

# The City Record

Official Publication of the City of Cleveland

July the Thirtieth, Nineteen Hundred and Ninety-Seven

<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	John C. Skrha
14	Helen K. Smith
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	8
Board of Zoning Appeals	8
Board of Building Standards and Building Appeals	8
Public Notices	10
Public Hearings	10
City of Cleveland Bids	10
Adopted Resolutions and Ordinances	12
Committee Meetings	43
Index	44

FIRST-CLASS MAIL  
U. S. POSTAGE PAID  
CLEVELAND, OHIO  
Permit No. 1372

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

# 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	John C. Skrha	5100 Broadway Avenue	44127
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

**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.  
 Susan E. Axelrod, Executive Assistant for Communications and Support Services  
 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 Flr., Court Towers, 1200 Ontario  
 Carolyn Watts-Allen, Chief Asst. Prosecutor  
 Lessie M. Milton, Chief Counsel

**DEPT. OF FINANCE** - Martin L. Carmody, 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 - Robert J. Schneider, Commissioner, Room 122  
 Purchases and Supplies - William A. Moon, Commissioner, Room 128  
 Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue  
 Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
 Financial Reporting and Control - Keith D. Schuster, Controller, Room 18  
 Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

**DEPT. OF PUBLIC UTILITIES** - Michael Konicek, Director, 1201 Lakeside Avenue  
**DIVISIONS** - 1201 Lakeside Avenue  
 Water - Julius Ciaccia, Jr., Commissioner  
 Water Pollution Control - Darnell Brown, Commissioner  
 Utilities Fiscal Control - M. Blech, Commissioner  
 Cleveland Public Power - Jim Majer, Acting 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, Daniel A. Novak, Acting Commissioner, Harvard Yards  
 Architecture - Kenneth Nobile, Commissioner, Room 517

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

**DEPT. OF PUBLIC SAFETY** - William M. Denihan, Director, Room 230.  
**DIVISIONS** - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
 Fire - 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 - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
 Park Maintenance and Properties -Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.  
 Recreation - Michael Cox, Acting Commissioner, Room 8  
 Research, Planning & Development - 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 - Jack F. Krumhansl, Acting 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 A. Lynch, Director

**COMMUNITY RELATIONS BOARD** - Room 11, Gary L. Holland, 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, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, 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; \_\_\_\_\_, 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, \_\_\_\_\_, Councilman 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 Nobile, 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



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, JULY 30, 1997

No. 4364

## CITY COUNCIL

MONDAY, JULY 28, 1997

### The City Record

Published weekly under authority of the Charter of the City of Cleveland  
Subscription (by mail) \$75.00 a year  
January 1 to December 31  
Interim subscriptions prorated \$6.00 per month  
Address all communications to

### 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; Patton, Robinson, Skrha, Sweeney, White.

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

#### MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; White, Vice Chairman; Britt, Johnson, Melena, Moran, Smith, Sweeney, Westbrook.

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

#### MONDAY

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

#### TUESDAY

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

1:30 P.M.—**Legislation Committee:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Smith, Chairman; Sweeney, Vice Chairman; Dolan, Patton, Skrha, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Moran, Patton, Zone.

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Dolan, Lewis, Moran, Patmon, Skrha, Willis.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; Jackson, Gordon, Skrha, 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

July 23, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 23, 1997, at 11:30 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.  
Absent: Director Carmody.

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

On motion, the following resolutions were adopted.

#### Resolution No. 572-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of June, 1997 in the amount \$16,572.63, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: Director Denihan.

#### Resolution No. 573-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Lucier Chemical Industries, Ltd., dba LCI Ltd, Inc. for an estimated quantity of sodium fluo-

rosilicate and fluorosilicic acid (items I and II for the first year with an option exercisable by the Director of Public Utilities to renew for the second year) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract received on the 18th day of June, 1997, pursuant to the authority of Section 129.24 of the Codified Ordinance of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Two Hundred Ninety Thousand Eight Hundred Sixty Three and 80/100 Dollars (\$290,863.80) (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. 00886-\$50,000.00  
00883-\$50,000.00

which shall be certified against such contract in the sum of One Hundred Thousand Dollars (\$100,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: Director Denihan.

#### Resolution No. 574-97.

By Director Guzman.

Whereas, pursuant to the authority of Ordinance No. 1161-94, passed by the Council of the City of Cleveland on July 20, 1994, and Resolution No. 569-94, adopted by this Board of Control on August 3, 1994, the City through its Director of Public Service, entered into Contract No. 48132 with McCoy Associates, Inc. (Engineer), for the purpose of supplementing the regularly employed staff of the several departments of the City in order to obtain professional engineering services required for the design and preparation of plans and specifications for the rehabilitation of Quincy Avenue bridge over G.C.R.T.A. and Norfolk Southern Railway Co., City bridge No. 4:029M; and

Whereas, the City desires to increase the original scope of services to include the preparation of additional Right of Way plans and the design of a new pier for the reconstruction of the Quincy Avenue Bridge; and

Whereas, Engineer has proposed by its February 17, 1994 Proposal Fee Summary Sheet and its June 13, 1997 letter to perform the additional engineering services required; now, therefore,

Be it resolved that the Director of Public Service hereby is authorized to enter into a first modification to Contract No. 48132 with McCoy Associates, Inc. for the aforementioned additional services. The compensation for such additional services will increase the total fee from \$182,000.00 to \$193,547.48. The modification authorized hereby shall be prepared by the Director of Law and shall include such provisions as he deems necessary to benefit and protect the public interest.

Be it further resolved that all other terms and provisions of Contract No. 48132 not expressly modified hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 575-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Southeast Chevrolet Co. dba Tony LaRiche Chevrolet for an estimated quantity of Chevrolet parts and labor if necessary for cars, light duty trucks and vans (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the June 20, 1997, pursuant to the authority of Ordinance No. 545-97, passed June 2, 1997, which on the basis of the estimated quantity would amount to approximately Two Hundred Twenty Thousand and no/100 Dollars (\$220,000.00) (net 30 days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service 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. 105690 which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars (\$40,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 576-97.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that all bids received on July 10, 1997 for Laying, Re-Laying, and Repairing of Sidewalks in all Districts of the City (Assessment Program) for the Division of Engineering and Construction, Department of Public Service, pursuant to the authority of Ordinance

No. 1072-97, passed by the Council of the City of Cleveland on June 16, 1997 be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 577-97.**

By Director Staib.

