

# The City Record

Official Publication of the City of Cleveland

November the Sixth, Nineteen Hundred and Ninety-Six

<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Artha Woods	
<b>Ward</b>	<b>Name</b>
1	Charles L. Patton, Jr.
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	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
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	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
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	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

**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  
 Richard Werner, Executive Assistant for Governmental Affairs.  
 Linda Willis, Director, Office of Equal Opportunity

**DEPT. OF LAW** - Sharon Sobol Jordan, Director of Law, Room 106;  
 Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th  
 Fl., Court Towers, 1200 Ontario  
 Carolyn Watts-Allen, Chief Asst. Prosecutor  
 Steven J. Terry, Chief Counsel

**DEPT. OF FINANCE** - Martin L. Carmody, Acting Director, Room 104; Carlean  
 Alford, Manager, Internal Audit  
**DIVISIONS** - Accounts - A. Schneider, Commissioner, Room 19  
 City Treasury - Mary Christine Jackman, Treasurer, Room 115  
 Assessments and Licenses - John Hunt, 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, Acting 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 - M. Blech, Commissioner  
 Cleveland Public Power - Nagah M. Ramadan, Commissioner  
 Street Lighting Bureau - Frank Schilling, Acting Chief.

**DEPT. OF PORT CONTROL** - William F. Cunningham, Jr., 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 - J. Christopher Nielson, Acting  
 Commissioner, Room 518  
 Motor Vehicle Maintenance, Donald L. Haskins, 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 - Juan Molina Crespo, Acting Commissioner, Mural  
 Building, 1925 St. Clair Avenue  
 Environment - Carolyn Wallace, Acting Commissioner, Mural Building,  
 1925 St. Clair Avenue  
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North-  
 field Road

**DEPT. OF PUBLIC SAFETY** - William M. Denihan, Director, Room 230.  
**DIVISIONS** - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300  
 Ontario Street  
 Fire - Robert M. Derrit, Acting 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, 2001 Payne  
 Ave.

**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 - Michael Cox, 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 - M. Fallon, Commissioner, Burke  
 Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT** - Terri Hamilton, Director,  
 3rd Floor, City Hall.  
**DIVISIONS** - Administrative Services - Terrence Ross, Commissioner.  
 Neighborhood Services - Festus Cassels, 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** - Rm. 122, Delores Alexander, Acting Director

**COMMUNITY RELATIONS BOARD** - Room 11, Jackie R. Whitner,  
 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 Buckshot, 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; Donna K. Nelson,  
 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, Valerie Schwonek, Chairman;  
 Dona Brady, Vice-Chairman; Anna Chatman, Carol Johnson, Tony  
 Petkovsek, Anthony Costanzo, Sec'y.

**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, Sharon Sobol  
 Jordan; Pres. Finance Director, \_\_\_\_\_, Director Sec'y.  
 Council President Jay Westbrook.

**BOARD OF SIDEWALK APPEALS** - Henry Guzmán, Service Director;  
 Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

**BOARD OF REVIEW** - (Municipal Income Tax) - Law Director, Sharon  
 Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay  
 Westbrook.

**CITY PLANNING COMMISSION** - Room 501 - Hunter Morrison, Director;  
 Rev. Albert T. Rowan, Chairman; Todd W. Schmidt, 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** - Sharon Sobol Jordan, \_\_\_\_\_,  
 Councilmen James Rokakis, 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,  
 Councilmen Craig E. Willis and Helen K. Smith.

## 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 Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. 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 Referee

# The City Record



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WEDNESDAY, NOVEMBER 6, 1996

No. 4326

## CITY COUNCIL

MONDAY, NOVEMBER 4, 1996

### The City Record

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### ARTHA WOODS

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

#### MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Miller, Patton, Paulenske, Robinson, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Miller, Vice Chairman; Britt, Jackson, Melena, O'Malley, Zone.

#### MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; O'Malley, Vice Chairman; Britt, Johnson, McGuirk, Melena, Smith, Westbrook, White.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patmon, Chairman; Smith, Vice Chairman; Jackson, Lewis, Melena, Polensek, Robinson.

#### MONDAY

2:00 P.M.—**Finance Committee:** Rokakis, Chairman; Westbrook, Vice Chairman; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

#### TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Paulenske, Vice Chairman; Britt, Coats, Lewis, Melena, Patton, Smith, Willis.

1:30 P.M.—**Legislation Committee:** McGuirk, Chairman; Willis, Vice Chairman; Britt, Johnson, Patton, Rokakis, Rybka.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Miller, Chairman; Paulenske, Vice Chairman; McGuirk, Patmon, Rokakis, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, Miller, O'Malley, Patmon, Patton, Paulenske, Zone.

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Lewis, McGuirk, O'Malley, Patmon, Willis, Zone.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; O'Malley, Paulenske, Rokakis, White, Zone.

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

The following measures will be on their final passage at the next meeting:

NONE

### BOARD OF CONTROL

October 30, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 30, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

#### Resolution No. 769-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Board of Control Resolution No. 361-96, adopted June 12, 1996, approving the proposal of Environmental Affairs Management, Inc. for professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words "for an aggregate fee not in excess of \$3,300.00" and adding the words "for an aggregate fee not in excess of \$6,600.00".

Be it further resolved that all other provisions of said Resolution No. 361-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### Resolution No. 770-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Board of Control Resolution No. 386-96, adopted June 12, 1996, approving the proposal of Clean Harbors Environmental Services, Inc. for professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words "for an aggregate fee not in excess of \$10,500.00" and adding the words "for an aggregate fee not in excess of \$21,000.00".

Be it further resolved that all other provisions of said Resolution No. 386-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### Resolution No. 771-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Board of Control Resolution No. 359-96, adopted June 5, 1996, approving the proposal of Orion Consulting, Inc. for professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words "for an aggregate fee not in excess of \$68,150.00" and adding the words "for an aggregate fee not in excess of \$87,650.00".

Be it further resolved that all other provisions of said Resolution No. 359-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.  
Abstain: Mayor White.

**Resolution No. 772-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Board of Control Resolution No. 360-96, adopted June 5, 1996, approving the proposal of G.L.W. Associates, Inc. for professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words "for an aggregate fee not in excess of \$2,600.00" and adding the words "for an aggregate fee not in excess of \$5,200.00".

Be it further resolved that all other provisions of said Resolution No. 360-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 773-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Greene's Hardware and Industrial Supply for an estimated quantity of lining cement, mortar cement and sand (items 1, 2 and 3) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 6th day of September, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Eight Thousand Eight Hundred Two Dollars, (\$38,802.00), (Net 20 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 commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 79376

which shall be certified against such contract in the sum of Four Thousand Dollars, (\$4,000.00).

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, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham,

Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 774-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland, that the bid of Lake Erie Electric, Inc. for the public improvement of Parma Control Center Backup Power Supply Improvement, including a Contingency Allowance of \$7,256.00 for the Division of Water, Department of Public Utilities, received on September 18, 1996, pursuant to the authority of Ordinance Nos. 2564-89 and 754-94, passed December 4, 1989 and May 23, 1994, respectively, upon a unit basis for the improvement in the aggregate amount of Seventy Nine Thousand Eight Hundred Sixteen Dollars, (\$79,816.00), 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 following subcontractors to Lake Erie Electric, Inc. for the above-mentioned public improvement hereby are approved:

NAME	MBE/FBE
Ruccella Construction	12.89 % (MBE)
Barrow Sign	1.50 % (FBE)
Leader Electric	0.82 % (FBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 775-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Company, Inc. for the public improvement of Cooley Avenue area relief sewer - materials for the Division of Water Pollution Control, Department of Public Utilities, received on October 3, 1996, pursuant to the authority of Ordinance No. 111-93, passed February 8, 1993, upon a unit basis, for the improvement in the aggregate amount of Nine hundred ninety-eight thousand two hundred ninety and 92/100 (\$998,290.92) 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 by the Board of Control of the City of Cleveland that the employment of the following subcontractor(s) to Perk Company, Inc. for the above-mentioned public improvement hereby is approved:

SUBCONTRACTORS	WORK
Choice Construction	Supply Materials MBE
Alexa Trucking	Trucking FBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 776-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Phillips/Day and Maddock, Inc. for an estimated quantity of parts for pumps, small engines and saws (items 2 and 5 less 15% off mfg. price list) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 15th day of August, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Six Thousand Dollars, (\$36,000.00), (Net 30 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 commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 79420

which shall be certified against such contract in the sum of Five Thousand Dollars, (\$5,000.00).

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, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 777-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Jordan Distributors, Inc. for an estimated quantity of parts for pumps, small engines and saws (all parts) (item 1 less 18% off mfg. price list) (items 3, 4 and 6 less 15% off mfg. price list) (Item 7 less 20% off price list) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 15th day of August, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Sixty Five Thousand Dollars, (\$65,000.00), (1% 10 Net 30 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 commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 79419**

which shall be certified against such contract in the sum of Ten Thousand Dollars, (\$10,000.00).

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, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 778-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Motorola, Inc., except for such terms and conditions as are not acceptable to the Director of Law, for the following: equipment and services for 800 MHz radio system enhancements, for the Division of Office of Radio Communications, Department of Public Utilities, received on the 24th day of October, 1996, pursuant to the authority of Ordinance No. 1227-95, passed June 18, 1996, which on the basis of order quantities would amount to Four Hundred Seventy One Thousand Two Hundred Sixty Dollars (\$471,260), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Motorola, Inc. for the above-mentioned standard purchase contract hereby is approved:

NAME	MBE/FBE
I.E.A. Electric	0.68% (FBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 779-96.**

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Service (MBE) for an estimated quantity of De-icing agents (Item Nos. 1, 2(a), 3(a), and 3(b)) for the Various Divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of a contract received on the 18th day of October, 1996, pursuant to the authority of Ordinance No. 820-96, passed June 10, 1996, which on the basis of the estimated quantity would amount to One million

six hundred twelve thousand seven hundred eighty and no/100 (\$1,612,780.00) Dollars. (Net 20 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 091641**

which shall be certified against such contract in the sum of Three hundred twenty-three thousand and no/100 (\$323,000.00) 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, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 780-96.**

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of JF, Inc. dba, Samsel Services Company, for an estimated quantity of De-icing collection services (All Items) for the Various Divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of a contract received on the 2nd day of October, 1996, pursuant to the authority of Ordinance No. 1029-96, passed June 10, 1996, which on the basis of the estimated quantity would amount to One million and no/100 (\$1,000,000.00) Dollars, (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 091646**

which shall be certified against such contract in the sum of Two hundred thousand and no/100 (\$200,000.00) 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, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 781-96.**

By Director Staib.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 14, 1996 for

Computer Equipment for the Division of Health, Department of Public Health, pursuant to the authority of Ordinance No. 871-96 & 1140-95, passed by the Council of the City of Cleveland on June 10, 1996 and July 19, 1995, be and the same are hereby rejected.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 782-96.**

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on September 5, 1996 for Turnout Clothing (Item number 9 only), for the Division of Fire, Department of Public Safety, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, be and the same are hereby rejected.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 783-96.**

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company, Inc., for an estimated quantity of Electric Supplies (All Items) (Minimum percentage discount 37.25% including supplemental discounts to bid schedule page) for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of three (3) years beginning with the date of execution of a contract received on the 6th day of September, 1996, pursuant to the authority of Ordinance No. 759-96, passed June 10, 1996, which on the basis of the estimated quantity would amount to Five Hundred Thousand and 00/100ths Dollars, (\$500,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties 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. 094905**

which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100ths Dollars, (\$25,000.00).

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.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 784-96.**

By Director Spellman.

Whereas, Resolution No. 733-96, adopted by this Board on October 16, 1996, citing as authority Ordinance No. 1455-94, passed by the Cleveland City Council on November 21, 1994, authorized the Director of Parks, Recreation & Properties to enter into contract for the public improvement of Gunning Park landscaping and site improvements with Wake Forest Garden Center (MBE); and

Whereas, said Resolution No. 733-96 should have cited Ordinance No. 762-96, passed by the Cleveland City Council on May 20, 1996, rather than Ordinance No. 1455-94 as the correct source of authority and funding for the improvement; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 733-96 adopted October 16, 1996, is hereby amended by substituting the words "Ordinance No. 762-96" for the words "Ordinance No. 1455-94", where appearing.

Be it further resolved that all other provisions of said Resolution No. 733-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 785-96.**

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Delta Industrial Cleaning for an estimated quantity of Graffiti Removal (All Items) (\$1.92 average per sq. ft.) for the Division of Property Management, Department of Parks Recreation and Properties, for the period of three (3) years beginning with the date of execution of a contract received on the 12th day of September, 1996, pursuant to the authority of Ordinance No. 761-96, passed June 10, 1996, which on the basis of the estimated quantity would amount to Forty Thousand and 00/100ths Dollars, (\$40,000.00), (1% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks Recreation and Properties 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. 094917 which shall be certified against such contract in the sum of Two Thousand and 00/100ths Dollars, (\$2,000.00).

