feet deep, as appears by said plat.

Subject to driveway easement recorded in Volume 12753, Page 865 of Cuyahoga County Records.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-064 as more fully described in Section 16 below, to Union Miles Development Corporation or designee.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 136-13-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 24 feet of Sublot No. 11 and the Easterly 26 feet of Sublot No. 12 in Lucy M. Gaylord's Subdivision of a part of Original Newburgh Township Lot No. 465 now in said City. Said part of Sublots Nos. 11 and 12 from a parcel of land having a frontage of 50 feet on the Northerly side of Gaylord Avenue, S.E., (formerly Gaylord Street), and extending back of equal width 160 feet deep, as per plat of said Subdivision recorded in Volume 3 of Maps, Page 48 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-086 as more fully described in Section 18 below, to Union Miles Development Corporation or designee.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 136-13-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 35 in the Lucy A. Gaylord and Other's Subdivision and of part of Original One Hundred Acre Lot No. 465 as shown by the recorded plat in Volume 14 of Maps, Page 56 of Cuyahoga County Records and being 40 feet front on the Northerly side of Platt Avenue, S.E., and extending back of equal width 187.55 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-13-095 as more fully described in Section 20 below, to Union Miles Development Corporation or designee.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 136-13-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44, Gaylords and Bell Subdivision, Plat Book 14, Page 56 Cuyahoga

County Records, 40 feet on the Northerly side of Pratt Avenue extending back between parallel lines 187.55 feet be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-14-017 as more fully described in Section 22 below, to Union Miles Development Corporation or designee.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 136-14-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39, N.E.F. Collins Subdivision of part of Original One Hundred Acre Lots Nos. 465 and 466, as shown by the recorded plat in Volume 8 of Maps, Page 13 of Cuyahoga County Records and being 50.00 feet on the Northerly side of Gaylord Avenue, S.E., (formerly Spring Street), and extending back between the parallel lines 145 feet deep, as appears by said plat.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-14-027 as more fully described in Section 24 below, to Union Miles Development Corporation or designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 136-14-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in P.S. Ruggle's Subdivision of part of Original One Hundred Acre Lot No. 465, as shown by the recorded plat in Volume 7 of Maps, Page 11 of Cuyahoga County Records, and being 51-1/3 feet front on the Northerly side of Gaylord Street, now known as Gaylord Avenue, S.E. and extending back of equal width 150 feet deep, as appears by said plat.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-14-028 as more fully described in Section 26 below, to Union Miles Development Corporation or designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 136-14-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in P.S. Ruggles' Subdivision of part of Original One Hundred Acre Lot No. 465, as shown by the recorded plat in Volume 7 of Maps, Page 11 of Cuyahoga County Records, and being 51-1/3 feet front on the

Northerly side of Gaylord Avenue, S.E., and extending back of equal width 150 feet along East 95th Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-15-045 as more fully described in Section 28 below, to Union Miles Development Corporation or designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 136-15-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Frizzell and Cannell's Subdivision of part of Original One Hundred Acre Lot No. 466, as shown by the recorded plat in Volume 15 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 102nd Street, and extending back of equal width 112 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-15-065 as more fully described in Section 30 below, to Union Miles Development Corporation or designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 136-15-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Frizzell and Cannell's Subdivision and Allotment of part of Original One Hundred Acre Lot No. 466. Said Sublot has a frontage of 40 feet on East 102nd Street (formerly Haroquert Place), and is 112 feet in depth, as per plat of said Allotment recorded in Volume 15, Page 17 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-16-071 as more fully described in Section 32 below, to Union Miles Development Corporation or designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 136-16-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 93 and 94 and part of Sublot No. 92 in Thos. A. Harris and Mary E.L.P. Harris' Allotment of part of Original One Hundred Acre Lot No.