Whereas, pursuant to the authority of Section 141.37 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 512-96, adopted July 31, 1996, the City entered into an agreement with Neil M. Conway, Ph.D., ("Consultant") for professional services for the City of Cleveland's high-complexity blood lead testing laboratory in the Division of Environment, Department of Public Health, Contract No. 50507, for a term of one (1) year expiring August 7, 1997; and

Whereas, the City needs the professional services provided by the Consultant for an additional ninety (90) days; and

Whereas, sufficient funds are certified to said Contract No. 50507 to pay the cost of Consultant's services for the additional term; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Health is hereby authorized to enter into a first amendment to the agreement between the City of Cleveland and Neil M. Conway, Ph.D., ("Consultant"), Contract No. 50507, which amendment shall extend the agreement term for a period not to exceed ninety (90) days, provided that the total amount to be paid to the Consultant for all services under the agreement as amended shall not exceed the amount of \$14,000.

Be it further resolved that the Director of Public Health is hereby authorized to complete and execute any documents necessary and appropriate to effect the amendment hereby authorized.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 578-97.**

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 135.26 of the Codified Ordinances of the City of Cleveland, 1976, the Director of Public Safety is hereby authorized to enter into an agreement with the Village of Linndale for the furnishing of fire protection services commencing January 1, 1996 through December 31, 1996, at a rate of \$20,000.00 per year and thereafter the agreement shall automatically be renewed, increasing the annual rate by \$500.00 per year, unless Cleveland or Linndale notifies the other in writing on or before the first day of October of the year prior to the calendar year for which the notification is to apply.

These sums shall be due and payable by the Village of Linndale as follows: One-half of the annual rate shall be paid by April 1 of the year in which the services are rendered, and the remaining one-half shall be paid in two equal installments on July 1 and October 1 of the year in which the services are rendered.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 579-97.**

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on May 30, 1997 for items for the City-Wide Street Name Sign Program (all items), for the Division of Traffic Engineering and Parking, Department of Public Safety pursuant to authority of Ordinance No. 571-97, passed by the Council of City of Cleveland on June 2, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 580-97.**

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. 006-22-081 and 006-22-152 located at 2155 and 2153 West 45 Street in Ward 14; 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, Katalin Balazs, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Katalin Balazs for the sale and development of Permanent Parcel No. 006-22-081 and 006-22-152 located at 2155 and 2153 West 45 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 581-97.**

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. 108-13-141 located at 10528-30 Glenville Avenue, N.E. in Ward 8; 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, Willie J. Bobo, 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 8 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Willie J. Bobo for the sale and development of Permanent Parcel No. 108-13-141 located at 10528-30 Glenville Avenue, N.E., 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 582-97.**

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. 014-07-014 located at Memphis Avenue in Ward 16; 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, Charter One Bank, 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 16 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Charter One Bank for the sale and development of Permanent Parcel No. 014-07-014 located at Memphis 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 \$25.00, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 583-97.**

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. 123-30-025 located at 5011 McBride Avenue in Ward 13; 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, Cleveland Housing Network, 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 13 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Commu-

nity Development, and the Mayor is hereby requested 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. 123-30-025 located at 5011 McBride 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 \$100, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 584-97.**

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. 123-30-076 located at 5019 McBride Avenue in Ward 13; 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, Cleveland Housing Network, 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 13 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Cleveland Housing Network for the sale and development of Permanent Parcel No. 123-30-076 located at 5019 McBride 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 \$100, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 585-97.**

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. 120-11-085 located at 1418 East 123 Street in Ward 9; 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, Annie J. and Darnell C. Hill, 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 9 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 Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Annie J. and Darnell C. Hill for the sale and development of Permanent Parcel No. 120-11-085 located at 1418 East 123 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 586-97.**

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. 120-05-061 and 120-05-062 located at 1351 and 1349 East 123 Street in Ward 9; 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, Juanita McFarland, 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 9 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Juanita McFarland for the sale and development of Permanent Parcel No. 120-05-061 and 120-05-062 located at 1351 and 1349 East 123 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 each, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 587-97.**

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. 123-21-099 located at 3108 Otokar Street, S.E. in Ward 13; 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, Judith B. and Jessie J. Mullins, abutting/adjacent landowners, are proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 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 Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Judith B. and Jessie J. Mullins for the sale and development of Permanent Parcel No. 123-21-099 located at 3108 Otokar Street, S.E., 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 588-97.**

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. 126-08-036 located at 9110 Beckman Avenue in Ward 6; 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, Linda Slone, 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 6 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 is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Linda Slone for the sale and development of Permanent Parcel No. 126-08-036 located at 9110 Beckman 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

**Resolution No. 589-97.**

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. 107-20-049, 107-20-050 and 107-20-101 under said Land Reutilization Program; and

Whereas, Ordinance No. 1007-97 passed June 16, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Sophia Denise Moncrieffe/Jordan 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. 1007-97 passed June 16, 1997 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 Sophia Denise Moncrieffe/Jordan for the sale and development of Permanent Parcel Nos. 107-20-049, 107-20-050 and 107-20-101, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 590-97.**

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. 118-03-008, 118-03-009 and 118-03-010 under said Land Reutilization Program; and

Whereas, Ordinance No. 860-97 passed June 16, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, David Whitaker and Jorethia Chuck have 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. 860-97 passed June 16, 1997 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 David Whitaker and Jorethia Chuck for the sale and development of Permanent Parcel Nos. 118-03-008, 118-03-009 and 118-03-010, 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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 591-97.**

By Director Spellman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Erie Shores Computer, Inc. for an estimated quantity of Computer hardware, software and peripherals items 1, 2 and 3A for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the July 17, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Two Hundred Five Thousand Three Hundred Seventeen and 00/100 Dollars (\$205,317.00), 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. 106226 which shall be certified against such contract in the sum of Eleven Thousand and 00/100 Dollars (\$11,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 592-97.**

By Director Spellman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of DeCarlo, Paternite and Associates, Inc. for an estimated quantity of Computer hardware, software and peripherals items 4 and 5 for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the July 17, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Eleven Thousand Fifty One and 00/100 Dollars (\$11,051.00), 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. 106229 which shall be certified against such contract in the sum of Eight Thousand and 00/100 Dollars (\$8,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 593-97.**

By Director Spellman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Micro-Plus for an estimated quantity of Computer hardware, software and peripherals item 3B for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the July 17, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Eight Thousand One Hundred Sixty Nine and 00/100 Dollars (\$8,169.00), 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. 106230 which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars (\$5,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 594-97.**

By Director Spellman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of National Office Services, Incorporated for an estimated quantity of Computer furniture and security system items 2 and 3 for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the July 17, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Fourteen Thousand Four Hundred Eighty and 00/100 Dollars (\$14,480.00), 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. 106228 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.  
Absent: None.