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.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Hol-

land, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 786-96.**

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Crown Carpet USA, Inc., including Alternate Nos. 1, 2, 4 and 5, for the public improvement of Cleveland City Hall Carpet Replacement Phase I, for the Division of Property Management, Department of Parks, Recreation and Properties, received on September 19, 1996, pursuant to the authority of Ordinance No. 1282-96 passed October 14, 1996, for a gross price for the improvement in the aggregate amount of Ninety Eight Thousand Seven Hundred Fifty-Four and No/100 Dollars (\$98,754.00), 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.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 787-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 133-29-010 located at 3987 East 91 Street in Ward 2; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Oscar and Sallie Mims, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Oscar and Sallie Mims for the sale and development of Permanent Parcel No. 133-29-010 located at 3987 East 91 Street,

in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 788-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-05-108 located at 7323 Madison Avenue in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Glenn B. Straka, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Glenn B. Straka for the sale and development of Permanent Parcel No. 006-05-108 located at 7323 Madison Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 789-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-32-134 located at 5511 Bridge Avenue in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Juana and Francisco Oejo, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Juana and Francisco Oejo for the sale and development of Permanent Parcel No. 002-32-134 located at 5511 Bridge Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 790-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-22-033 located at 4501 Fenwick in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions

have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Joseph L. and Ruth A. Rogers, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Joseph L. and Ruth A. Rogers for the sale and development of Permanent Parcel No. 006-22-033 located at 4501 Fenwick, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 791-96.**

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 provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 002-28-013, 002-28-016, 002-28-017, 002-30-060, 002-30-061, 123-31-045, 126-17-032, 126-17-049, 127-12-035, 127-13-045, 128-12-101, 128-21-061, 131-19-038, 006-04-069, 006-04-070, 006-04-071, 006-04-072, 107-05-065, 006-04-144 and 006-04-145 under said Land Reutilization Program; and

Whereas, Ordinance No. 1750-96 passed October 21, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Cleveland Housing Network, Limited Partnership XIII has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1750-96 passed October 21, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Cleveland Housing Network, Limited Partnership XIII for the sale and development of Permanent Parcel Nos. 002-28-013, 002-28-016, 002-28-017, 002-30-060, 002-30-061, 123-31-045, 126-17-032, 126-17-049, 127-

12-035, 127-13-045, 128-12-101, 128-21-061, 131-19-038, 006-04-069, 006-04-070, 006-04-071, 006-04-072, 107-05-065, 006-04-144 and 006-04-145, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 792-96.**

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 provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 119-09-019 and 119-09-020 under said Land Reutilization Program; and

Whereas, Ordinance No. 484-94 passed June 6, 1994 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Hough Area Partners In Progress has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 484-94 passed June 6, 1994 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Hough Area Partners In Progress for the sale and development of Permanent Parcel Nos. 119-09-019 and 119-09-020, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 793-96.**

By Director Hamilton.

Whereas, pursuant to the Land Reutilization Program, the City has acquired Permanent Parcel No. 106-22-021 located at 1528 East 86th Street; and

Whereas, pursuant to Ordinance No. 1806-96, passed by the Council of the City of Cleveland on September 30, 1996, this Board of Control adopted Resolution No. 734-96 authorizing the sale of said parcel to Irving and Catherine V. Dominic; and

Whereas, said Resolution had incorrectly spelled the name Irving; now therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Resolution No. 734-96, adopted by this Board of Control on October 16, 1996, is hereby amended by correcting the spelling of the name to read Irving;

Be it further resolved that all other provisions of said Resolution No. 734-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 794-96.**

By Director Cunningham.

Whereas, pursuant to Ordinance Nos. 1439-61, passed by the Council of the City on October 30, 1961 and Resolution No. 978-62, adopted by the Board of Control of the City on December 19, 1962, as amended by Board of Control Resolution No. 562-75, adopted on September 24, 1975, the City entered into a Lease by Way of Concession with Ralph Kaufman, City Contract No. 17568, for the lease of a certain area of Cleveland Hopkins International Airport for the operation of a shoeshine/valet concession; and

Whereas, City Contract No. 17568 expired March 28, 1983 and has been on a month-to-month tenancy status since such date; and

Whereas, the City has determined that the space leased under the aforementioned City Contract No. 17568 is needed for airport purposes other than a shoeshine/valet concession, in order to further benefit the public interest; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board hereby terminates said Lease By Way of Concession City Contract No. 17568, effective December 1, 1996.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the termination hereby approved which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect the public interests.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 795-96.**

By Director Cunningham.

Whereas, pursuant to Ordinance Nos. 2378-80 and 1971-85, passed by the Council of the City on December 15, 1980 and July 22, 1985, respectively, and Resolution No. 116-81, adopted on March 11, 1981, the City entered into a Lease by Way of Concession with Walker & Eberling, Inc., dba Flowers mean Love, City Contract No. 31698, for the lease of a certain area of Cleveland Hopkins International Airport for the operation of a flower shop concession; and

Whereas, pursuant to Resolution No. 89-86, adopted February 19, 1986, the Board of Control assigned the

aforementioned lease to Anita Polk and Associates; and

Whereas, pursuant to Ordinance No. 1971-85, passed by the Council of the City on July 22, 1985, the City provided for the extension of the term of said Lease for a period of three (3) years beginning September 25, 1984 and ending September 24, 1987; and

Whereas, City Contract No. 31698 expired September 24, 1987 and has been on a month-to-month tenancy status since such date; and

Whereas, pursuant to Article IV.B. of said Lease, the City reserves the right to terminate the Lease without cause upon 30 days' written notice by the adoption of a resolution by the City's Board of Control; now, therefore,

Be it resolved by the Board of Control the City of Cleveland that this Board hereby terminates said Lease By Way of Concession effective December 1, 1996.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the termination hereby approved which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect the public interests.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 796-96.**

By Director Cunningham.

Whereas, pursuant to Ordinance No. 2722-82, passed December 6, 1982, the Director of Port Control entered into a Lease By Way of Concession, City Contract No. 32736, with Specialty Restaurants Corporation for the use of certain City-owned real property situated at Cleveland Hopkins International Airport (the "Airport") for operation of a restaurant facility, which Lease is recorded in Lease Volume 560, Page 875, of Cuyahoga County Records; and

Whereas, pursuant to Ordinance No. 1103-83, passed June 20, 1983, the Director entered into an Amendment to the Lease designating certain other City-owned real property at the Premises for construction and operation of the restaurant facility concession and modifying certain other Lease provisions concerning the term and facility construction completion times; and

Whereas, pursuant to Ordinance No. 3137-83, passed February 27, 1984, the Director entered into a Second Amendment to the Lease to provide access to the Premises across the existing roadway by granting Lessee an easement to such portion of the roadway as lies outside the Premises; and

Whereas, pursuant to and in accordance with the authority of Ordinance No. 2499-87, passed by the Cleveland City Council on February 8, 1988, the leased premises described in the Lease By Way of Concession, as previously amended, were reduced along the eastern boundary by approximately 33,450 square feet and increased along the northern boundary by adding approximately 43,660 square feet; and

Whereas, pursuant to Article IV.B.

of said Lease, the City reserves the right to terminate the Lease upon six (6) months' notice in the event the City's Board of Control by resolution determines that such premises are needed for Airport aviation-related development and other non-restaurant Airport purposes; and

Whereas, the City's Board of Control does so determine that such premises are needed by the City for Airport aviation-related development and other non-restaurant Airport purposes; now, therefore,

Be it resolved by the Board of Control the City of Cleveland that this Board hereby terminates said Lease By Way of Concession effective December 1, 1997.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the termination hereby approved which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect the City's interests.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 797-96.**

By Director Cunningham.

Whereas, pursuant to Ordinance Nos. 2231-78 and 2235-78, passed by the Council of the City on June 4, 1979 and Resolution No. 410-82 adopted by the Board of Control of the City on August 11, 1982, the City entered into a Lease by Way of Concession with Strongsville Tobacco Trading Co. Inc., City Contract No. 32830, for the lease of a certain area of Cleveland Hopkins International Airport for the operation of a tobacco/gourmet concession; and

Whereas, pursuant to Article IV.B. of said Lease, the City reserves the right to terminate the Lease without cause upon adoption of a resolution by the City's Board of Control determining to do so upon thirty (30) days notice; and

Whereas, the City's Board of Control does so determine to terminate such lease; now, therefore,

Be it resolved by the Board of Control the City of Cleveland that this Board hereby terminates said Lease By Way of Concession effective December 1, 1996.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the termination hereby approved which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect the public interests.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 798-96.**

By Director Spellman.

Whereas, by Board of Control Resolution No. 624-96, adopted September 11, 1996, the City, through the Director of Parks, Recreation &



Properties, was authorized to enter into a professional services contract with Bradan Productions for professional marketing and sales services necessary for the marketing and sale of memorabilia and re-usable items as salvage materials of Cleveland Municipal Stadium for the Department of Parks, Recreation and Properties; and

Whereas, Resolution No. 624-96 omitted authorization for payment of expenses; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 624-96 adopted September 11, 1996, hereby is amended by adding at the end of the third paragraph "That the Director of Parks, Recreation and Properties is authorized to pay expenses of The Final Play! in an amount not to exceed Fifty-One Thousand Dollars (\$51,000.00)".

Be it further resolved that all other provisions of said Resolution No. 624-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### **Resolution No. 799-96.**

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, City has acquired Permanent Parcel No. 132-15-114 under said Land Reutilization Program; and

Whereas, Ordinance No. 1799-96 passed October 28, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Housing Network has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1799-96 passed October 28, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network for the sale and development of Permanent Parcel No. 132-15-114, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### **Resolution No. 800-96.**

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, City has acquired Permanent Parcel Nos. 118-28-040, 118-28-041, 118-28-042, 118-29-003, 118-29-004, 118-29-005, 118-29-006, 118-29-007, 118-29-009, 111-29-011, 118-29-012, 118-29-013, 118-29-014, 118-29-071, 118-29-072, 118-29-109, 118-29-111, 118-30-001, 118-30-002, 118-30-003, 118-30-054, 118-30-055, 118-30-053, 118-30-041, 118-30-042, 118-30-043, 118-30-044, 118-30-045, 118-30-046, 118-30-047, 118-30-048, 118-30-049, 118-30-050, 118-30-051, 118-30-052, 118-29-019, 118-29-020, 118-29-025, 118-29-026, 118-29-027, 118-29-065, 118-29-066, 118-29-104, 118-29-106, 118-29-107, 118-29-112, 118-28-021, 118-28-022 and 118-28-038 under said Land Reutilization Program; and

Whereas, Ordinance No. 1834-96 passed October 28, 1996 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Burten, Bell and Carr Development Corp. or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1834-96 passed October 28, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Burten, Bell and Carr Development Corp. or designee for the sale and development of Permanent Parcel Nos. 118-28-040, 118-28-041, 118-28-042, 118-29-003, 118-29-004, 118-29-005, 118-29-006, 118-29-007, 118-29-009, 111-29-011, 118-29-012, 118-29-013, 118-29-014, 118-29-071, 118-29-072, 118-29-109, 118-29-111, 118-30-001, 118-30-002, 118-30-003, 118-30-054, 118-30-055, 118-30-053, 118-30-041, 118-30-042, 118-30-043, 118-30-044, 118-30-045, 118-30-046, 118-30-047, 118-30-048, 118-30-049, 118-30-050, 118-30-051, 118-30-052, 118-29-019, 118-29-020, 118-29-025, 118-29-026, 118-29-027, 118-29-065, 118-29-066, 118-29-104, 118-29-106, 118-29-107, 118-29-112, 118-28-021, 118-28-022 and 118-28-038, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### **Resolution No. 801-96.**

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, City has acquired Permanent Parcel Nos. 108-07-041, 108-07-048, 108-07-049, 108-08-019, 108-08-025,

108-08-040, 108-08-041, 108-08-046, 108-08-066, 108-08-070, 108-09-018, 108-09-019, 108-09-024, 108-09-048, 108-09-060, 108-09-073, 108-09-076, 108-09-078, 108-09-081, 108-09-084, 108-09-089, 108-09-106, 108-10-024, 108-10-025, 108-10-032, 108-10-063, 108-11-003, 108-11-004, 108-11-013, 108-11-014, 108-11-021 and 109-20-008 under said Land Reutilization Program; and

Whereas, Ordinance No. 1794-96 passed October 28, 1996 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Glenville Development Corp. has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1794-96 passed October 28, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Glenville Development Corp. for the sale and development of Permanent Parcel Nos. 108-07-041, 108-07-048, 108-07-049, 108-08-019, 108-08-025, 108-08-040, 108-08-041, 108-08-046, 108-08-066, 108-08-070, 108-09-018, 108-09-019, 108-09-024, 108-09-048, 108-09-060, 108-09-073, 108-09-076, 108-09-078, 108-09-081, 108-09-084, 108-09-089, 108-09-106, 108-10-024, 108-10-025, 108-10-032, 108-10-063, 108-11-003, 108-11-004, 108-11-013, 108-11-014, 108-11-021 and 109-20-008, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, 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, NOVEMBER 18, 1996

9:30 A.M.

Calendar No. 96-195: 18 Lakeside, N.E.

Rusman Properties Inc., owner, c/o Jim Rusnov, to create a 22 lot subdivision and construct 22 attached dwelling houses all on an irregular shaped parcel located in a One Family District and known as 18 Lakeside; said proposed lots not being 40' front nor 4800 square feet in area as required by Section 355.04 and the gross floor area of said proposed dwelling houses being in excess of .5 of the lot area contrary to Section 355.04 and one proposed dwelling house to be 6' from the street line instead of 12'6" as required by Section 357.04 and 17 of said proposed dwelling houses having less than the 20' minimum rear yard as required by Section 357.08 and all proposed dwelling houses to have a 0' interior sideyard and 21 of said proposed dwelling houses to have less than 10' in aggregate sideyards contrary to Section 357.09 of the Codified Ordinances.

Calendar No. 96-196: 5603 Memphis Ave., S.W.

Dominic Sforzo, owner, to install a 22 car off-street parking lot, accessory to the restaurant at 5517 Memphis Ave., on the 60' x 129' corner lot located in a Local Retail District on the southwest corner of Memphis Ave. and W. 56 St. at 5603 Memphis Ave.; said parking spaces to be located 5' from the street line of Memphis Ave. and 4' from the street line of W. 56 St. instead of 20' and 10' back as required by Sections 349.05 and 357.14 and said proposed parking lot not conforming to the landscape requirements of Sections 352.09 and 352.10 of the Codified Ordinances.

Calendar No. 96-198: 4433 Burger Ave., S.W.

Frederick Messer, owner, to erect a 14' x 20' frame private garage on the 40' x 137' lot located in a One Family District and occupied on the rear by a 20' x 32' one story frame dwelling house at 4433 Burger Ave.; said proposed private garage to be located on the front half of the lot contrary to the requirements of Section 337.23 of the Codified Ordinances.

Calendar No. 96-199: 4121 Clark Ave., S.W.

Larry E. Webb dba Our House appeals, under authority of Section 76-6 of the Charter, from the refusal to issue a Second Hand Dealer License for the premises at 4121 Clark Ave. by John A. Hunt, Commissioner of Assessments and Licenses, upon recommendation of William Denihan, Director of Public Safety (Division of Police).

Calendar No. 96-200: 3899 E. 57 St. S.E.

Jessie Borczyk, owner, to erect a 19'6" x 18'10" frame private garage

on the rear of the 33' x 118' lot located in a Two Family District with a 24' x 35' one story frame one family dwelling on the front known as 3899 E. 57 St.; said proposed private garage to be 4" from the north property line instead of 18" therefrom as required by Section 337.23 of the Codified Ordinances.

10:30 A.M.