466, as shown by the recorded plat in Volume 15 of Maps, Page 36 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of East 104th Street (formerly Hope Street), at the Northeasterly corner of said Sublot 94; thence Southerly along the Westerly line of said East 104th Street 100 feet; thence Westerly on a line parallel to the Northerly line of said Sublot 94, about 140 feet 5-3/5 inches to the Westerly line of said Sublot No. 92; thence Northerly along the Westerly line of said Sublots 92, 93 and 94 about 99 feet 6 inches to the Northwesterly corner of said Sublot 94; thence Easterly along the Northerly line of said Sublot No. 94, 140 feet 6-3/5 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-16-081 as more fully described in Section 34 below, to Union Miles Development Corporation or designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 136-16-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot 80 and the Southerly one foot front to rear of Sublot No. 81 in Thomas and May E.L.P. Harris Allotment of part of Original One Hundred Acre Lot No. 466 as shown by the recorded plat in Volume 15 of Maps, Page 36 of Cuyahoga County Records together forming a parcel of land 41 feet front on the Westerly side of East 104th Street (formerly Hope Street) and extending back 140 feet 2.7 inches on the Northerly line, 140 feet 2-2/5 inches on the Southerly line and having a rear line of 41 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-16-109 as more fully described in Section 36 below, to Union Miles Development Corporation or designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 136-16-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in Bishop and Pickering's Allotment of part of Original Newburgh Township Lot No. 466 as shown by the recorded plat in Volume 7 of Maps, Page 35 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 104th Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-17-079 as more fully described in Section 38 below, to Union Miles Development Corporation or designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 136-17-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 54 in C.G. Pickering and C.D. Bishop's Allotment of part of Original One Hundred Acre Lot No. 466, as shown by the recorded plat of said Allotment in Volume 7 of Maps, Page 35 of Cuyahoga County Records. Said Sublot No. 54 has a frontage of 40 feet on the Westerly side of East 108th Street (formerly Howard Street) and extends back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-17-093 as more fully described in Section 40 below, to Union Miles Development Corporation or designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 136-17-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 133 in Thomas A. Harris and Mary E. L. P. Harris' Subdivision of a part of Original One Hundred Acre Lot No. 466 as shown by the recorded Plat Book 15, Page 36 in Cuyahoga County Records and being 40 feet front on the Westerly side of East 108th Street, extending back of equal width 140 feet, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-17-116 as more fully described in Section 42 below, to Union Miles Development Corporation or designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 136-17-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 and the Southerly 10 feet of Sublots Nos. 66, 67 and 68 in C.G. Pickering and C.D. Bishop's Allotment of part of Original One Hundred Acre Lot No. 466 as shown by the recorded plat in Volume 7 of Maps, Page 35 of Cuyahoga County

Records together forming a parcel of land 50 feet front on the Easterly side of East 108th Street and extending back 135 feet 5-3/10 inches on the Southerly line, 135 feet 6-8/100 inches on the Northerly line and has a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-20-043 as more fully described in Section 44 below, Union Miles Development Corporation or designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P.P. No. 136-20-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 465 and be bounded and described as follows:

Beginning on the Southerly line of Gorman Avenue, S.E., (60 feet wide) at the Northwesterly corner of a parcel of land conveyed to Harriet Norway by deed dated January 31, 1870 and recorded in Volume 173, Page 422 of Cuyahoga County Records; thence Easterly along the Southerly line of Gorman Avenue, S.E., a distance of 37 feet, 4 inches to a point; thence Southerly and parallel with the Westerly line of land so conveyed to Harriet Norway as aforesaid, a distance of 148 feet to the Southerly line thereof; thence Westerly along the Southerly line of land conveyed to Harriet Norway, a distance of 37 feet 4 inches to the Southwesterly corner thereof; thence Northerly along the Westerly line of land conveyed to Harriet Norway as aforesaid, a distance of 148 feet to the place of beginning, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 45. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 46. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 47. That the conveyance authorized hereby 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 such provisions as may be necessary to protect and benefit the public interest.

Section 48. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 255-98.
By Councilmen Cimperman, Cintron and Gordon.

An emergency ordinance consenting and approving the issuance of a permit for the Earth Day Walk on April 19, 1998, sponsored by the Earth Day Coalition.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Earth Day Walk, sponsored by the Earth Day Coalition, on April 19, 1998, beginning at Public Square and then proceed down on Eagle Street Ramp, turn left on Scranton and head south along the Cuyahoga River into Tremont. Then turn right at Metro Health Blvd. and then left onto W. 25th. At Brookside Park Drive head down into the main Zoo entrance, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

Ord. No. 256-98.
By Councilmen Cimperman and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Diabetes Association of Greater Cleveland to stretch banners at Cleveland State University Bridge on East 22nd Street north of Euclid Avenue and the Cleveland Clinic walkway at Carnegie and East 96th Street, for the periods from March 2, 1998 to April 6, 1998, inclusive, publicizing the KeyBank SWIM FOR DIABETES.

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 the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Diabetes Association of Greater Cleveland to install, maintain and remove a banners at Cleveland State University Bridge on East 22nd Street north of Euclid Avenue and the Cleveland Clinic walkway at Carnegie and East 96th Street, for the periods from March 2, 1998 to April 6, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby 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 February 9, 1998.

Effective February 17, 1998.

COUNCIL COMMITTEE MEETINGS

Monday, February 9, 1998

Public Parks, Recreation and Properties Committee: 9:30 A.M. — Present: Willis, Chairman; Dolan, Vice Chairman; Britt, Lewis, Polensek, Sweeney, White.

Public Service Committee: 11:00 A.M. — Present: Sweeney, Chairman; Cintron, Vice Chairman; Britt, Johnson, Jones, Melena, Patmon, Polensek. Excused: Moran.

Finance Committee: 2:00 P.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Coats, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Zone.

Tuesday, February 10, 1998

Community and Economic Development Committee: 10:00 A.M. — Present: Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Zone.

Wednesday, February 11, 1998

Public Safety Committee: 10:00 P.M. — Present: Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, White, Willis. Excused: Moran.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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