**Resolution No. 595-97.**

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Smart Solutions, Inc. dba MicroAge for an estimated quantity of Computer furniture and security system items 1A, B, C and D for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the July 17, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Twenty Eight Thousand Six Hundred Ninety Three and 00/100 Dollars (\$28,693.00), 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. 106227

which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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, Directors Sobol Jordan, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch.

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 com-

mission 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, AUGUST 11, 1997**

**9:30 A.M.**

**Calendar No. 97-167:** 10230 Almira Ave., S.W.

Mary Carik, owner, to enclose the 24' x 8' second floor front porch of the 24' x 45' two-story frame two-family dwelling house on a 40' x 130' lot located in a Two-Family District at 10230 Almira Ave.; said enclosure being contrary to the setback and enclosure limitations regulated by Sections 357.06 and 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 97-169:** 12104 Lena Ave., S.W.

Robert J. Mac Gillis Sr., owner, to add a 17' x 8' one-story addition (by enclosing the existing open front porch) to enlarge the living room of the 28' x 30' one-story frame one-family dwelling house on a 40' x 174' lot located in a One-Family District at 12104 Lena Ave.; said addition and enclosure being contrary to the setback and enclosure limitations regulated by Sections 357.04, 357.06 and 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 97-170:** 3143 W. 14th St.

David Garcia, owner, to erect approximately 180 linear feet of 4' high chain link fence to enclose the front yard of the 37.5' x 86' corner lot located in a Multi-Family District on the southeast corner of W. 14 St. and Rowley Ave. and occupied by a two-story frame dwelling house at 3143 W. 14 St.; portions of said fence to be in excess of the 30" maximum height as limited for a corner lot by Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 97-171:** 9616 Manor Ave., S.E.

James E. Drake, owner, to raze the existing two-story front porches and erect a 24' 6" x 8' two-story open porch to the front of the 24' 6" x 35' two-story frame two-family dwelling house on a 40' x 139' lot located in a Two-Family District at 9616 Manor Ave.; said porches to project 8' instead of 6' and occupy more than 20% of the facade as limited by Section 357.13(b)(4) and be located partially within the setback building line area contrary to the limitations of Sections 357.04 and 357.06 of the Codified Ordinances.

**Calendar No. 97-172:** 9015 Harris Ave., S.E.

Henry McKinney, owner, to use premises as a dog kennel (operating under Cuyahoga County License No. 27) the 44' x 120' lot located in a Two-Family District and occupied by a two-family dwelling house at 9015 Harris Ave.; said use as a ken-

nel being contrary to the residence limitations of Sections 337.03 and 337.23 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, JULY 28, 1997**

At the Meeting of the Board of Zoning Appeals on, Monday, July 21, 1997, the following appeal was heard by the Board, and postponed.

**Calendar No. 97-145:** West 14th Street and Jennings Road postponed to August 18, 1997.

The following appeal was **Postponed** on July 28, 1997.

**Calendar No. 97-131:** 3741 Ridge Road postponed to August 25, 1997.

The following appeal was **Withdrawn** on July 28, 1997.

**Calendar No. 97-134:** 11211 Juniper Drive.

HUNTER MORRISON,  
Acting Secretary

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

Re: Report of the Meeting of  
July 23, 1997

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-139-96.**

RE: Continuance of Appeal of Alan Landy, Owner of the Property located on the premises known as 4000 East 71st Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated August 8, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

\* \* \*

**Docket L-11-97.**

RE: Appeal of Joseph Timco, from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 14, 1997, 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 Mr. Timco to renew his JOURNEYMAN PLUMBER LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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



**Docket L-12-97.**

RE: Appeal of Gary Lamar King, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LIMITED PREMISE CLASS A LICENSE of the Commissioner of the Division of Assessments & Licenses dated June 4, 1997, 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 Mr. King to renew his ELECTRICAL CONTRACTOR LIMITED PREMISE CLASS A LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

\* \* \*

**Docket L-13-97.**

RE: Appeal of Shaine Soon Bach, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated June 20, 1997, 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 Mr. Bach to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

**Docket L-14-97.**

RE: Appeal of Ronald F. Finley, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated June 20, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Appellant not present at hearing; the docket will be rescheduled for August 6, 1997.

\* \* \*

**Docket A-97-97.**

RE: Appeal of Harbor Heritage Society, Owner of the Property located on the premises known as 1001 East 9th Street Pier from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated April 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; the docket will be rescheduled for August 6, 1997.

\* \* \*

**Docket A-104-97.**

RE: Appeal of Gracie M. Lynch, Owner of the Residential Property located on the premises known as 3028 East 78th Street from a 72 HR. FIRE EMRG. CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated May 6, 1997, requiring compli-

ance 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 3028 East 78th Street to the Division of Building and Housing for further action. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-106-97.**

RE: Appeal of O & O Properties, Owner of the Residential Property located on the premises known as 1842 Rudwick Avenue from a 72 HR. FIRE EMRG. CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated May 5, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-106-97 has been POSTPONED; to be scheduled for a later date.

\* \* \*

**Docket A-113-97.**

RE: Appeal of United Companies Lending Corp., Mortgagee of the Property located on the premises known as 10321-25 Kempton Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 17, 1997, 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 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 INTENTION 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 February 6, 1998. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-114-97.**

RE: Appeal of Patricia A. Broome, Owner of the Residential Property located on the premises known as 8118 Platt Avenue from a NOTICE OF VIOLATION — 30 DAY FIRE DAMAGE of the Commissioner of the Division of Building and Housing re-dated May 19, 1997, 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 30 DAY FIRE DAM-

AGE NOTICE by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, the fire damaged portions of the property are 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 30 DAY FIRE DAMAGE NOTICE 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 November 6, 1998. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-118-97.**

RE: Continuance of Appeal of Jerome H. Schmelzer, Owner of the Property located on the premises known as 750 Prospect Avenue from an ADJUDICATION ORDER #1 & #2 of the Commissioner of the Division of Building and Housing dated May 13, 1997 and July 17, 1997, 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 allow installation of a one six inch dry standpipe with hose connectors and the location to be determined by the Fire Prevention Bureau, and supervisory systems provided to the automatic fire detection system. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-127-97.**

RE: Kenneth Taylor, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 3615 West 46th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 10, 1997, 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 to the ten foot (10 ft.) requirement and permit the pool to remain in its present location, noting that there is a six foot (6 ft.) opaque fence which has been up for three years (3 yrs.). Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-131-97.**