Calendar No. 96-201: 1905 E. 55 St. East 55<sup>th</sup> Market Inc. dba Grandpa's Deli, appeals, under authority of Section 76-6 of the Charter, from the suspension of Food Service License #3315 by John A. Hunt, Commissioner of Assessments and Licenses, upon recommendation of Carolyn Wallace, Acting Commissioner of the Environment.

ANTHONY COSTANZO,  
Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 4, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, October 28, 1996, the following appeals were heard by the Board, and decided on Monday, November 4, 1996.

The following appeals were **Granted:**

Calendar No. 96-176: 3741 Ridge Road, S.W.

Danmaur Investments Ltd., owner, c/o Daniel H. Rothstein and Gress & Kennedy Inc., tenant, c/o Daniel H. Rothstein, to construct a 50' x 100' one story storage building accessory.

Calendar No. 96-189: 4515-17 Clark Ave., S.W.

Bogdan Miskovic, owner, to convert to two dwelling units.

Calendar No. 96-187: 13820 Lorain Avenue

Riser Foods Inc., owner, c/o Tom Rego, to erect various pole and wall signs (Conditional Grant)

The following appeals were **Refused:**

Calendar No. 96-177: 3400-24 Brookpark Rd., S.W.

Sun Properties Inc., owner, c/o Stan Basista and 3M Parkway Inc., tenant c/o Mark Mintz, to erect a 24' x 8' double faced sign.

Calendar No. 96-181: 17910 Lake Shore Blvd., N.E.

H & S Custom Services Inc., owner, c/o Max Hryniak and Mark McGraw, tenant, to attach a 3' x 6' double-faced business identification "Marks Time Out Grille" sign.

ANTHONY COSTANZO,  
Secretary

### REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of  
October 30, 1996

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action the subject meeting is given for publication in the City Record:

#### Docket A-104-96.

RE: Continuance of Appeal of North East Chemical Corporation, Owner of the Property located on the premises known as 3301 Monroe Avenue from a NOTICE OF VIOLATION - PLUMBER of the Commissioner of the Division of Building and Housing dated May 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action required by the Board at this time, noting that the violations have been abated.

\* \* \*

#### Docket A-105-96.

RE: Continuance of Appeal of North East Chemical Corporation, Owner of the Property located on the premises known as 3301 Monroe Avenue from a NOTICE OF VIOLATION - ELECTRIC of the Commissioner of the Division of Building and Housing dated May 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action required by the Board at this time, noting that the violations have been abated.

\* \* \*

#### Docket A-106-96.

RE: Continuance of Appeal of Willie Baumann, Owner of the Property located on the premises known as 3301 Monroe Avenue from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated May 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action required by the Board at this time, noting that the violations have been abated.

\* \* \*

#### Docket A-115-96.

RE: Appeal of Memphis Fulton Assoc., Owner of the Property located on the premises known as 4221-4273 Fulton Road (aka 5200-5302 Memphis Avenue) from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time in which to abate the violations and to REMAND the property at 4221-4273 Fulton Road (aka 5200-5302 Memphis Avenue) to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

#### Docket A-146-96.

RE: Appeal of William A. Jericho, Owner of the Residential Property located on the premises known as 3567 West 69th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 25, 1996,

requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one month (1 mo.) in which to abate all violations and obtain an occupancy permit, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by December 13, 1996. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-147-96.**

RE: Appeal of First Federal Savings & Loan Association, Mortgagee of the Residential Property located on the premises known as 4517 Catherine Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by May 13, 1997. Motion so in order. Motioned by Mr. Saunders and second by Mr. Sullivan.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-149-96.**

RE: Appeal of Sharon Kingsley, Owner of the Residential Property located on the premises known as 12113 Erwin Avenue from a NOTICE OF VIOLATION - NO PERMIT/EXTERIOR MAINTENANCE of the Commissioner of the

Division of Building and Housing dated July 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-149-96 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-153-96.**

RE: Appeal of Richard O. Kaplan, Owner of the Property located on the premises known as 7301 Bessemer Avenue from a NOTICE OF VIOLATION of the Chief of the Division of Fire dated August 5, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit the premises located at 7301 Bessemer Avenue to be used, provided that proper lighting egress and fire doors be maintained and that the property be used by the present tenant for storage **only** and that a alarm system be installed. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

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**Docket A-154-96.**

RE: Appeal of Debra Jones, Owner of the Residential Property located on the premises known as 3052 West 115th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated September 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to be installed as indicated on the drawings, three feet (3 ft.) from the from the adjoining neighbor, noting the neighbors letter of consent. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-156-96.**

RE: Appeal of Dorothy McGaha, Owner of the Residential Property located on the premises known as 2089 West 42nd Street (Front) from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated August 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two months (2 mos.) in which to complete abatement of the violations and to REMAND the property at 2089 West 42nd Street (Front) to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

**Docket A-157-96.**

RE: Appeal of Willi/Dot McGaha, Owners of the Residential Property located on the premises known as 2087 West 42nd Street (Rear) from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated August 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two months (2 mos.) in which to complete abatement of the violations and to REMAND the property at 2087 West 42nd Street (Rear) to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

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**Docket A-158-96.**

RE: Appeal of Lena Brown, Owner of the Residential Property located on the premises known as 7118 Linwood Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated August 5, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-158-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-159-96.**

RE: Appeal of North East Chemical Corporation, Owner of the Property located on the premises known as 3301 Monroe Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated August 8, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3301 Monroe Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-166-96.**

RE: Appeal of David and Marcia Pantelemon, Owners of the Residential Property located on the premises known as 4201 Bucyrus Avenue from a PERMIT TO ENTER THE PREMISES of the Commissioner of the Division of Building and Housing dated September 28, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that with the conditions presented by David and Marcia Pantelemon, and noting that Constance Wells has agreed to the conditions presented, the Board modifies the PERMIT issued by the City of Cleveland as follows:

(1) That the work cannot take place between 8:30 a.m. to 5:00 pm.

during weekdays, but it must take place in the evening or on the weekends when both parties can be available;

(2) That only one person is allowed on the adjoining property (4201 Bucyrus Avenue) at any one time;

(3) That baffles be used to protect the adjacent property;

(4) That any trimming of plantings on the Pantelemon's property be done by the owner;

(5) That the time for the work to take place will begin the spring of 1997 with two weeks (2 wks.) notice to the Pantelemon's;

(6) With the understanding that the weather is a factor in the time schedule. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

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**Docket A-173-96.**

RE: Appeal of Phyllis Gerber, Owner of the Property located on the premises known as 2826 Franklin Boulevard from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit the property to be constructed and occupied in the manner requested, with the following modifications:

**Item 1 - OBBC Table 602:**

That the exterior stair be either moved seven feet (7 ft.) from the building or that a one hour protection over the window openings be provided either by sprinklers or fire shutters.

That the third floor addition be constructed of a one hour material.

**Item 3 - Section 1014.12:**

That a smoke baffle be constructed at the open stairway on the first floor.

**Item 6 & 7 Section 904.0:**

That a hardwired smoke detector system be installed throughout with alarming audible throughout the premises. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-177-96.**

RE: Appeal of Geneva Hopson Paige, Owner of the Property located on the premises known as 10302 Buckeye Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 3, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the Board request that a team inspection be conducted as soon as possible by the City and that the Appellant be notified of the date of the inspection so that the issues can be discussed with the Appellant. The Docket will remain open.

**Docket A-191-96.**

RE: Appeal of Cleveland Public Schools/East High School, Owner of the Property located on the premises known as 1349 East 79th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated July 25, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the requested variance and permit occupancy with the conditions that smoke detectors be installed in Rooms 120, 119 and the two adjacent classrooms; that smoke detectors be installed in the corridor outside those two classrooms and one additional smoke detector be installed in the main corridor 1080 on both sides of a fire door separating the enfans from the adjacent classrooms in the corridor; and modification of the door is required so that panic hardware exist and the door remains closed separating the adjacent classroom from hazards to the infant area. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**Docket A-194-96.**

RE: Appeal of Donald L. Ross, Owner of the Property located on the premises known as 3185 West 63rd Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated October 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the building to be occupied as the drawings indicate with the wood studs, noting that the wood studs are Type "X" drywall and that the architect has represented the live load on the mezzanine is capable of 125 lbs., and that the owner has agreed to post it for 100 lb. storage and no combustibles on the mezzanine. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**EXTENSION OF TIME':**

**Docket A-37-96.**

MVB Mortgage Corporation - 13004 Parkhill Avenue:

A motion is in order at this time to grant Appellant a six month (6 mo.) "Extension of Time" in which to complete abatement of violations, with the condition that the property remain boarded and secured during the interim and that the garage and the back and side porches be taken down within three weeks (3 wks.); the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Williams and seconded by Mr. Sullivan for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-119-96—West Chateau Condominium Association.
- A-127-96—Helen Burrell.
- A-128-96—United Companies Lending Corp.
- A-131-96—Leondas Nash Jr.
- A-140-96—Richard Bryant.
- A-141-96—National City Mortgage.
- A-175-96—Kathryn R. Tyler Neighborhood Center.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: Mr. Bowes.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Williams and seconded by Mr. Sullivan for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

October 16, 1996

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

**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."

**WEDNESDAY, NOVEMBER 13, 1996**

**Two (2) Catch Basin Cleaning Machine Body Replacements and Other Necessary Replacements**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1818-95, passed by the Council of the City of Cleveland, December 18, 1995.

**Catch Basin Cleaning Machine Body Replacement**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1033-96, passed by the Council of the City of Cleveland, July 17, 1996.

October 30 and November 6, 1996

**THURSDAY, NOVEMBER 14, 1996**

**Fire Turnout Cleaning (Leather Bunker Boots)**, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976.

**Police Uniforms (Female Ballistic Vests)**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976.

October 30 and November 6, 1996

**FRIDAY, NOVEMBER 15, 1996**

**Tod Park Site Developments**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1884-94 and 1284-96, passed by the Council of the City of Cleveland, October 3, 1994 and October 14, 1996, respectively.

A DEPOSIT OF TWENTY-FIVE (\$25.00) 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.

**Aluminum Dump Trailer**, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1438-96, passed by the Council of the City of Cleveland, September 16, 1996.

**Hydraulic Side-Dumping Trailer W/Steel Bins**, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1437-96, passed by the Council of the City of Cleveland, September 16, 1996.

October 30 and November 6, 1996

**THURSDAY, NOVEMBER 21, 1996**

**C-12 Substation Construction**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance Nos. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

SPECIFICATIONS WILL BE AVAILABLE AFTER OCTOBER 31, 1996.

**Traffic Signal Material**, for the Division of Traffic Engineering and Parking, Department of Public Safety, as authorized by Ordinance No. 1311-96, passed by the Council of the City of Cleveland, September 23, 1996.

October 30 and November 6, 1996

**THURSDAY, NOVEMBER 21, 1996**

**Fulton Road Reconstruction**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 932-95, passed by the Council of the City of Cleveland, June 12, 1995.

A DEPOSIT OF FIFTY (\$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 FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. "ACCORDING TO THE REQUIREMENTS IMPOSED UPON THE CITY BY CHAPTER 164 OF THE REVISED CODE AND THE CITY'S ISSUE II GRANT AGREEMENTS, THIS PROJECT HAS BEEN SET ASIDE FOR BIDDING BY STATE CERTIFIED MINORITY BUSINESS ENTERPRISES BY AUTHORITY OF THE EQUAL EMPLOYMENT OPPORTUNITY COORDINATOR OF THE STATION OF OHIO, PURSUANT TO DIVISION (B) OF REVISED CODE SECTION 123.151 AND CHAPTER 123:2 OF THE OHIO ADMINISTRATIVE CODE."

October 30, November 6 and November 13, 1996

**WEDNESDAY, NOVEMBER 27, 1996**

**Fasteners**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 645-96, passed by the Council of the City of Cleveland, May 20, 1996.

**Rental and Laundry of Work Clothing**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 638-96, passed by the Council of the City of Cleveland, May 13, 1996.

October 30 and November 6, 1996

**WEDNESDAY, DECEMBER 4, 1996**

**Labor and Materials to Fabricate Ring and Pinion Gears**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 314-96, passed by the Council of the City of Cleveland, May 6, 1996.

**Hauling and Disposal of Debris at Landfills**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 540-96, passed by the Council of the City of Cleveland, May 20, 1996.

November 6 and November 13, 1996

**THURSDAY, DECEMBER 5, 1996**

**West 85th Street Reconstruction and New 8" Water Main**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 946-95, passed by the Council of the City of Cleveland, June 12, 1995.

A DEPOSIT OF FIFTY (\$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 FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

November 6, November 13 and November 20, 1996

## ADOPTED RESOLUTIONS AND ORDINANCES

### Res. No. 1625-96.

By Councilman Paulenske (by request).

**An emergency resolution declaring the intention to vacate a portion of King Court N.E.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of King Court N.E., 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 all that portion of:

KING COURT N.E. (16.5 feet wide), extending Easterly from the Easterly line of East 33rd Street (66.00 feet wide), to the Westerly line of East 38th Street (99.00 feet wide).

**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 October 28, 1996.  
Effective November 5, 1996.

**Res. No. 1987-96.**  
**By Councilman McGuirk.**  
**An emergency resolution withdrawing objection to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, and repealing Res. No. 1526-96, objecting to said renewal.**

Whereas, this Council objected to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, by Res. No. 1526-96, adopted August 14, 1996; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 objection to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, be and the same is hereby withdrawn and Res. No. 1526-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue thereof.