RE: Victor L. Filip, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 3844 West 158th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of

the Division of Building and Housing dated June 12, 1997, 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 to the ten foot (10 ft.) requirement and permit the pool to be installed as indicated on the plan, and grant the variance to the ten foot (10 ft.) easement, noting the concurrence of the adjacent neighbors. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-133-97.**

RE: Goodrich Gannett Neighborhood Center, Owner of the Property located on the premises known as 1368 East 55th Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated April 15, 1997, 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 six months (6 mos.) in which to complete the maintenance fix-ups, and to permit classes to be held as long as there is no physical danger. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-270-97.**

RE: Douglas & Donnalynn McKay, Owners of the Residential Property and Proposed Swimming Pool located on the premises known as 3686 West 134th Street from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated July 2, 1997, 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 to the ten foot (10 ft.) requirement and permit the pool to be installed five feet (5 ft.) from the adjacent property line, noting the conditions of the appeal. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-271-97.**

RE: Curtis L. Stuck, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 3292 West 127th Street from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated July 7, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Appellant not present at hearing; the docket will be rescheduled for August 6, 1997.

**Docket A-275-97.**

RE: Appeal of Playhouse Square Foundation, Owner of the Property located on the premises known as 1515 Euclid Avenue from an ADJUDICATION ORDER and SUPPLEMENTARY CONDITIONS of the Commissioner of the Division of Building and Housing dated July 23, 1997, 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 to OBBC Section 1006.3 and permit the customary lobby of the Ohio Theater to be blocked for the proposed structure, noting the exit requirements are fulfilled by an easement agreement which is to be re-routed into the Buckley Building and out to the street, and noting the review and the concurrence of the Division of Building and Housing. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-280-97.**

RE: Stephen A. Klinkovsky, Owner of the Residential Property and Swimming Pool located on the premises known as 5001 Burger Avenue from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated July 11, 1997, 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 to the ten foot (10 ft.) requirement and permit the pool to remain, noting the pool has been present since 1991 and the conditions of the variance requested. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-285-97.**

RE: Diana Park, Owner of the Residential Property and Swimming Pool located on the premises known as 3453 West 52nd Street from a NOTICE OF NONCOMFORMANCE of the Commissioner of the Division of Building and Housing dated July 15, 1997, 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 to the ten foot (10 ft.) requirement and permit the pool to remain in its present location, noting the concurrence of the adjacent neighbors. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Bowes and seconded by Mr. Williams 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-79-97—L.A. Limited Partnership
- A-82-97—Donald Bram
- A-139-97—Andria Irene Fallat
- A-172-97 TO A-221-97—L.A. Limited Partnership
- A-222-97 TO A-268-97—Rainbow Terrace Apartments, Inc.

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

\* \* \*

**APPROVAL OF MINUTES:**

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

July 9, 1997

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

\* \* \*

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 applica-**

tions 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, AUGUST 6, 1997**

**Paper Stock and Envelopes**, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 225-97, passed by the Council of the City of Cleveland, April 14, 1997.

**Urban Forest Maintenance Services (Tree Pruning and Removal)**, for the Division of Park Maintenance and Properties, as authorized by Ordinance No. 554-97, passed by the Council of the City of Cleveland, May 5, 1997.

July 23, 1997 and July 30, 1997

**THURSDAY, AUGUST 7, 1997**

**Laying, Relaying and Repairing Sidewalks in all Districts of the City (Assessment Program)**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1072-97, passed by the Council of the City of Cleveland.

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

July 23, 1997 and July 30, 1997

**FRIDAY, AUGUST 8, 1997**

**Luke Easter Park Football Field and Playground Site Improvements and Joann Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, 2120-96 and 556-97, passed by the Council of the City of Cleveland, October 14, 1996, November 25, 1996 and May 5, 1997, respectively.

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

July 23, 1997 and July 30, 1997

**WEDNESDAY, AUGUST 13, 1997**

**Truck Washing**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1010-97, passed by the Council of the City of Cleveland, June 16, 1997.

**Maintain and Repair Various Key-card Systems and CCTV Equipment**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2148-96, passed by the Council of the City of Cleveland, April 14, 1997.

July 23, 1997 and July 30, 1997

**THURSDAY, AUGUST 7, 1997**

**Electronic Key Telephone System**, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

July 23, 1997 and July 30, 1997

**THURSDAY, AUGUST 14, 1997**

**Sidewalk Street Program (Division of Streets Program)**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1072-97, passed by the Council of the City of Cleveland.

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

July 30, 1997 and August 6, 1997

**FRIDAY, AUGUST 15, 1997**

**Thrush Park/Belmont Park/Calgary Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1264-97, passed by the Council of the City of Cleveland, July 16, 1997.

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

**Pump Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 554-97, passed by the Council of the City of Cleveland, June 9, 1997.

July 30, 1997 and August 6, 1997

**WEDNESDAY, AUGUST 20, 1997**

**System Expansion/Residential Re-forestation — Fall 1997**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A PRE-BID CONFERENCE IS SCHEDULED FOR 10:00 A.M. ON AUGUST 11, 1997 IN THE AUDITORIUM OF THE PUBLIC UTILITIES BUILDING AT 1201 LAKE-SIDE AVENUE.

**Installation, Maintenance and Repair of Fencing**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 340-97, passed by the Council of the City of Cleveland, April 14, 1997.

July 30, 1997 and August 6, 1997

**THURSDAY, AUGUST 21, 1997**

**Rock Salt**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 215-97, passed by the Council of the City of Cleveland, June 16, 1997.

**Software Maintenance**, for the Division of Taxation, Department of Finance, as authorized by Ordinance No. 2213-96, passed by the Council of the City of Cleveland, January 13, 1997.

**Towing Unattended Vehicles**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 543-96, passed by the Council of the City of Cleveland, May 6, 1996.

**Dishwashing, Laundry, General Cleaning and Hygiene Supplies**, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 337-97, passed by the Council of the City of Cleveland, April 28, 1997.

July 30, 1997 and August 6, 1997

**THURSDAY, AUGUST 28, 1997**

**Residential Sound Insulation Program — Group J**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, AUGUST 14, 1997, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

July 30, 1997 and August 6, 1997

**FRIDAY, AUGUST 29, 1997**

**Two (2) Cab and Chassis with Flat Bed Body and Crane**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96, 1476-96, 323-97, 799-97 and 1113-97, passed by the Council of the City of Cleveland, June 18, 1996, August 14, 1996, March 24, 1997 and June 2, 1997, respectively.

**One (1) Cab and Chassis with Utility Service Body**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96, 1476-96, 323-97 and 799-97, passed by the Council of the City of Cleveland, June 18, 1996, August 14, 1996, March 24, 1997 and June 2, 1997, respectively.

**One (1) Pick-Up with Valve Turner,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96, 1476-96, 323-97 and 799-97, passed by the Council of the City of Cleveland, June 18, 1997, August 14, 1996, March 24, 1997 and June 2, 1997, respectively.

July 30, 1997 and August 6, 1997

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 1267-97.**  
**By Councilman Jackson (by request).**

**An emergency resolution declaring the intention to vacate all of Avrina Avenue S.E.**

Whereas, this Council is satisfied that there is good cause for vacating all that portion of Avrina Avenue S.E. as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides for the usual daily operation of a municipal department; now, therefore

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

**Section 1.** That it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of:

AVRINA AVENUE S.E. (60.00 feet wide) extending Easterly from the Easterly line of East 79th Street (60.00 feet wide) to the Westerly line of East 80th Street (60.00 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 passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted July 16, 1997.

Effective July 23, 1997.

**Res. No. 1338-97.**  
**By Councilman Johnson.**  
**An emergency resolution declaring the intention to vacate a portion of East 90th Place.**

Whereas, this Council is satisfied that there is good cause for vacating all that portion of East 90th Place, as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides for the usual daily operation of a municipal department; now, therefore

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

**Section 1.** That it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of:

EAST 90TH PLACE (12.00 feet wide) extending from the South-easterly prolongation of the South-westerly line of Caskey Court (12.00 feet wide), to the Northerly line of Evarts Avenue (40.00 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 passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted July 16, 1997.  
Effective July 23, 1997.

**Res. No. 1345-97.**  
**By Councilman Lewis.**  
**An emergency resolution objecting to the transfer of location of a D5 Liquor Permit to 1601-03 E. 79th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D5 Liquor Permit from Permit No. 6229121, Mumbu Holdings LTD Inc., dba Brandywines, 11316 Euclid Avenue 1st Fl. & Bsmt., Cleveland, Ohio 44106, c/o Charles Kwesiga to Permit No. 0892852, Willie B. Boyd, dba Willies Restaurant & Bar, 1601-03 E. 79th St., Cleveland, Ohio 44103; 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, in the event Willie B. Boyd, the transferee of the permit, executes a cooperation agreement with the City relating to said permit the objection to the transfer of location of the D5 Liquor Permit set forth in this Resolution may be withdrawn; 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 location of a D5 Liquor Permit from Permit No. 6229121, Mumbu Holdings LTD Inc., dba Brandywines, 11316 Euclid Avenue 1st Fl. & Bsmt., Cleveland, Ohio 44106, c/o Charles Kwesiga to Permit No. 0892852, Willie B. Boyd, dba Willies Restaurant & Bar, 1601-03 E. 79th St., Cleveland, Ohio 44103, 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 July 16, 1997.  
Effective July 23, 1997.

**Res. No. 1346-97.**  
**By Councilman Lewis.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5300 Superior Avenue and Gas Pumps.**

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. 2776916, Kurt F. Flender & Stephen Vasas, 5300 Superior Avenue & Gas Pumps, Cleveland, Ohio 44103, to Permit No. 3571094, Hanini Oil Inc., dba East 55th & Superior Shell, 5300 Superior Avenue & Gas Pumps, Cleveland, Ohio 44103; 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, in the event Hanini Oil Inc., dba East 55th & Superior Shell, the transferee of the permit, executes a cooperation agreement with the City relating to said permit, the objection to the transfer of Ownership of a C2 and C2X Liquor Permit set forth in this Resolution may be withdrawn; 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. 2776916, Kurt F. Flender & Stephen Vasas, 5300 Superior Avenue & Gas Pumps, Cleveland, Ohio 44103, to Permit No. 3571094, Hanini Oil Inc., dba East 55th & Superior Shell, 5300 Superior Avenue & Gas Pumps, Cleveland, Ohio 44103, 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 July 16, 1997.

Effective July 23, 1997.

**Res. No. 1347-97.**

**By Councilman Melena.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 7310 Lorain Ave. & Gas Pumps, and repealing Res. No. 2061-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 7310 Lorain Ave. & Gas Pumps, by Res. No. 2061-96, adopted November 18, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 transfer of ownership of a C1 Liquor Permit to 7310 Lorain Avenue & Gas Pumps, be and the same is hereby withdrawn and Res. No. 2061-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership 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 July 16, 1997.

Effective July 23, 1997.

**Res. No. 1348-97.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of Liquor Permit to 2943-45 E. 55th Street, and repealing Res. No. 1537-96, objecting to said renewal.**

Whereas, this Council objected to the renewal of a Liquor Permit to 2943-45 E. 55th St., Cleveland, Ohio,

44127, by Res. No. 1537-96, 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 2943-45 E. 55th St., Cleveland, Ohio 44127, be and the same is hereby withdrawn and Res. No. 1537-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal 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 July 16, 1997.

Effective July 23, 1997.

**Res. No. 1349-97.**

**By Councilman Skrha.**

**An emergency resolution objecting to the issuance of a D5F Liquor Permit to 5555 N. Marginal Rd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D5F Liquor Permit to Permit No. 7240841, Recreation Concepts Inc., dba East 55th St. Marina, 5555 N. Marginal Rd., Cleveland, Ohio 44114; 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 issuance of a D5F Liquor Permit to Permit No. 7240841, Recreation Concepts Inc., dba East 55th St. Marina, 5555 N. Marginal Rd., Cleveland, Ohio 44114, 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 July 16, 1997.

Effective July 23, 1997.

**Res. No. 1350-97.**

**By Councilman Skrha.**

**An emergency resolution objecting to the issuance of a D5B Liquor Permit to Tower City Center Unit 850-60.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D5B Liquor Permit to Permit No. 3070319, Gateway City Center, Inc., Tower City Center Unit 850-60, Cleveland, Ohio 44114; 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 issuance of a D5B Liquor Permit to Permit No. 3070319, Gateway City

Center, Inc., Tower City Center Unit 850-60, Cleveland, Ohio 44114, 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 July 16, 1997.

Effective July 23, 1997 without the signature of the Mayor.