**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 October 28, 1996.  
Effective November 5, 1996.

**Res. No. 1988-96.**  
**By Councilman Paulenske.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5474 Broadway, first floor and basement.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 03111240005, Faddie S. Attallah, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, to Permit No. 7648088-0010, Jehad Saa, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 03111240005, Faddie S. Attallah, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, to Permit No. 7648088-0010, Jehad Saa, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

**Section 3.** 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 October 28, 1996.  
Effective November 5, 1996.

**Res. No. 1989-96.**  
**By Councilman Rybka.**  
**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 2943-45 East 55th Street and second floor.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 4271431, Jelinek, Inc., dba Bullwinkles, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, to Permit No. 1573924, Club Lexus Inc., dba Club Lexus, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 4271431, Jelinek, Inc., dba Bullwinkles, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, to Permit No. 1573924, Club Lexus Inc., dba Club Lexus, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

**Section 3.** 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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 307-96.**  
**By Councilmen Jackson, Johnson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute a lease agreement for the Charles V. Carr Center with the Cuyahoga Metropolitan Housing Authority for a term of ten years.**

Whereas, the City of Cleveland owns real property at 5715 Woodland in the City of Cleveland, which property is no longer needed for public use; and

Whereas, the Cuyahoga Metropolitan Housing Authority ("CMHA") has proposed to lease such property for the purpose of establishing a

CMHA Police Training Academy and Headquarters Facility; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a lease agreement with the Cuyahoga Metropolitan Housing Authority ("CMHA") for the purpose of establishing a CMHA Police Training Academy and Headquarters Facility, of the following described real property, which is determined no longer needed for public use during the term specified in Section 2 below:

**Carr Health Center Parcel "A"**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being Sublots Numbers 29 through 32, and the Easterly 10.00 feet of Sublot Number 33, excepting the Southerly part appropriated for the widening of Woodland Avenue, S.E. as shown by the Recorded Plat in Volume 10, Page 3 of Cuyahoga County Records in Frederick Haltnorth's Subdivision of Part of Original 100 Acre Lot Number 331, as shown by said Plat in Volume Number 5 of Maps, Page 51 of Cuyahoga County Records, and bounded and described as follows:

Beginning at said Sublot Numbers 29 through 32 and the Easterly 10.00 feet of Sublot Number 33, together forming a parcel of land having a frontage of 130.94 feet on the Northerly side of Woodland Avenue S.E. and extending back of equal width, 125.00 feet to an unnamed 12.00 foot alley, and containing 16,368 square feet, (0.3758 acres) of land; as appears by said plat, be the same more or less, but subject to all legal highways.

**Carr Health Center Parcel "B"**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots 20 through 26 inclusive, and part of vacated alley (Volume 228, Page 10 of Cuyahoga County Records), in Frederick Haltnorth's Subdivision of part of Original 100 Acre Lots Numbers 331 and 332 as shown by the recorded plat in Volume 5, Page 51 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Northeast corner of Sublot Number 25, in the Frederick Haltnorth Subdivision as aforesaid, said point being the intersection of the Southerly line of Haltnorth Court S.E. (40.00 feet wide), and the Westerly line of East 59th Street (formerly First Avenue), (60.00 feet wide);

Thence Southerly along the Westerly line of East 59th Street 68.63 feet to the Southeast corner of Sublot Number 26 in the aforesaid Subdivision;

Thence Westerly along the Southerly line of said Sublot and its Westerly prolongation 150.94 feet to a point in the Westerly line of an unnamed alley (10.00 feet wide), vacated by Ordinance Number 2837-76, Volume 220, Page 48 of Cuyahoga County Records; said line also being the Easterly line of Sublot Number 24, in the aforesaid Subdivision;

Thence Southerly along said Easterly line 61.00 feet to a point; said point being the Westerly turnout of the vacated alley, as aforesaid;

Thence Southwesterly, about 10.00 feet along said turnout at the Southeast corner of Sublot Number 24 said Point also being the Northerly line of an unnamed Alley (12.00 feet wide);

Thence continuing Westerly along said Northerly line 145.00 feet to the Southwesterly corner of Sublot Number 20;

Thence Northerly, along the Westerly line of said Sublot Number 20, 134.63 feet to the Northwesterly corner thereof; said point also being on the Southerly line of Haltnorth Court, as aforesaid;

Thence Easterly, along said line, 300.94 feet to the place of beginning and containing about 30,541.01 square feet of land (0.70 acres), be the same more or less, but subject to all legal highways.

**Section 2.** That the term of the lease authorized pursuant to Section 1 of this ordinance be ten (10) years, with three five (5) year renewal terms.

**Section 4.** That the property leased pursuant to this ordinance shall be leased for the sum of \$1.00 per year, and other valuable consideration, including the improvement, maintenance and upkeep of the property during the lease term.

**Section 4.** That the lease agreement shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interest of the City.

**Section 5.** That the Mayor and the Directors of Law and Parks, Recreation and Properties, and other appropriate City officers, are hereby authorized and directed to execute such other documents and certificates as may be necessary or appropriate to effect the lease authorized pursuant to this ordinance.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1047-96.**

**By Councilman Britt.**

**An ordinance to change the Use, Area, and Height Districts of lands north of Quincy Avenue, S.E. between E. 88 Street and E. 89 Street. (Map Change No. 1907, Sheet No. 5)**

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

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

Beginning at the intersection of the westerly extension of a line located one hundred (100) feet north of the northerly line of Quincy Avenue, S.E. and the center line of East 88 Street; thence northerly along said center line of East 88 Street to its intersection with the westerly extension of the northerly line of Sublot No. 29 in the W.H. Cleminshaw Subdivision as recorded in Volume 18, Page 18 of the Cuyahoga County Map Records; thence

easterly along said westerly extension and along said northerly line of said Sublot No. 29 and continuing easterly along the northerly line of Sublot No. 2 in said W.H. Cleminshaw Subdivision and along its easterly extension to the center line of East 89 Street; thence southerly along said center line of East 89 Street to its intersection with the easterly extension of said line located one hundred (100) feet north of said northerly line of Quincy Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred (100) feet north of said northerly line of Quincy Avenue, S.E. and along its westerly extension to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Business District, a "C" Area District, and a "2" Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1907, Sheet No. 5 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 October 28, 1996.

Effective December 7, 1996.

**Ord. No. 1048-96.**

**By Councilman Polensek.**

**An ordinance to change the Use District of lands on both sides of Grovewood Avenue, N.E. between E. 167 Street and E. 172 Street. (Map Change No. 1908, 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 westerly extension of a line located one hundred thirty (130) feet south of the southerly line of Grovewood Avenue, N.E. and the center line of East 162 Street; thence northerly along said center line of East 162 Street to its intersection with the westerly extension of a line located ninety (90) feet north of the northerly line of Grovewood Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and ninety (90) feet north of said northerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred thirty two (132) feet west of the westerly line of East 168 Street; thence northerly along said line which is parallel to and one hundred thirty two (132) feet west of said westerly line of East 168 Street to its intersection with a line located one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E.; thence easterly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E. and along its easterly prolongation to the center line of East 172 Street; thence southerly along said center line of East 172 Street to the center line of Grovewood Avenue, N.E.; thence westerly along said center line of Grovewood

Avenue, N.E. to the center line of East 172 Street; thence southerly along said center line of East 172 Street to its intersection with the easterly extension of a line located fifty (50) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said easterly extension and along said line which is parallel to and fifty (50) feet south of said southerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred nine and sixty five hundredths (109.65) feet east of the easterly line of East 170 Street; thence southerly along said line which is parallel to and one hundred nine and sixty five hundredths (109.65) feet east of said easterly line of East 170 Street to its intersection with a line located one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E. and along its westerly prolongation to the place of beginning, and as outlined in red on the map hereto attached be and the same is hereby changed to a Two Family Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1908, 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 October 28, 1996.

Effective December 7, 1996.

**Ord. No. 1165-96.**

**By Councilmen Jackson and Rokakis (by departmental request).**  
An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or their designee, to provide economic development loan assistance in the form of a Community Development Block Grant float loan for the purchasing, rehabilitating or constructing of low income rental housing.

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 Community Development is hereby authorized to enter into a contract with Cleveland Housing Network, or its designee, to provide economic development loan assistance in the form of a Community Development Block Grant float loan in the amount of \$3,500,000.00 to finance the purchase, rehabilitation or construction of low income rental housing in the City of Cleveland.

**Section 2.** That the contract shall include the requirement that plans for all new housing construction be approved by the ward participating community development corporation (CDC) and that any changes to such plans must be approved by the CDC; and the requirement that tenants

for housing projects financed through the herein authorized loan shall be chosen from referrals by the CDC to Cleveland Housing Network, where such referrals are provided.

**Section 3.** That the terms of said loan shall be determined by the Director of Community Development in accordance with regulations, state and local law, and said Director is authorized to amend said terms, from time to time, as he deems necessary to remain consistent with said laws and regulations.

**Section 4.** That the cost of said contract shall be paid from Fund No. 14 SF 810, Request No. 23051.

**Section 5.** That the Director of Community Development shall obtain an irrevocable, unconditional letter of credit to secure repayment of said loan. Any security instrument shall be approved by the Director of Law.

**Section 6.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in the CDBG fund.

**Section 7.** That the Director of Community 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 to and expended from the CDBG fund.

**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 authorized hereunder.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1186-96.**

**By Councilmen Patton and Rokakis (by departmental request).**  
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract with Ohio Power Company for professional services and associated equipment and materials to provide engineering, analyses, and other services as needed, for the Division of Cleveland Public Power, 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 enter into contract with Ohio Power Company for professional services and associated equipment and materials necessary to provide engineering, analyses, testing, maintenance, service restoration resulting from unforeseen emergency and/or storm-related outages in the system and other services as needed for a period of

one (1) year, on the basis of such provisions of its proposal dated May 31, 1996 as are acceptable to the Directors of Public Utilities and Law, for the Division of Cleveland Public Power, Department of Public Utilities.

**Section 2.** That 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 22104). The cost of the contract authorized by this ordinance shall not exceed \$150,000.00.

**Section 3.** That prior to utilizing services under said contract, the Director of Public Utilities must first ascertain that the current Cleveland Public Power employees are unavailable or otherwise unable to perform this work.

**Section 4.** That the Director of Public Utilities must provide a written report to the Public Utilities Committee within fifteen (15) days after utilizing any services pursuant to said contract.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1190-96.**

**By Councilmen Paulenske, Johnson, Polensek, Rybka and Rokakis (by departmental request).**

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 1609 East 21st Street to Daniel R. Gray.

Whereas, the Directors of Public Safety and Parks, Recreation and Properties have requested the sale of City-owned property no longer needed for public use and located at 1609 East 21st Street; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

1609 East 21st Street  
(vacant land)

Permanent Parcel No. 102-25-019  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 159 in O. H. Payne's Allotment of part of Original Ten Acre Lots Nos. 106, 107 and 108, as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and bounded and described as follows:



Beginning on the Easterly side of East 21st Street at the Southwest corner of said Sublot No. 159;

Thence Northerly along the Easterly line of East 21st Street, 47.5 feet to the Northwest corner of said Sublot No. 159;

Thence Easterly along the Northerly line of said Sublot No. 159, 176.0 feet to an alley;

Thence Southerly along the Westerly line of said Alley, 40.00 feet;

Thence Southwesterly 22.23 feet to a point in the Southerly line of said Sublot No. 159;

Thence Westerly along the Southerly line of said Sublot No. 159, 155.08 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Daniel R. Gray at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions, requiring purchaser to redevelop the property by constructing and maintaining a parking lot, and including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law, protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1197-96.**

**By Councilman Polensek.**

**An ordinance to change the Use District of lands on the southerly side of Lake Shore Boulevard, N.E. between E. 169 Street and E. 174 Street. (Map Change No. 1911, 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 Nottingham Road, N.E., Lake Shore Boulevard, N.E. and the center line of East 174 Street; thence southerly along said center line of East 174 Street to its intersection with the easterly extension of a line located forty (40) feet north of the northerly line of Sublot No. 27 in the (Melton E. Bertrom) Boulevard Allotment as recorded in Volume 64, Page 29 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said line which is parallel to and forty (40) feet north of said northerly line of said Sublot No. 27 to its intersection with the easterly line of Sublot No. 30 in said

(Melton E. Bertrom) Boulevard Allotment; thence southerly along said easterly line of said Sublot No. 30 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 30 and continuing westerly along the southerly line of Sublot No. 31 in said (Melton E. Bertrom) Boulevard Allotment to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 31 to its intersection with a line located one hundred sixty (160) feet south of the southerly line of Lake Shore Boulevard, N.E.; thence westerly along said line which is parallel to and one hundred sixty (160) feet south of said southerly line of Lake Shore Boulevard, N.E. and along its westerly extension to the center line of East 171 Street; thence southerly along said center line of East 171 Street to its intersection with the easterly extension of a line located two hundred (200) feet south of said southerly line of Lake Shore Boulevard, N.E.; thence westerly along said easterly extension and along said line which is parallel to and two hundred (200) feet south of said southerly line of Lake Shore Boulevard, N.E. to its intersection with a line located approximately one hundred seven and thirteen hundredths (107.13) feet west of the westerly line of East 171 Street; thence southerly along said line which is parallel to and approximately one hundred seven and thirteen hundredths (107.13) feet west of said westerly line of East 171 Street to its intersection with a line located two hundred fifty (250) feet south of said southerly line of Lake Shore Boulevard, N.E.; thence westerly along said line which is parallel to and two hundred fifty (250) feet south of said southerly line of Lake Shore Boulevard, N.E. to its intersection with a line located approximately one hundred fifteen and forty four hundredths (115.44) feet east of the easterly line of East 169 Street; thence northerly along said line which is parallel to and approximately one hundred fifteen and forty four hundredths (115.44) feet east of said easterly line of East 169 Street to its intersection with a line located two hundred (200) feet south of said southerly line of Lake Shore Boulevard, N.E.; thence westerly along said line which is parallel to and two hundred (200) feet south of said southerly line of Lake Shore Boulevard, N.E. and along its westerly extension to the center line of East 169 Street; thence northerly along said center line of East 169 Street to its intersection with the easterly extension of a line located approximately fifty six and forty one hundredths (56.41) feet north of the northerly line of Sublot No. 57 in the Moreland Allotment as recorded in Volume 64, Page 29 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said line which is parallel to and approximately fifty six and forty one hundredths (56.41) feet north of said northerly line of said Sublot No. 57 to its intersection with a line located sixty (60) feet west of the westerly line of East 169 Street; thence northerly along said line which is parallel to and sixty (60) feet west of said westerly line of East 169 Street and along its northerly extension to the center line of Lake Shore Boulevard, N.E.; thence easterly along said center

line of Lake Shore Boulevard, 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 Business District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1911, 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 October 28, 1996.

Effective December 7, 1996.