**Res. No. 1351-97.**

**By Councilman Skrha.**

**An emergency resolution withdrawing objection to the transfer of location of a C2 & C2X Liquor Permit to 2850 W. 25th St., and repealing Res. No. 1204-97, objecting to said transfer of location.**

Whereas, this Council objected to the transfer of location of a C2 & C2X Liquor Permit to 2850 W. 25th St., by Res. No. 1204-97, adopted June 16, 1997; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location; 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 transfer of location of a C2 & C2X Liquor Permit to 2850 W. 25th St., be and the same is hereby withdrawn and Res. No. 1204-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location 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 July 16, 1997.

Effective July 23, 1997 without the signature of the Mayor.

**Res. No. 1355-97.**

**By Councilman Smith.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 3347 Meyer Avenue.**

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. 4251892, Jasmine Food Market, Inc., 3347 Meyer Avenue, Cleveland, Ohio 44109, to Permit No. 0674119, Bettys Food Market, Inc., 3347 Meyer Avenue, Cleveland, Ohio 44109; 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. 4251892, Jasmine Food Market, Inc., 3347 Meyer Avenue, Cleveland, Ohio 44109, to Permit No. 0674119, Bettys Food Market, Inc., 3347 Meyer Avenue, Cleveland, Ohio 44109, 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 2217-96.**

**By Councilman Paulenske.**

**An emergency ordinance to change the Use District of lands on the northerly side of Payne Avenue between East 30 Street and East 31 Street. (Map Change No. 1921, Sheets Nos. 4 & 5)**

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation

of the public peace, property, health or safety in that the proposed change in use is necessary to secure the property, eliminate the potential of illegal dumping and other quality of life issues and to remove a nuisance and potential danger to the surrounding neighborhood; now, therefore,

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 southeasterly extension of the southwesterly line of Sublot No. 94 in the Hoyt and Herrick Allotment as recorded in Volume 2, Page 48 of the Cuyahoga County Map Records and the center line of Payne Avenue, N.E.; thence southwesterly along said center line of Payne Avenue, N.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 85 in said Hoyt and Herrick Allotment; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 85 and along its northwesterly extension to the center line of Waring Court, N.E.; thence southwesterly along said center line of Waring Court, N.E. to the center line of East 30 Street; thence northwesterly along said center line of East 30 Street to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 84 in the Hoyt and Herrick Allotment as recorded in Volume 2, Page 48 of the Cuyahoga County Map Records; thence northwesterly along said southwesterly extension and along said northwesterly line of said Sublot No. 84 and along its northeasterly extension to its intersection with the center line of East 31 Place; thence southeasterly along said center line of East 31 Place to its intersection with the southeasterly line of Sublot No. 38 in said Hoyt and Herrick Allotment; thence northwesterly along said southeasterly line of said Sublot No. 38 to its intersection with the northwesterly extension of said southwesterly line of said Sublot No. 94; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 94 and along its southeasterly extension to the beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Retail Business District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1921, Sheets Nos. 4 & 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 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 341-97.**  
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with the Strongsville Tobacco Trading Company, Inc. for use of certain space at Cleveland Hopkins International Airport for operation of a tobacco/gourmet concession.

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 ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with the Strongsville Tobacco Trading Company, Inc. ("Lessee") for use of approximately 150 square feet of space in the mini-mall of the terminal building for a kiosk, and approximately 500 square feet of space located outside of Concourse A, at Cleveland Hopkins International Airport (the "Premises") for operation of a tobacco/gourmet kiosk and shop. The Premises shall be used to sell the following items only:

**Kiosk**

Bulk assorted nuts;  
Dried and seasonal fresh fruits;  
Bottled waters and juices;  
Hot popcorn and pretzels; and  
Breath mints and lozenges

**Concourse A Shop**

Cigarettes, cigars and tobaccos;  
Wines, beers and liquors (bottled only);  
Smoking accessories — fine lighters, cigars and cigarette cases, cigar clippers, nail clippers, humidors, pipes, cigarette holders;  
Packaged gourmet coffees;  
Bottled water and juices;  
Assorted nuts;  
Hot popcorn and pretzels;  
Dried and seasonal fresh fruits;  
Seasonal and unique gift items (gourmet food types);  
Assorted bulk and boxed Godiva chocolates; and  
Mints, gum and assorted wrapped candy bars

The term of the Lease authorized herein shall begin upon execution of the agreement by the Director and terminate seven (7) years thereafter, unless sooner cancelled or terminated. Lessee shall pay as rent for the use of the Premises a minimum guarantee of \$10,000 or ten percent (10%) of gross revenues whichever is greater.

**Section 2.** That said Lease shall be drafted by the Director of Law, and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 549-97.**  
By Councilmen Skhra, Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to amend Urban Development Action Grant Development contracts with Halle Office Building Limited Partnership and S & R Playhouse Realty Company.

Whereas, the City entered into Urban Development Action Grant Development Contracts with Halle Office Building Limited Partnership and S & R Playhouse Realty Company ("Developers") on October 3, 1984, pursuant to Ordinance No. 1381-83, passed by City Council June 15, 1983, as amended by Ordinance No. 1312-84, passed by City Council June 19, 1984 ("UDAG Contracts"), the promissory notes executed by the Developers pursuant to the UDAG Contracts are due and payable in the year 2005; and

Whereas, Forest City Enterprises ("Forest City") owns a controlling interest in Halle Office Building Limited Partnership and S & R Playhouse Realty Company; and

Whereas, in consideration of an agreement by the City to restructure the UDAG Contracts, Forest City has agreed to relocate its world headquarters from Brooklyn, Ohio to approximately 120,000 square feet of renovated office space in Terminal Tower in downtown Cleveland; and

Whereas, as a result of said relocation, Forest City intends to move 250 employees to Terminal Tower adding approximately \$17,000,000.00 of annual taxable payroll to the City of Cleveland income tax base; and

Whereas, as a result of said relocation, Forest City intends to retain 175 jobs at Terminal Tower comprising approximately \$7,500,000 of taxable annual payroll of the City of Cleveland income tax base; and

Whereas, relocation of Forest City's world headquarters to Terminal Tower will have a positive impact on City of Cleveland income tax revenues of approximately \$500,000.00 annually; and

Whereas, as a part of said relocation, Forest City intends to invest approximately \$8,000,000.00 in real property improvements to Terminal Tower; and

Whereas, Forest City will cooperate with the City in making certain real property owned by Forest City and located at 17903 St. Clair Avenue available to Cleveland Range a thriving manufacturing firm currently located in the Collinwood neighborhood which may be forced to relocate outside of the City of Cleveland due to lack of space; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to amend the UDAG Contracts which amendments shall allow the Developer's to make a single payment to the City of not less than Three Million Five Hundred Thousand Dollars (\$3,500,000.00) to satisfy the UDAG Contracts, which payment shall be made within one hundred twenty (120) days of the effective date of this legislation, but in no event later than December 1, 1997.

**Section 2.** That the payments described in Section 1 shall be deposited into Fund No. 17 SF 006, and 17 SF 634, and shall be applied to the UDAG Contracts such that said payments plus payments made to date pursuant to the UDAG Contracts shall not be less than the amount loaned to the Developers by the City pursuant to the UDAG Contracts; when made in compliance with other terms as set forth herein and in the amendments, such payments shall be accepted in satisfaction of the UDAG Contracts. That the \$3,500,000 received shall be used for neighborhood economic development projects.

**Section 3.** That said amendments shall require the Developers to make payments to the City equal to one-eighth (1/8) of the difference between the net present value of the total principal and interest payments due pursuant to the UDAG Contracts, discounted at a rate of Twelve Percent (12%), and the net present value of the total payments described in Section 1, discounted at a rate of Twelve Percent (12%), in any year during the period January 1, 1998 to December 31, 2005 in which Forest City fails to lease 120,000 square feet of office space in Terminal Tower.

**Section 4.** Notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire by gift fee simple title to the real property owned by Forest City and located at 17903 St. Clair Avenue for the purpose of the expansion and redevelopment of companies located in the Collinwood SPA (Statistical Planning Area). The gift of the real property described herein by Forest City to the City is part of the consideration for the amendments of the UDAG Contracts described in this ordinance. Said real property is valued at \$800,000 by the County of Cuyahoga for real estate tax purposes.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 811-97.**  
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Meyer snow plow and spreader parts, including labor for installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period

of one year for the necessary items of Meyer snow plow and spreader parts, including labor for installation, if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 22897)

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 851-97.**  
By Councilmen Britt, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Uptown Cleveland Development Corp., or its designee, to provide for a ten (10) year abatement for certain real estate taxes as an incentive to rehabilitate a professional building located at 1211-11955 Shaker Boulevard 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, Uptown Cleveland Development Corp. (the "Enterprise") has proposed to rehabilitate a professional building located at 1211-11955 Shaker Boulevard 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 Uptown Cleveland Development Corp., or its designee(s), for enterprise zone incentives on the basis that Uptown Cleveland Development Corp. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprises 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 Uptown Cleveland Development Corp., or its designee(s), to provide for a ten (10) year abatement for certain real estate taxes as an incentive to rehabilitate a professional building located at 1211-11955 Shaker Boulevard 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 terms as set forth in the Executive Summary contained in File No. 851-97-A.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** 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 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 July 16, 1997.

Effective July 23, 1997.

**Ord. 926-97.**  
By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7215 Lexington Avenue, 7211 Lexington Avenue and 7207 Lexington Avenue to Vernesha and Ronald Boone.

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 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 usually 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. 106-16-030, 106-16-031 and 106-16-032, as more fully described in Section 2 below, to Vernesha and Ronald Boone.

**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. 106-16-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 14 in Thomas Bolton Estates Subdivision of part of Original One Hundred Acre Lots Nos. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Lexington Avenue N.E., and extending back 149.53 feet on the Westerly line, 149.58 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 106-16-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 15 in the Thomas Bolton Estate's Subdivision of part of Original 100 Acre Lot No. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records and being 40 feet front on the Northerly side of Lexington Avenue and extending back 149.49 feet on the Westerly line, 149.53 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat.

Subject to zoning ordinances, if any.

P.P. No. 106-16-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 16 in the Thos. Bolton Subdivision of part of Original Township Lot No. 342 as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, said Sublot has a frontage of 40 feet on the Northerly side of Lexington Avenue and extending back 149.49 feet on the Easterly line, 149.44 feet on the Westerly line, and having a rear line of 40 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 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 935-97.**

**By Councilmen Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Uptown Cleveland Security Corp., or its designee, to provide economic development assistance to partially finance commercial security services in the Cleveland Supplemental Empowerment Zone, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Uptown Cleveland Security Corp., or its designee, to provide economic development assistance to partially finance commercial security services in the Cleveland Supplemental Empowerment Zone, Cleveland, Ohio. The contract shall provide that Uptown Cleveland Security Corporation, or its designee, shall ensure that at all times of operation at least one patrol vehicle is assigned to the portion of the Cleveland Supplemental Empowerment Zone north of Superior Avenue; that at least one patrol vehicle is assigned to the portion of the Empowerment Zone south of Superior Avenue and north of Chester Avenue; and that at least one patrol vehicle is assigned to the portion of the Empowerment Zone south of Chester Avenue, as such zones are shown on the map attached as File No. 935-97-A. A fourth patrol vehicle, if available, shall be assigned on an as needed back-up basis for patrol of the entire Empowerment Zone as directed by Uptown Cleveland Security Corporation, or its designee.

**Section 2.** That the costs of said contract shall not exceed Two Million Dollars Dollars (\$2,000,000.00), and shall be paid from Fund No. 18 SF 006, Request No. 22298.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1031-97.**

**By Councilmen Willis, Patmon, Coats, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located between 140th Street, east; 105th Street, west; Wade Park, south and Superior, north to Northeastern Neighborhood Development Corporation or designee.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the 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 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. 109-21-034 as more fully described in Section 2 below to Northeastern Neighborhood 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. 109-21-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 194 in Knight, Richardson Allotment of part of Original One Hundred Acre Lot No. 379 as shown by the recorded plat in Volume 24 of Maps, Page 5 of Cuyahoga County Records and being 35 feet front on the Northerly side of Primrose Avenue, N.E., and extending back between parallel lines 99 feet as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 109-21-036 as more fully described in Section 4 below to Northeastern Neighborhood 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. 109-21-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 192 in Knight, Richardson and Moore's Allotment of part of Original One Hundred Acre Lot No. 379, as shown by the recorded plat of said Allotment in Volume 24 of Maps, Page 5 of Cuyahoga County Records. Said Sublot No. 192 has a frontage of 43 feet on the Easterly line, 99.48 feet on the Westerly line and is 42.07 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 109-21-088 as more fully described in Section 6 below to Northeastern Neighborhood 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. 109-21-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 41 in John W. Walter's Subdivision of part of Original One Hundred Acre Lot Nos. 371, 378 and 379, as shown by the recorded plat in Volume 71 of Maps, Page 22 of Cuyahoga County Records, and being 42.88 feet front on the curved North-easterly side of Linn Drive, N.E., 135.85 feet on the Northerly line, which is also the Southerly line of Tuscora Avenue, N.E., 120.11 feet deep on the Southerly line and 40 feet wide in the rear, be the same more or less, but subject to all legal highways.