**Ord. No. 1198-96.**

**By Councilman Polensek.**

**An ordinance to change the zoning of lands on both sides of Waterloo Road, N.E. between Shiloh Road, N.E. and west of E. 152 Street and between E. 160 Street and E. 162 Street. (Map Change No. 1909, Sheet No. 7)**

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

**Section 1.** To change the Use District of lands bounded and described as follows,

Beginning at the intersection of the northeasterly extension of the southeasterly line of Sublot No. 16 in the C.W. Moses Allotment as recorded in Volume 11, Page 35 of the Cuyahoga County Map Records and the center line of Shiloh Road, N.E.; thence southeasterly along said center line of Shiloh Road, N.E. to the center line of Waterloo Road, N.E.; thence northeasterly and easterly along said center line of Waterloo Road, N.E. to the center line of East 160 Street; thence northerly along said center line of East 160 Street to its intersection with the westerly extension of the northerly line of Sublot No. 268 in the Lakeshore Boulevard Company Allotment as recorded in Volume 27, Page 25 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 268 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Sublot No. 268 and along its southerly extension to the center line of Burbank Court, N.E.; thence easterly along said center line of Burbank Court, N.E. to the center line of East 162 Street; thence southerly along said center line of East 162 Street to the center line of Waterloo Road, N.E.; thence westerly along said center line of Waterloo Road, N.E. to the center line of East 160 Street; thence southerly along said center line of East 160 Street to the center line of Shasta Court, N.E.; thence westerly along said center line of Shasta Court, N.E. to the center line of East 156 Street; thence southerly along said center line of East 156 Street to its intersection with the easterly extension of the southerly line of Sublot No. 114 in the C.W. Moses Allotment as recorded in Volume 27, Page 12 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said southerly line of said Sublot No. 114 to its intersection with a line located one hundred

twenty (120) feet southeast of the southeasterly line of Waterloo Road, N.E.; thence southwesterly along said line which is parallel to and one hundred twenty (120) feet southeast of said southeasterly line of Waterloo Road, N.E. to its intersection with the easterly line of Sublot No. 115 in said C.W. Moses Allotment; thence southerly along said easterly line of said Sublot No. 115 and along its southerly extension to the center line of Calcutta Avenue, N.E.; thence westerly along said center line of Calcutta Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 124 in said C.W. Moses Allotment; thence southerly along said northerly extension and along said easterly line of said Sublot No. 124 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 124 and continuing westerly along the southerly lines of Sublots Nos. 123, 122, and 121 in said C.W. Moses Allotment to its intersection with the easterly line of Sublot No. 86 in the J. W. McClure Allotment as recorded in Volume 27, Page 20 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 86 and along its southerly extension to the center line of Daniel Avenue, N.E.; thence westerly along said center line of Daniel Avenue, N.E. to the center line of East 152 Street; thence northerly along said center line of East 152 Street to the center line of Waterloo Road, N.E.; thence southwesterly along said center line of Waterloo Road, N.E. to the center line of Westropp Avenue, N.E.; thence westerly along said center line of Westropp Avenue, N.E. to its intersection with the southwesterly extension of a line located approximately one hundred eighty five (185) feet northwest of the northwesterly line of East 152 Street; thence northeasterly along said southwesterly extension and along said line which is parallel to and approximately one hundred eighty five (185) feet northwest of said northwesterly line of East 152 Street to its intersection with a line located approximately one hundred fifty eight and eighty three hundredths (158.83) feet south of the southerly line of Upton Avenue, N.E.; thence easterly along said line which is parallel to and approximately one hundred fifty eight and eighty three hundredths (158.83) feet south of said southerly line of Upton Avenue, N.E. to its intersection with a line located approximately one hundred seven and twenty one hundredths (107.21) feet northwest of said northwesterly line of East 152 Street; thence northeasterly along said line which is parallel to and approximately one hundred seven and twenty one hundredths (107.21) feet northwest of said northwesterly line of East 152 Street and along its northeasterly extension to the center line of Upton Avenue, N.E.; thence easterly along said center line of Upton Avenue, N.E. to the center line of East 152 Street; thence northerly along said center line of East 152 Street; to its intersection with the westerly extension of the northerly line of Sublot No. 9 in the C.W. Moses Allotment as recorded in Volume 11, Page 35 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 9 to its intersection with

the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 9 to its intersection with said southeasterly line of said Sublot No. 16; thence northeasterly along said southeasterly line of said Sublot No. 16 and along its northeasterly extension 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 District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1909, 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 October 28, 1996.

Effective December 7, 1996.

**Ord. No. 1199-96.**

**By Councilman Zone.**

**An ordinance to change the Use, Area, and Height Districts of lands north of Lorain Avenue on the west side of W. 110 Street. (Map Change No. 1910, Sheet No. 2)**

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

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

Beginning at the intersection of the easterly extension of the northerly line of Sublot No. 5 in the Lorain Heights (Conger-Helper Realty Company) Allotment as recorded in Volume 55, Page 13 of the Cuyahoga County Map Records and the center line of West 110 Street; thence southerly along said center line of West 110 Street to its intersection with the easterly extension of the southerly line of Sublot No. 4 in said Lorain Heights (Conger-Helper Realty Co.) Allotment; thence westerly along said easterly extension and along said southerly line of said Sublot No. 4 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 4 and continuing northerly along the westerly line of said Sublot No. 5 to its intersection with said northerly line thereof; thence easterly along said northerly line of said Sublot No. 5 and along its easterly extension to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Retail Business District, a 'C' Area District, and a '2' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1910, Sheet No. 2 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 October 28, 1996.

Effective December 7, 1996.

**Ord. No. 1283-96.**

**By Councilmen Johnson and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improving the Convention Center; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of architects or engineers and/or asbestos consultants to provide professional services related to this 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 rehabilitating, renovating or otherwise improving the Convention Center, including but not limited to the Little Theatre and parapet stone facade, for the Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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 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 3.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects, engineers and/or asbestos consultants or one or more firms of architects, engineers and/or asbestos 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 implement the improvement authorized in Section 2 of this ordinance.

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 Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 4.** That the cost of said

improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 332 67 SF 001, Request No. 20560.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1289-96.**

**By Councilmen O'Malley, Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Triad Partners Limited, or its designee, to provide for a ten year abatement for certain tangible real estate taxes as an incentive to construct a corporate office and warehouse at 4640-54 State Road located 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, Triad Partners Limited (the "Enterprise") has proposed to construct a corporate office and warehouse in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of 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,

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

**Section 1.** That this Council hereby approves the application of Triad Partners Limited, or its designee(s), for enterprise zone incentives on the basis that Triad Partners Limited is 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 Triad Partners Limited, or its designee(s), to provide for a ten (10) year abatement for certain tangible real estate taxes as an incentive to construct a corporate office and warehouse at 4640-54 State Road in 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 term as set forth in the Executive Summary contained in File No. 1289-96-A.

**Section 4.** 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 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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1300-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of maintaining and testing medium voltage switchgear at Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, and authorizing the Director of Public Utilities 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 maintaining and testing medium voltage switchgear at the Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, for the Division of Water, Department of Public Utilities, 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 Public Utilities 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 cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20947.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1321-96.**

**By Councilmen Smith, Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Thermagon, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street located 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, Thermagon, Inc. (the "Enterprise") has proposed to expand their facility at 3256 West 25th Street in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property 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,

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

**Section 1.** That this Council hereby approves the application of Thermagon, Inc., or its designee(s), for enterprise zone incentives on the basis that Thermagon, Inc. is 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 Thermagon, Inc., or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street in 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 term as set forth in the Executive Summary contained in File No. 1321-96-A.

**Section 4.** 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 5.** The agreement or agreements shall provide for review by the City Planning Commission of any plans for the development of the property or site improvements made thereto.

**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 October 28, 1996.

Effective November 5, 1996.

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**Ord. No. 1433-96.**  
By Councilmen Britt, Coats, Rybka and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road; authorizing the Director of Public Service to employ professional design engineering 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 Commission of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the 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, it is hereby determined to make the public improvement of rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Public Service is hereby authorized and directed to enter into contract for the making of the 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 the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the Director of Public Service is hereby authorized

and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering 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 the Improvement.

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 Public Service 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 Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 4.** That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

**Section 5.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

**Section 6.** That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

**Section 7.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21799, and from the proceeds of any grant funds from the Ohio Public Works Commission.

**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 October 28, 1996.

Effective November 5, 1996.

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**Ord. No. 1435-96.**  
By Councilmen Britt, Jackson, Rybka, and Rokakis (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area between East 82nd Street and East 84th Street, Euclid to Chester Avenues, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes

municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located between East 82nd Street and East 84th Street, Euclid to Chester Avenues is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located between East 82nd Street and East 84th Street, Euclid to Chester Avenues and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located between East 82nd Street and East 84th Street, Euclid to Chester Avenues, known as Beacon Place at Church Square (Permanent Parcel No. 119-02-020) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

**Section 2.** That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 et seq. of the Ohio Revised Code.

**Section 3.** That the construction of 92 units, 32 single family homes and 60 townhouses in the area known as Beacon Place at Church Square, in the Community Reinvestment Area set forth in Section 1 is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of fifteen (15) years for 100% of the assessed taxes for the construction activities described above.

**Section 4.** That the Commissioner of Redevelopment for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

**Section 5.** That to the extent that the findings and the exemptions from real property taxation set forth

hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1458-96.**  
**By Councilmen Patton, Rybka and Rokakis (by departmental request).**  
**An emergency ordinance determining the method of making the public improvement of replacing and installing transformers and appurtenances at the Kirtland Pumping Station, and authorizing the Director of Public Utilities 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 replacing and installing new transformers and appurtenances at the Kirtland Pumping Station, for the Division of Water, Department of Public Utilities, 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 Utilities 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 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 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 215, 52 SF 217 and 52 SF 219, Request No. 20960.

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1459-96.**  
**By Councilman Paulenske.**  
**An emergency ordinance to vacate a portion of Sweeney Avenue, S.E., hereinafter described.**

Whereas, on the 20th day of November, 1995 the Council of the City of Cleveland adopted Resolution No. 1449-95 declaring its intention to vacate a portion of Sweeney Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1449-95 has been served upon the owners of all the property abutting Sweeney 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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of Sweeney 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 Sweeney 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 Sweeney Avenue S.E., (50 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 51st Street (40.00 feet wide) to the Westerly line of East 55th Street (80.00 feet wide), 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, Division of Water and Heat, and Division of Water Pollution Control equipment. The description of easement is as follows:

That portion of Sweeney Avenue S.E., described as follows: Sweeney Avenue S.E., (50 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 51st Street (40.00 feet wide) to the Westerly line of East 55th Street (80.00 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, the Commissioner of the Division of Water and Heat, and the Commissioner of the Division of Water Pollution Control 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 Sweeney 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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1473-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to accept a grant from the Ohio Department of Natural Resources for the 1997 Recycle Ohio Program; and to enter into one or more contracts with various agencies to implement the program and for the purchase of equipment and supplies for the program, if necessary.**

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 to accept a grant in the amount of \$200,000, from the Ohio Department of Natural Resources, to conduct the 1997 Recycle Ohio Program, for the purposes set forth in the application and according thereto; that the Director of Public Service is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No 1473-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of not to exceed \$57,400.00, payable from Fund No. 01-40-03-0901, is hereby approved in all respects.

**Section 3.** That the Director of Public Service is hereby authorized to enter into one or more contracts with various agencies for the implementation and operation of the Program and, if necessary, for the purchase of equipment and supplies for the Program, and that said contract or contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

**Section 4.** That any promotional, marketing or other public information materials that identify the City Administration and any Department of the City of Cleveland as a sponsor, or for reference of City participation or support, shall also identify the Cleveland City Council, the President of Council and the telephone number of Council in a manner comparable to other references of City of Cleveland personnel or offices.

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1594-96.**  
**By Councilmen Coats, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bargar Metal Fabricating Company, or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to acquire new equipment and technology at 13000 St. Clair Avenue located 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, Bargar Metal Fabricating Company (the "Enterprise") has proposed to modernize their facility located at 13000 St. Clair Avenue located in the Cleveland Area Enterprise Zone; 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; 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,

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

**Section 1.** That this Council hereby approves the application of Bargar Metal Fabricating Company, or its designee(s), for enterprise zone incentives on the basis that Bargar Metal Fabricating Company is 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 Bargar Metal Fabricating Company 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 acquire new equipment and technology to modernize their facility located at 13000 St. Clair Avenue, in 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 term as set forth in the Executive Summary contained

in File No. 1594-96-A.

**Section 4.** 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 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 October 28, 1996.  
 Effective November 5, 1996.

**Ord. No. 1597-96.**  
**By Councilman Jackson (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to the New Village Corporation, to construct an ornamental fence, gate, and a planting strip, approximately 330-feet long and 3.5 feet wide, which will encroach into the right-of-way of Central Avenue S.E. between East 37th and East 38th Streets at Central Commons Subdivision No. 5.**

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 to issue a permit, revocable at the will of Council to the New Village Corporation, General Partner, whose address is Glenville Enterprise Center; 540 East 105th Street; Cleveland, Ohio 44108; its successors and assigns for the construction, use and maintenance of an ornamental fence, a gate, and a planting strip approximately 330.00 feet long and approximately 3.5 feet wide along the Central Commons Subdivision No. 5 building front, and which fence, gate and planting strip will encroach into the public right-of-way of Central Avenue S.E. between East 37th and East 38th Streets, at the locations more fully described as follows:

**ENCROACHMENT / FENCE,  
 GATE, PLANTING STRIP  
 IN CENTRAL AVENUE S.E.:**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Southerly 3.5 feet of Central Avenue S.E. (60.00 feet wide) extending Easterly from the Easterly line of East 37th Street (66.00 feet wide) to the Westerly line of East 38th Street (60.00 feet wide), be the same more or less but subject to all legal highways.

**Section 2.** That said fence, gate and planting strip will be constructed in the public right-of-way of Central Avenue S.E. at the locations described in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

**Section 3.** That the permit authorized herein shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of

Cleveland has been properly indemnified against any and all loss which may result from said permit.

**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 October 28, 1996.  
 Effective November 5, 1996.

**Ord. No. 1600-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair the air conditioning systems 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 years for the necessary items for labor and materials necessary to maintain and repair the air conditioning systems for 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 years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**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 20860)

**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 October 28, 1996.  
 Effective November 5, 1996.

**Ord. No. 1601-96.**

**By Councilmen Miller and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, 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 years for the necessary items of labor and materials necessary to maintain and repair building automation computer systems and associated 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 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 years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**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 20861)

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1603-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable TV inspection systems, for the Division of Water Pollution Control, 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 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: not to exceed two (2) portable TV inspection systems, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23002.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1604-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services to design, layout, and produce 1996 annual reports and other consumer information publications, for the Divisions of Water, Cleveland Public Power and Water Pollution 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 Public Utilities is hereby authorized and directed to employ by contract one or more consultants or firm 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 1996 annual reports and other consumer information publications, including but not limited to writing, photography, artwork and offset lithographic reproduction for the Divisions of Water, Cleveland Public Power, and Water Pollution Control.

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.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 53 SF 001 and 54 SF 001, Request No. 22109.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1605-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide material testing and geotechnical services.**

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 firm 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 provide material testing and geotechnical services.

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.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 001, Request No. 23006.

**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 October 28, 1996.

Effective November 5, 1996.

**Ord. No. 1606-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of various parts for use at the pump stations, for the Division of Water Pollution Control, 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 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 for various parts for use at the pump stations in the estimated sum of \$80,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. 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 23007)

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1607-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to make emergency sewer repairs and installation of new sewers, for the Division of Water Pollution Control, 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 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 for labor and materials necessary to make emergency sewer repairs and installation of new sewers, in the estimated sum of \$100,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. 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 23003)

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1711-96.**  
**By Councilman Rokakis (by departmental request).**

**An emergency ordinance to amend the title and Section 2 of Ordinance No. 1130-93, passed May 24, 1993; to supplement said ordinance by adding new Section 3; and to renumber existing Section 3 to new Section 4, relating to upgrading the computer system for the Department of Law.**

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 title and Section 2 of Ordinance No. 1130-93, passed May 24, 1993, are hereby amended to read as follows:

An emergency ordinance authorizing and directing the purchase by contract of new and/or used hardware to extend and upgrade the existing computer system, for the Department of Law; and to employ by contract professional consultants related thereto.

**Section 2.** That the cost of said contract and services hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 06485.

**Section 2.** That the existing title and Section 2 of Ordinance No. 1130-93, passed May 24, 1993, are hereby repealed.

**Section 3.** That Ordinance No. 1130-93, passed May 24, 1993, is hereby supplemented by adding new Section 3 to read as follows:

**Section 3.** That the Director of Law is hereby authorized and directed to employ by contract professional 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 implement the upgrade to the computer system for the Department of Law.

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

**Section 4.** That existing Section 3 of Ordinance No. 1130-93, passed May 24, 1993, is hereby renumbered to read new "Section 4".

**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 October 28, 1996.  
Effective November 5, 1996.

**Ord. No. 1753-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept grants from the Ohio State Board of Emergency Medical Services for the Fire E.M.T. Training Program for years 1995 through 1997.**

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 Safety is hereby authorized to apply for and accept a grant in the amount of \$41,636.00, from the Ohio State Board of Emergency Medical Services, to conduct the 1995-96 Fire E.M.T. Training Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$35,679.00, from the Ohio State Board of Emergency Medical Services, to conduct the 1996-97 Fire E.M.T. Training Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 3.** That the applications for said grants, File No. 1753-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**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 October 28, 1996.  
Effective November 5, 1996.



**Ord. No. 1794-96.  
By Councilman Patmon, Jackson,  
Rybka and Rokakis (by departmental  
request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program located North of St. Clair between East 96 and East 103 Streets and 934 Lakeview to Glenville Development Corp., 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. 108-07-041, as more fully described in Section 2 below, to Glenville Development Corp., 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. 108-07-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 361, and bounded and described as follows:

Beginning on the Westerly line of East 99th Street (formerly Robinson Avenue), at a point distant 50 feet Southerly from the Northerly line of a parcel of land conveyed to Henry C. Stephens by deed dated May 8, 1888, and recorded in Volume 420, Page 172 of Cuyahoga County Records; thence Westerly at right angles to said Westerly line of East 99th Street, 130 feet; thence Southerly and parallel with said East 99th Street, 45 feet; thence Easterly and parallel with the first described line, 130 feet to the Westerly line of said East 99th Street; thence Northerly, along the Westerly line of East 99th Street, 45 feet to the place of beginning, as appears by said plat.

Also 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. 108-07-048, as more fully described in Section 4 below, to Glenville Development Corp., 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. 108-07-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 9 and 10 in G.S.

Wheaton's Re-Allotment of part of Original One Hundred Acre Lots Nos. 360 and 368 as shown by the recorded plat in Volume 7 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows: Beginning in the Southerly line of Lowell Avenue, N.E. (said Southerly line being also the Southerly line of parcel of land conveyed by Rudolph Sydow and Hulda Sydow, husband and wife, to the City of Cleveland, by deed dated July 1, 1909 and recorded in Volume 1200, Page 381 of Cuyahoga County Records) at a point distant Westerly (measured along said Southerly line) 68 feet from its point of intersection with the Easterly line of said Sublot No. 10; thence South 89° 28' 45" East along said Southerly line of Lowell Avenue, N.E. 68 feet to the Easterly line of said Sublot No. 10; thence due South along the Easterly line of said Sublots Nos. 10 and 9, about 53.513 feet to a point in the Northwesterly line of a parcel of land conveyed to Theresa Yahraus, by deed dated March 1, 1895 and recorded in Volume 598 of Deeds, Page 49 of Cuyahoga County Records; thence South 68° 30' 40" West, along the Northwesterly line of land to conveyed to Theresa Yahraus, as aforesaid, and parallel with the Northerly line of said Sublot No. 9, about 72.903 feet to the Easterly line of land conveyed to Jacob Svetina and Jerica Svetina, by deed dated April 13, 1925, and recorded in Volume 3240, Page 179 of Cuyahoga County Records; thence due North, along said Easterly line, about 81.036 feet to the place of beginning, 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. 108-07-049, as more fully described in Section 6 below, to Glenville Development Corp., 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. 108-07-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in G.S. Wheaton's Re-Allotment of a part of Sublot No. 4 in James Houghton's Subdivision of a part of Original One Hundred Acre Lots Nos. 360 and 368, as shown by the recorded plat of said Re-Allotment in Volume 7 of Maps, Page 22 of Cuyahoga County Records, bounded and described as follows: Beginning in the North-easterly line of East 96th Street, (formerly Pike Street) at a point distant Southeasterly measured along said Northeasterly line, 44 feet from its point of intersection with the Southeasterly line of Lowell Avenue, N.E.; thence Northwesterly along the Northeasterly line of East 96 Street, 44 feet to its point of intersection with the Southeast-erly line of Lowell Avenue, N.E., said Southeast-erly line of Lowell Avenue, N.E., being also the South-easterly line of land conveyed to Rudolph Sydow and Hulda Sydow, husband and wife, to The City of Cleveland, a municipal corporation, by deed dated July 1, 1909, and recorded in Volume 1200 of Deeds,

Page 381 of Cuyahoga County Records; thence North 68° 30' 40" East continuing along the South-easterly line of Lowell Avenue, N.E., 92-67/100 feet to a point; thence South 89° 28' 45" East continuing along the Southerly line of Lowell Avenue, N.E., 25-83/100 feet to a point; thence due South 36-88/100 feet along a line parallel with the Easterly line of said Sublot No. 10, to a point therein; thence South-westerly, along a line parallel with the Southerly line of said Sublot No. 10 about 103-41/100 feet to the place of beginning, according to a survey for I. Johnnes, by the Shamos and Brown Engineers, dated April 3, 1925.

**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. 108-08-019, as more fully described in Section 8 below, to Glenville Development Corp., 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. 108-08-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 72 in Schatzinger and Tremaine Subdivision of a part of Original 100 Acre Lot No. 361 as recorded in Volume 18, Page 7 of Cuyahoga County Map Records and bounded and described as follows:

Beginning in the southeasterly line of Elk Avenue, N.E., 40 feet wide at the northwesterly corner of said Sublot No. 72; thence north-easterly 47.97 feet along said south-easterly line of Elk Avenue, N.E., to the northeasterly corner of said Sublot No. 72 to a point thence Southerly, 103.50 feet along the Easterly line of Sublot No. 72 to a point; thence westerly 40.00 feet at right angles with said easterly line of Sublot No. 72 to a point in the westerly line thereof; thence northerly 76.79 feet along said westerly line of Sublot No. 72 to the place of beginning, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, September 8, 1952, be the same more or less, but subject to all legal highways. The above premises are subject to the following described driveway and sidewalk easement strip off the easterly side thereof for the purpose of ingress and egress to and from the premises adjoining southerly thereto, known as No. 9918 Elk Avenue, N.E., rear, Beginning in the southeasterly line of Elk Avenue, at the northeasterly corner of Sublot No. 72; thence southerly 103.50 feet along the easterly line of said Sublot No. 72 to a point; thence westerly 10.00 feet at right angles with said easterly line of Sublot No. 72 to a point; thence northerly 96.82 feet parallel with said easterly line of Sublot No. 72 to a point in the southeasterly line of Elk Avenue, N.E.; thence northeast-erly 11.99 feet along said southeast-erly line of Elk Avenue, N.E., to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Easement contained in Deed dated July 10, 1972 recorded in Volume 13116, Page 141 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. 108-08-025, as more fully described in Section 10 below, to Glenville Development Corp., 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. 108-08-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in Schatzinger and Tremaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 99th Street and extending back of equal width 120 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 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. 108-08-040, as more fully described in Section 12 below, to Glenville Development Corp., 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. 108-08-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in W. H. Van Tine's Jr., Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 101st Street (formerly Avondale Avenue) 142.16 feet deep on the Southerly line, 143.17 feet deep on the Northerly line, and 40.01 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to the conditions found in the deed from W. H. Van Tine, Jr., Trustee to William A. Maahs, dated 4/9/1892 and recorded in Volume 516, Page 450 of Cuyahoga County Records.

Also subject to 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. 108-08-041, as more fully described in Section 14 below, to Glenville Development Corp., 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. 108-08-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 48 in W. H. Van Tine, Jr. Trustee's Allotment of part of Original 100 Acre Lots Nos. 361 and 369 as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front

on the Westerly side of East 101st Street and extending back between parallel lines 143.17 feet deep on the Southerly line 144.18 feet deep on the Northerly line, and 40.01 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**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. 108-08-046, as more fully described in Section 16 below, to Glenville Development Corp., 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. 108-08-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 54 and the Southerly 4 feet of Sublot No. 55 in W. H. Van Tine Jr. Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Westerly side of East 101st Street (formerly Avondale Avenue), and extending back about 151 feet deep on the Northerly line, 149.24 feet deep on the Southerly line which is also the Northerly line of Colonial Avenue, N.E., and being 40.01 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to the conditions of record found in the Deed recorded in Volume 516, Page 452 of Cuyahoga County Records.

**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. 108-08-066, as more fully described in Section 18 below, to Glenville Development Corp., or designee.

**Section 18.** That the real property to be sold pursuant to Section 17 more fully described as follows:

P.P. No. 108-08-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 53 in Schatzinger and Tremaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of Avondale Avenue, aka East 101st. Street and extending back of equal width 122-5/10 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. 108-08-070, as more fully described in Section 20 below, to Glenville Development Corp., or designee.

**Section 20.** That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 108-08-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 in the Schatzinger and Tremaine Subdivision of part of Original 100 Acre Lot No. 361 as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 101st Street, (formerly Avondale Avenue) and extending back of equal width 122.50 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 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. 108-09-018, as more fully described in Section 22 below, to Glenville Development Corp., 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. 108-09-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in W. H. Van Tine, Jr. Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 99th Street, and extending back of equal width 175 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 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. 108-09-019, as more fully described in Section 24 below, to Glenville Development Corp., 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. 108-09-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 20 in W. H. Van Tine Jr. Trustee's Allotment of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 99th Street (formerly Robinson Avenue) and extending back between parallel lines 175 feet, 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. 108-09-024, as more fully described in Section 26 below, to Glenville Development Corp., 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. 108-09-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in The United States Land Company's Resubdivision of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 43 of Maps, Page 24 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 99th Street, (formerly Robinson Avenue) and extending back 100 feet on the Northerly line, 74.76 feet on the Southerly line, and having a rear line of 56.01 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

**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. 108-09-048, as more fully described in Section 2 below, to Glenville Development Corp., 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. 108-09-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 96 in W. H. Van Tine, Jr. Trustee's Allotment of part of Original 100 Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 102nd Street, (formerly Eldridge Avenue) and extending back of equal width 122.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 108-09-060, as more fully described in Section 30 below, to Glenville Development Corp., 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. 108-09-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in W.H. Van Tine Jr., Trustee's Allotment of a part of Original East Cleveland Township Lots Nos. 361 and 369 as recorded in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Avondale Street (now known as East 101st Street, N.E.) and extending back of equal width 122.50 feet, as appears by said plat.

Also 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. 108-09-073, as more fully described in Section 32 below, to Glenville Development Corp., 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. 108-09-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 80 in W. H. Van Tine, Jr., Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Avondale Avenue, (now East 101 Street) and extending back of equal width 122.50 feet deep, as appears by said plat.

Also subject to zoning ordinances, if any.

**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. 108-09-076, as more fully described in Section 34 below, to Glenville Development Corp., 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. 108-09-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 83 in W. H. Van Tine Jr. Trustee's Allotment of part of Original 100 Acre Lots Nos. 361 and 369 as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 101st Street, and extending back between parallel lines, 122.50 feet deep 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. 108-09-078, as more fully described in Section 36 below, to Glenville Development Corp., 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. 108-09-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 85 in W.R. Van Tine Jr., Trustee's Allotment of part of Original One Hundred Acre Lot Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 101st Street, (formerly Avondale Avenue), and extending back of equal width 122.50 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 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. 108-09-081, as more fully described in Section 38 below, to Glenville Development Corp., 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. 108-09-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublots Nos. 24 and 132, in W. H. Van Tine, Jr. Trustee's Allotment, of part of Original 100 Acre lots, Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, bounded and described as follows: Beginning in the Westerly line of East 101st Street (formerly Avondale Avenue) at a point distant Southerly 33.00 feet, measured along said Westerly line, from the North-easterly corner of said Sublot No. 24; thence Southerly, along the Westerly line of East 101st Street, 40.00 feet; thence Westerly and parallel with the Northerly line or said Sublot No. 132, 142.81 feet to the Westerly line thereof; thence Northerly, along the Westerly line of said Sublot Nos. 132 and 24, 40.01 feet; thence Easterly, parallel with the Northerly line of Sublot No. 132, to the place of beginning according to the Survey of Charles W. Root, Registered Professional Engineer and Surveyor.

Also 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. 108-09-084, as more fully described in Section 40 below, to Glenville Development Corp., 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. 108-09-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the rear 63 feet of Sublot No. 26 in W.H. Van Tine, Jr., Trustee's Allotment of part of Original One Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being more particularly described as follows: Beginning at a point on the Northerly line of said Sublot No. 26, 63 feet Easterly from the Westerly limit of said Northerly line; thence 63 feet Westerly along said Northerly line of said Sublot No. 26 to the point of intersection with the extreme Westerly boundary of said Sublot No. 26; thence Southerly 40-1/100 feet along the Westerly boundary of said Sublot No. 26 of the point of intersection of said Westerly line with the Southerly of said Sublot No. 26; thence Easterly along said Southerly line of said Sublot No. 26, 63 feet; thence Northerly to the place of beginning hereunder, approximately 40 feet, as appears by said plat.

**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. 108-09-089, as more fully described in Section 42 below, to Glenville Development Corp., 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. 108-09-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in W. H. Van Tine Jr. Trustee's Allotment of part of Original 100 Acre Lots Nos. 361 and 369 as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 101st Street and extending back between parallel lines 126.98 feet deep on the Northerly line, 125.97 feet deep on the Southerly line and 40.01 feet wide in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 108-09-106, as more fully described in Section 44 below, to Glenville Development Corp., 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. 108-09-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 26 in W.H. Van Tine, Jr. Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 101st Street, (formerly Avondale Avenue), and extending back 82.90 feet deep on the Southerly line, 83.91 feet deep on the Northerly line and having a rear line of 40.01 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to 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. 108-10-024, as more fully described in Section 46 below, to Glenville Development Corp., 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. 108-10-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 361 and bounded and described as follows: Beginning on the Easterly line of East 102nd Street (formerly Eldridge Avenue), at a point 270 feet Northerly from the intersection of said Easterly line of East 102nd Street with the Southerly line of a parcel of land conveyed to Lillian D. Foster by deed dated July 7, 1885 and recorded in Volume 381, Page 526 of Cuyahoga County Records; thence Northerly along the Easterly line of East 102nd Street, 50 feet to the Southerly line of land conveyed to Gertrude E. Southey by deed recorded in Volume 1160, Page 30 of Cuyahoga County Records; thence Easterly at right angles with the Easterly line of East 102nd Street and along the Southerly line of land so conveyed to Gertrude E. Southey, as aforesaid, 130 feet; thence Southerly and parallel with East

102nd Street, 50 feet; thence Westerly, 130 feet to the place of beginning, and being further known as all of Sublot No. 36 and the Northerly 10 feet of Sublot No. 37 in Lillian D. Foster's Proposed Allotment of part of Original One Hundred Acre Lot No. 361. Be the same more or less, but subject to all legal highways.

Driveway Easement by instrument dated June 30, 1950 and recorded in Volume 7036, Page 277 of Cuyahoga County Records.

Also subject to Zoning Ordinances, if any.

**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. 108-10-025, as more fully described in Section 48 below, to Glenville Development Corp., 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. 108-10-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of One Hundred Acre Lot 361 and bounded and described as follows: Beginning on the Easterly line of East 102nd Street (formerly Eldridge Avenue) at a point 228 feet Northerly from the intersection of the said Easterly line of East 102nd Street with the Southerly line of a parcel of land conveyed to Lillian D. Foster by deed dated July 7, 1885, and recorded in Volume 381, Page 526 of Cuyahoga County Records; thence Northerly along the Easterly line of East 102nd Street, 42 feet; thence Easterly on a line parallel with the Southerly line of land conveyed by Lillian D. Foster, and Robert Foster to Gertrude E. Southey, by deed dated March 14, 1908, and recorded in Volume 1160, Page 30 of Cuyahoga County Records; 130 feet; thence Southerly and parallel with the Easterly line of East 102nd Street 42 feet; thence Westerly and parallel with the said Southerly line of land conveyed to said Gertrude E. Southey, 130 feet to the place of beginning, and being further known as the Southerly 30 feet of Sublot No. 37, and the Northerly 12 feet of Sublot No. 38 in The Lillian D. Foster's proposed Allotment of part of Original One Hundred Acre Lot No. 361, be the same more or less, but subject to all legal highways.

Driveway Easement by instrument dated June 30, 1950 and recorded in Volume 7036, Page 277 of Cuyahoga County Records.

Subject to 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. 108-10-032, as more fully described in Section 50 below, to Glenville Development Corp., 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. 108-10-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 in the Curtis Ambler Realty Com-

pany's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 103rd Street and extending back of equal width 78.38 feet on the Northerly line, 78.37 feet on the Southerly line and having a rear line of 40 feet.

Also subject to 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. 108-10-063, as more fully described in Section 52 below, to Glenville Development Corp., 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. 108-10-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 82 in the Curtiss-Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 103rd Street, and extending back of equal width 78.35 feet, as appears by said plat.

Subject to 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. 108-11-003, as more fully described in Section 54 below, to Glenville Development Corp., 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. 108-11-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in W. H. Van Tine Jr. Trustee's Allotment of part of Original 100 Acre Lot Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 102nd Street (formerly Eldridge Avenue) 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 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. 108-11-004, as more fully described in Section 56 below, to Glenville Development Corp., 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. 108-11-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 118 in W. H. Van Tine, Jr., Trustee's Subdivision of part of Original 100

Acre Lots No. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records and being a parcel of land 40 feet front on the Easterly side of East 102nd Street (formerly Eldridge Avenue) and extending back of equal width 130 feet, excepting however, that part of said Sublot No. 118 conveyed to the City of Cleveland, by deed dated October 22, 1913 and recorded in Volume 1532, Page 134 of Cuyahoga County Records, for Colonial Avenue, N.E.

**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. 108-11-013, as more fully described in Section 58 below, to Glenville Development Corp., 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. 108-11-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet of Sublot No. 127 in W. H. Van Tine Jr., Trustee's Subdivision of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 102nd Street (formerly Eldridge Avenue), 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 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. 108-11-014, as more fully described in Section 60 below, to Glenville Development Corp., 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. 108-11-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 128 and Southerly 5 feet from front to rear of Sublot No. 127 in W. H. Van Tine, Jr., Trustee's Allotment of part of Original 100 Acre Lots Nos. 361 and 369 as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and together forming a parcel of land 45 feet front on the Easterly side of East 102nd Street (formerly Eldridge Avenue) 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 61.** 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. 108-11-021, as more fully described in Section 62 below, to Glenville Development Corp., or designee.

**Section 62.** That the real property

to be sold pursuant to Section 61 of this Ordinance is more fully described as follows:

P.P. No. 108-11-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in A.L. Draper's Subdivision of part of Original 100 Acre Lot No. 361 as shown by the recorded plat in Volume 22 of Maps, Page 18 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 63.** 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. 109-20-008, as more fully described in Section 64 below, to Glenville Development Corp., or designee.

**Section 64.** That the real property to be sold pursuant to Section 63 of this Ordinance is more fully described as follows:

P.P. No. 109-20-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in the Lakeview Road Allotment of part of Original One Hundred Acre Lot No. 371, as shown by the recorded plat of said Allotment in Volume 52 of Maps, Page 38 of Cuyahoga County Records, and being 50 feet front on the Westerly side of Lakeview Road NE, and extending back 118.08 feet on the Northerly line, 125.545 feet on the Southerly line, (which is also the Northerly line of Berkshire Avenue, NE) and having a rear line of 49.44 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 65.** 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 66.** 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 67.** 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 68.** 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 October 28, 1996.

Effective October 29, 1996.

**Ord. No. 1799-96.**

**By Councilmen Rybka, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6917 Gertrude Avenue to Cleveland Housing Network.**

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. 132-15-114, as more fully described in Section 2 below, to Cleveland Housing Network.

**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. 132-15-114

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 240 in Stone Hickox, Hosmer Bates and Smith's Allotment of part of Original One Hundred Acre Lots Nos. 313 and 314, as shown by the recorded plat in Volume 5 of Maps, Page 61 of Cuyahoga County Records and being 40 feet front on the Northerly side of Gertrude Avenue, S.E. (formerly Third Avenue) and extending back of equal width 130 feet as appears by said plat.

**Section 3.** 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 4.** 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 5.** 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 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 October 28, 1996.  
Effective October 29, 1996.

**Ord. No. 1834-96.**  
**By Councilman Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and bounded by East 55th to East 65th Streets, north to Central and south to Quincy Avenue to Burten, Bell and Carr 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. 118-28-040, as more fully described in Section 2 below, to Burten, Bell and Carr 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. 118-28-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 40 feet of the Northerly 148 feet of Sublot No. 244 in W. S. Chamberlain's Allotment of part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 59th Street, (formerly First Avenue) and extending back between parallel lines 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Covenants and restrictions recorded in Volume 1637, Page 244 of Cuyahoga County Records.

Subject to Restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

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. 118-28-041, as more fully described in Section 4 below, to Burten, Bell and Carr 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. 118-28-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 108 feet of Sublot No. 244 in W. S. Chamberlain's Allotment of part of Original 100 Acre Lot No. 334, as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Central Avenue, S.E., (formerly Garden Street), and extends back between parallel lines 108 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 118-28-042, as more fully described in Section 6 below, to Burten, Bell and Carr 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. 118-28-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 41 feet front from rear of Sublot No. 243, in W.S. Chamberlain's Allotment of part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records, and being 41 feet front on the Southerly side of Central Avenue, S.E. and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also 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. 118-29-003, as more fully described in Section 8 below, to Burten, Bell and Carr 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. 118-29-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 52 in Chamberlain Allotment of part of Original 100 Acre Township Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and forming a parcel of land 40 feet front on the Southerly side of Central Avenue (formerly Garden Street) and extending back between

parallel lines 160 feet deep, as appears by said plat.

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. 118-29-004, as more fully described in Section 10 below, to Burten, Bell and Carr 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. 118-29-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 53 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and forming a parcel of land 40 feet front on the Southerly side of Central Avenue (formerly Garden Street) and extending back between parallel lines 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also 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. 118-29-005, as more fully described in Section 12 below, to Burten, Bell and Carr 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. 118-29-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 54 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Central Avenue, S.E. (formerly Garden Street) and extending back between parallel lines 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

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. 118-29-006, as more fully described in Section 14 below, to Burten, Bell and Carr 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. 118-29-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 55 W.S. and M. W. Chamberlain's

Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet on the Southerly side of Central Avenue, S.E. (formerly Garden Street) and extends back between parallel lines 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**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. 118-29-007, as more fully described in Section 16 below, to Burten, Bell and Carr 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. 118-29-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 103 feet of Sublot No. 56 in W. S. And M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records. Said part of Sublot No. 56 has a frontage of 40 feet on the Southerly side of Central Avenue, S.E. (formerly Garden Street) and extends back between parallel lines 103 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. 118-29-009, as more fully described in Section 18 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 18.** That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 118-29-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 96 in W. S. And M.W. Chamberlain Subdivision of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and bounded and described as follows: Beginning at the intersection of the Easterly line of East 61st Street with the Southerly line of Central Avenue, S.E.; thence Easterly along the Southerly line of Central Avenue, S.E.; 40-00/100 feet to the Northeastly corner of said Sublot No. 96; thence Southerly along the Easterly line of said Sublot No. 96, 124-77/100 feet; thence Westerly parallel with the Southerly line of Central Avenue S.E. 40-00/100 feet; thence Westerly parallel with the Southerly line of Central Avenue S.E. 40-00/100 feet to the Easterly line of East 61st Street; thence Northerly along the Easterly line of East 61st Street, 124-77/100 feet to

the place of beginning, 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. 118-29-011, as more fully described in Section 20 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 20.** That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 118-29-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 98 in W. S. And M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 28 of Cuyahoga County Records.

Said Sublot No. 98 has a frontage of 40 feet on the Southerly side of Central Avenue S.E. and extends back between parallel lines 160 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 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. 118-29-012, as more fully described in Section 22 below, to Burten, Bell and Carr 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. 118-29-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 99 in W.S. And M.W. Chamberlain's Allotment of a part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Central Avenue S.E. and extending back between parallel lines 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 118-29-013 and 118-29-014, as more fully described in Section 24 below, to Burten, Bell and Carr 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. 118-29-013 and 014

PARCEL NO. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 101 in W. S. and M.W. Chamberlain's Subdivision of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 28 of Cuya-

hoga County Records. Said Sublot No. 101 has a frontage of 40 feet on the Southerly side of Central Avenue S.E., (formerly Garden Street), and extends back between parallel lines 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sublot No. 100 in W.S. and M.W. Chamberlain's Allotment of part of Original one hundred acre lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Southerly side of Central Avenue S.E. and extends back between parallel lines 160 feet deep 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. 118-29-071, as more fully described in Section 26 below, to Burten, Bell and Carr 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. 118-29-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of the Southerly 57 feet of Sublots Nos. 56 and 57 in W.S. and M.W. Chamberlain's Subdivision of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 28 of Cuyahoga County Records.

Said parts of Sublots Nos. 56 and 57 together form a parcel of land having a frontage of 30 feet on the Westerly side of East 61st Street (formerly Lodge Avenue), and extending back between parallel lines 80 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**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. 118-29-072, as more fully described in Section 28 below, to Burten, Bell and Carr 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. 118-29-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 27 feet of Sublots Nos. 56 and 57 in W.S. and M.W. Chamberlain's Allotment of part of Original 100 Acre Lot Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records.

Said parts of Sublots Nos. 56 and 57 together form a parcel of land having a frontage of 27 feet on the Westerly side of East 61st Street (formerly Lodge Avenue), and extending back between parallel

lines 80 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also 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. 118-29-109, as more fully described in Section 30 below, to Burten, Bell and Carr 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. 118-29-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 103 in the Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335, as shown by the recorded plat of Said Subdivision in Volume 3 of Maps, Page 28 of Cuyahoga County Records, bounded as follows:

Beginning at a point in the Westerly side of East 63rd Street distant Northerly 35-56/100 feet from the Southeasterly corner of said Sublot No. 103; thence Northerly along the Westerly side of East 63rd Street, 50-00/100 feet to a point; thence Westerly, 40-00/100 feet to an iron pin in the Westerly line of said Sublot No. 103, which from pin is distant Northerly 85-56/100 feet from the Southwesterly corner of said Sublot No. 103; thence Southerly along the Westerly line of said Sublot; 50-20/100 feet to an iron pin; thence Easterly 40-00/100 feet to the place of beginning.

Together with and subject to an easement over the Southerly four feet of the property next North of and adjoining the above described premises and over the Northerly four feet of the above described property extending from the Westerly line of East 63rd Street, Westerly to the Westerly line of said Sublot No. 103, to be used by the Grantor and Grantee and their respective heirs and assigns forever, as a means of ingress and egress to their respective lands, according to the survey of Charles W. Root, Registered Professional Engineer and Surveyor, be the same more or less, but subject to all legal highways. Easement recorded in Volume 9728, Page 324 of Cuyahoga County Records.

**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. 118-29-111, as more fully described in Section 32 below, to Burten, Bell and Carr 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. 118-29-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 98 in the W.S. and M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records.

Said Sublot No. 98 has a frontage of 40 feet on the Southerly side of Central Avenue S.E. and extends back between parallel lines 160 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 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. 118-30-001, as more fully described in Section 34 below, to Burten, Bell and Carr 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. 118-30-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 144 in the W. S. and M. W. Chamberlain Subdivision of part of Original 100 Acre Lot No. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, page 28 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Easterly line of East 63rd Street (formerly Richland Avenue) at the Northwest corner of said Sublot No. 144; thence Southerly along the Easterly line of East 63rd Street, 47-57/100 feet; thence Easterly 40 feet to a point 47-52/100 feet Southerly from the Southerly line of Central Avenue S.E.; thence Northerly 47-52/100 feet to the Southerly line of Central Avenue S.E.; thence Westerly along the Southerly line of Central Avenue S.E. 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 1369, Page 428 of Cuyahoga County Records.

Subject to 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. 118-30-002, as more fully described in Section 36 below, to Burten, Bell and Carr 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. 118-30-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 145 in W. S. and M. W. Chamberlain's Subdivision of part of Original 100 Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Southerly side of Central Avenue S.E. and extending back of equal width 160 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 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. 118-30-003, as

more fully described in Section 38 below, to Burten, Bell and Carr 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. 118-30-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 146 in W.S. and M. W. Chamberlain's Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat of said allotment in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Central Avenue, S.E. and extending back between parallel lines, 160 feet deep 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. 118-30-054, as more fully described in Section 40 below, to Burten, Bell and Carr 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. 118-30-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 144 in W.S. and M.W. Chamberlain's Subdivision of part of Original One Hundred Acre Lot Nos. 334 and 335, the plat of which is recorded in Volume 3 of Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Easterly line of 63rd Street (formerly Richard Avenue) 80 feet Southerly from the Southerly line of Central Avenue; thence Easterly, parallel with Central Avenue, 40 feet; thence Southerly, parallel with East 63rd Street (formerly Richland Avenue) 30 feet; thence Westerly, parallel with Central Avenue, 40 feet to the Easterly line of East 63rd Street (formerly Richland Avenue) thence Northerly along East 63rd Street (formerly Richland Avenue), 30 feet to the place of beginning, 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. 118-30-055, as more fully described in Section 42 below, to Burten, Bell and Carr 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. 118-30-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 144 in W.S. and M.W. Chamberlain's Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat



in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 63rd Street (formerly Richland Avenue) at a point 47.57 feet Southerly from its point of intersection with the Southerly line of Central Avenue S.E. (formerly Garden Street); thence Easterly 40 feet to a point on the Easterly line of said Sublot No. 144, 47.52 feet Southerly from the Southerly line of Central Avenue S.E.; thence Southerly along said Easterly line of Sublot No. 144, 32.48 feet; thence Westerly on a line parallel to said Southerly line of Central Avenue, S.E. 40 feet to the Easterly line of East 63rd Street; thence Northerly along the Easterly line of East 63rd Street, 32.43 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 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. 118-30-041, as more fully described in Section 44 below, to Burten, Bell and Carr 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. 118-30-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 132 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 118-30-042, as more fully described in Section 46 below, to Burten, Bell and Carr 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. 118-30-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 133 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, 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. 118-30-043, as more fully described in Section 48 below, to Burten, Bell and Carr 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. 118-30-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 35 feet of Sublot No. 134 in the Chamberlain Allotment of part of Original One Hundred Acre Lot Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 63rd Street (formerly Richland Avenue) and extending back of equal width 160 feet, be the same more or less, but subject to all legal highways.

**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. 118-30-044, as more fully described in Section 50 below, to Burten, Bell and Carr 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. 118-30-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the northerly five feet of Sublot 134 and all of Sublot 135, Chamberlain's Subdivision, Plat Book 3, Page 28, Cuyahoga County Records, 45 feet on the easterly side of East 63rd Street, extending back between parallel lines 160 feet, be the same more or less, but subject to all legal highways.

**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. 118-30-045, as more fully described in Section 52 below, to Burten, Bell and Carr 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. 118-30-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 136 in W.S. and M.W. Chamberlain's allotment of a part of Original 100 acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 63rd Street (formerly Richland Avenue) and being 160 feet deep, be the same more or less, but subject to all legal highways.

**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. 118-30-046, as more fully described in Section 54 below, to Burten, Bell and Carr 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. 118-30-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 137 in W.S. and M.W. Chamberlain's Subdivision of part of Original 100

Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of Richland Avenue (now known as E. 63rd Street) and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 118-30-047, as more fully described in Section 56 below, to Burten, Bell and Carr 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. 118-30-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 138 in The Chamberlain Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 28 of Cuyahoga County Records. Said Sublot No. 138 has a frontage of 40 feet on the Easterly side of East 63rd Street (formerly Richland Avenue) and extends back between parallel lines 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to 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. 118-30-048, as more fully described in Section 58 below, to Burten, Bell and Carr 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. 118-30-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 139 in Chamberlain Allotment of part of Original 100 Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 118-30-049, as more fully described in Section 60 below, to Burten, Bell and Carr 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. 118-30-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 140 in Chamberlain Allotment of part of Original 100 Acre Lot No. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records as

appears by said plat, be the same more or less, but subject to all legal highways.

**Section 61.** 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. 118-30-050, as more fully described in Section 62 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 62.** That the real property to be sold pursuant to Section 61 of this Ordinance is more fully described as follows:

P.P. No. 118-30-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 141 in W.S. and M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 63rd Street (formerly Richland Avenue) and extending back of equal width 160 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**Section 63.** 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. 118-30-051, as more fully described in Section 64 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 64.** That the real property to be sold pursuant to Section 63 of this Ordinance is more fully described as follows:

P.P. No. 118-30-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 142 in W.S. and M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 63rd Street (formerly Richland Avenue) and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 65.** 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. 118-30-052, as more fully described in Section 66 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 66.** That the real property to be sold pursuant to Section 65 of this Ordinance is more fully described as follows:

P.P. No. 118-30-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 143 in W.S. and M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Richland Avenue, (now known as East 63rd Street), and extending

back of equal width 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions of record and zoning ordinances, if any.

**Section 67.** 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. 118-29-019, as more fully described in Section 68 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 68.** That the real property to be sold pursuant to Section 67 of this Ordinance is more fully described as follows:

P.P. No. 118-29-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 106 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 69.** 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. 118-29-020, as more fully described in Section 70 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 70.** That the real property to be sold pursuant to Section 69 of this Ordinance is more fully described as follows:

P.P. No. 118-29-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 107 in W. S. and M. W. Chamberlain's Subdivision of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 63rd Street (formerly Richland Avenue) at the Southeastly corner of said Sublot No. 107; thence Northerly, along said Westerly line of East 63rd Street, 4 feet; thence Westerly and parallel with the Southerly line of said Sublot, 100 feet; thence Northerly and parallel with said Westerly line of East 63rd Street, 36 feet to the Northerly line of said Sublot; thence Westerly along the Northerly line of said Sublot, 60 feet to the northwesterly corner thereof; thence Southerly along the Westerly line of said Sublot, feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot 160 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 71.** 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. 118-29-025, as more fully described in Section 72 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 72.** That the real property to be sold pursuant to Section 71 of

this Ordinance is more fully described as follows:

P.P. No. 118-29-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 112 in W. S. and M. W. Chamberlain's Subdivision of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 63rd Street, (formerly Richland Avenue), and extending back of equal width 160 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 73.** 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. 118-29-026, as more fully described in Section 74 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 74.** That the real property to be sold pursuant to Section 73 of this Ordinance is more fully described as follows:

P.P. No. 118-29-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 113 in W.S. and M.W. Chamberlain's Allotment of part of Original 100 Acre Lot Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 63rd Street and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**Section 75.** 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. 118-29-027, as more fully described in Section 76 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 76.** That the real property to be sold pursuant to Section 75 of this Ordinance is more fully described as follows:

P.P. No. 118-29-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 114 in W. S. and M. W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records.

Also subject to zoning ordinances, if any.

**Section 77.** 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. 118-29-065, as more fully described in Section 78 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 78.** That the real property to be sold pursuant to Section 77 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in Chamberlain Allotment of part of Original One Hundred Acre Lot Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 59th Street, and extending back of equal width 160 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 79.** 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. 118-29-066, as more fully described in Section 80 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 80.** That the real property to be sold pursuant to Section 79 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in W. S. Chamberlain's Subdivision of part of original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat of said subdivision in Volume 3 of Maps, Page 28 of Cuyahoga County Records. Said Sublot No. 47 has a frontage of 40 feet on the Easterly side of East 59th Street, (formerly First Avenue) and extends back between parallel lines 160 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 81.** 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. 118-29-104, as more fully described in Section 82 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 82.** That the real property to be sold pursuant to Section 81 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 92 in W.S. and M.W. Chamberlain allotment of part of original 100 acre Lots Nos. 334 and 335 as shown by the recorded plat of said allotment in Volume 3 of maps Page 28 of Cuyahoga County Records Sublot No. 92 has a frontage of 40 feet on the Easterly side of E. 61st Street (formerly Lodge Avenue) and extends back between parallel lines 160 feet and is 40 feet wide in the rear as appears by said plat.

Subject to Zoning Ordinances, if any.

**Section 83.** 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. 118-29-106, as more fully described in Section 84 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 84.** That the real property to be sold pursuant to Section 83 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 94 in Chamberlain Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 85.** 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. 118-29-107, as more fully described in Section 86 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 86.** That the real property to be sold pursuant to Section 85 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in The Chamberlain Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 61st Street (formerly Lodge Avenue) and extending back between parallel lines 160 feet, as appears by said plat.

Subject to zoning ordinances, if any.

**Section 87.** 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. 118-29-112, as more fully described in Section 88 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 88.** That the real property to be sold pursuant to Section 87 of this Ordinance is more fully described as follows:

## P.P. No. 118-29-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 107 in W.S. and M.W. Chamberlain's Subdivision of part of Original One Hundred Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of East 63rd Street (formerly Richland Avenue) at the Northeastly corner of said Sublot No. 107; thence Southerly along said Westerly line of East 63rd Street, 36 feet; thence Westerly and parallel with said Westerly line of East 63rd Street 36 feet to the Northerly line of said Sublot; thence Easterly along said Northerly line 100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 89.** 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. 118-28-021, as

more fully described in Section 90 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 90.** That the real property to be sold pursuant to Section 89 of this Ordinance is more fully described as follows:

## P.P. No. 118-28-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 60 feet of Sublots Nos. 227 and 228 in the W.S. Chamberlain's Subdivision of part of Original 100 Acre Lot No. 334 as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records.

Said Southerly 60 feet of said Sublot Nos. 227 and 228 together form a parcel of land having a frontage of 100 feet 3/4 inches on the Northerly side of Quincy Avenue S.E. and extending back between parallel lines 60 feet on the Easterly line of said land being the Westerly line of East 59th Street, formerly First Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 91.** 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. 118-28-022, as more fully described in Section 92 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 92.** That the real property to be sold pursuant to Section 91 of this Ordinance is more fully described as follows:

## P.P. No. 118-28-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of the Southerly 90 feet of Sub-lots Nos. 227 and 228 in W. S. Chamberlain's Allotment of part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 59th Street (60 feet wide) (formerly First Avenue), and extending back of equal width 100 feet 3/4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 93.** 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. 118-28-038, as more fully described in Section 94 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 94.** That the real property to be sold pursuant to Section 93 of this Ordinance is more fully described as follows:

## P.P. No. 118-28-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet from front to rear of Sublot No. 240 in W. S. Chamberlain's Allotment of part of Original 100 Acre Lot No. 334 as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records, and being 35 feet front on the Westerly side of First Avenue (now known as East 59th Street) and extending back of equal width 150 feet deep as appears by said

plat, be the same more or less, but subject to all legal highways.

**Section 95.** 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. 118-30-053, as more fully described in Section 96 below, to Burten, Bell and Carr Development Corporation or designee.

**Section 96.** That the real property to be sold pursuant to Section 95 of this Ordinance is more fully described as follows:

P.P. No. 118-30-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 144 of the Subdivision by W.S. and M.W. Chamberlain of a part of Original One Hundred Acre Lot Nos. 334 and 335 in said City of Cleveland, reference being had to the Survey and plat of said Subdivision recorded in Cuyahoga County Records of Maps, Volume 3, Page 28. The part of said Sublot No. 144 hereby conveyed is the rear 50 feet of the same, fronting 50 feet on Richland Avenue (now known as East 63rd Street) and extending back of equal width a depth of 40 feet, be the same more or less, but subject to all legal highways.

**Section 97.** 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 98.** 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 99.** 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 100.** 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 October 28, 1996.  
Effective October 29, 1996.

**Ord. No. 1990-96.  
By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Mindsaver's, Inc. dba Sunrise Home Health Care, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building at 3334 Prospect Avenue, Cleveland, Ohio and to partially finance the acquisition of equipment and to pay for relocation costs.**

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 a contract with Mindsaver's, Inc. dba Sunrise Home Health Care, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building at 3334 Prospect Avenue, Cleveland, Ohio and to partially finance the acquisition of equipment and to pay for relocation costs.

**Section 2.** That the terms of said loan shall be determined in accordance with the terms as set forth in

the Executive Summary contained in File No. 1990-96-A.

**Section 3.** That the costs of said contract shall not exceed Two Hundred Fifty Two Thousand Three Hundred Dollars (\$252,300.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22283.

**Section 4.** That the Director of Economic Development is hereby authorized to accept collateral as said director shall deem adequate in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** 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 6.** 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 to and expended from Fund No. 18 SF 004, Loan Fees Fund.

**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 October 28, 1996.  
Effective November 5, 1996.

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