All of the above property being subject to restrictions, covenants, limitations, conditions, easements and rights of way, of record and running with the land, 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. 109-21-118 as more fully described in Section 8 below to Northeastern Neighborhood 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. 109-21-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 195 in the Knight, Richardson and Moore Allotment of part of Original One Hundred Acre Lot No. 379, as shown by the recorded plat in Volume 24 of Maps, Page 5 of Cuyahoga County Records and being bounded and described as follows:

Beginning at a point in the Northerly line of Primrose Avenue N.E. (40 feet wide) at the South-westerly corner of said Sublot No. 195; thence Easterly, along said Northerly line of Primrose Avenue N.E. 10.02 feet to its intersection with Westerly line of Linn Drive N.E. (60 feet wide); thence Northerly, along said Westerly line of Linn Drive N.E. about 98.77 feet to a point therein at the Northerly line of said

Sublot No. 195; thence Westerly, along said Northerly line of Sublot No. 195, about 10.75 feet to the Northwesterly corner thereof; thence Southerly, along the Westerly line of said Sublot No. 195 about 99.00 feet to the place of beginning, as appears by said plat, be the same more or less but subject to all legal highways.

**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. 110-01-046 as more fully described in Section 10 below to Northeastern Neighborhood 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. 110-01-046

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. 363, and bounded and described as follows:

Beginning on the Easterly line of Lakeview Road, N.E., (60 feet wide), at a point distant Southerly, measured along said Easterly line, 607.92 feet from its intersection with the Southerly line of St. Clair Avenue, N.E., 80 feet wide; said point being also the Southwesterly corner of a parcel of land conveyed to Forest J. Violett and Josephine R. Violett by deed dated October 18, 1946, and recorded in Volume 6232, Page 329 of Cuyahoga County Records; thence continuing Southerly along the Easterly line of Lakeview Road, N.E., 40.37 feet to the Northwesterly corner of a parcel of land conveyed to Mary M. Myers by deed dated February 28, 1922, and recorded in Volume 2615, Page 118 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed to Mary M. Myers, 100 feet to the Westerly line of the second parcel of land conveyed to the City of Cleveland by deed dated December 20, 1909, and recorded in Volume 1266, Page 274 of Cuyahoga County Records; thence Northerly along the Westerly line of said second parcel of land conveyed to the City of Cleveland and continuing Northerly along the Westerly line of the first parcel of land conveyed to the City of Cleveland by deed dated December 20, 1909, and recorded in Volume 1266, Page 279 of Cuyahoga County Records, about 40.37 feet to the Southeast corner of land conveyed to Forest J. Violett and Josephine R. Violett, as aforesaid; thence Westerly along the Southerly line of land conveyed to Forest J. Violett, 100 feet to the place of beginning.

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. 110-01-047 as more fully described in Section 12 below to Northeastern Neighborhood 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. 110-01-047

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. 363, and bounded and described as follows:

Beginning on the Northeasterly line of Lakeview Road, N.E., at a point distant 567-92/100 feet Southwesterly, measured along said Northeasterly line, from its intersection with the Southeasterly line of St. Clair Avenue, N.E., 80 feet wide, said point being also the most Southerly corner of land conveyed to Louise O. Starke and Sarah Starke, by deed dated April 21, 1944, and recorded in Volume 5673, Page 621 of Cuyahoga County Records; thence Southeasterly along the Northeasterly line of Lakeview Road, N.E., 40 feet to the most Westerly corner of land conveyed to Paul S. Kovacs, by deed dated November 5, 1942, and recorded in Volume 5476, Page 124 of Cuyahoga County Records; thence Northeasterly at right angles with the Northeasterly line of Lakeview Road, N.E., and along the Northwesterly line of land so conveyed to Paul S. Kovacs, 100 feet to the Southwesterly line of land conveyed to the City of Cleveland, by deed dated December 20, 1909, and recorded in Volume 1266, Page 279 of Cuyahoga County Records; thence Northwesterly along the Southwesterly line of land so conveyed to the City of Cleveland, 40 feet to the most Easterly corner of land conveyed to Louise O. and Sarah Starke, by deed aforesaid; thence Southwesterly parallel with the second described line along the Southeast corner of land so conveyed to Louis O. and Sarah Starke, 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 110-01-059 as more fully described in Section 14 below to Northeastern Neighborhood 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. 110-01-059

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. 363 and bounded and described as follows:

Beginning at a point on the Easterly line of Lakeview Road, N.E., distant South 7° 24' 58" East, 131.25 feet (measured along said Easterly line of Lake View Road, N.E.) from its intersection with the Southerly line of St. Clair Avenue, N.E.; thence North 82° 35' 02" East 100 feet and at right angles with said Easterly line of Lake View Road, N.E., thence South 7° 24' 58" East 58.50 feet; thence South 82° 35' 02" West, 100 feet to the Easterly line of said Lake View Road, N.E.; thence North 7° 24' 58" West along said Easterly line of Lake View Road, N.E., 58.50 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 110-06-052 as more

fully described in Section 16 below to Northeastern Neighborhood 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. 110-06-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in G.M. Hick's Glenville Addition of part of Original One Hundred Acre Lot No. 365, as shown by the recorded plat in Volume 20, Page 23 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 125th Street, and extending back of equal width 126 feet, as appears by said plat.

Subject to restrictions recorded in Volume 607, Page 509 of Cuyahoga County Records.

Also subject to all 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. 110-07-076 as more fully described in Section 18 below to Northeastern Neighborhood Development Corporation or designee.

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

P. P. No. 110-07-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in George N. Hicks Glenville Subdivision, of part of Original One Hundred Acre Lot No. 365, as shown by the recorded plat in Volume 20 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 125th Street (formerly Rosemere Avenue) and extending back of equal width 126.00 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 110-25-039 as more fully described in Section 20 below to Northeastern Neighborhood Development Corporation or designee.

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

P. P. No. 110-25-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly part of Sublot No. 2 in the Lake View Land and Improvement Company's Subdivision of part of Original One Hundred Acre Township Lots 379 and 380, as shown by the recorded plat in Volume 40 of Maps, Page 13 of Cuyahoga County Records, and being 38.5 feet from the Northeasterly side of Lake View Road, N.E., and extending back 156 feet deep on the Northwesterly line 141.804 feet deep on the Southeast corner line, and being 35 feet wide in the rear, as appears by said plat.

Subject to Restrictions in Volume 1151, Page 344 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

**Section 21.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 110-29-109 as more fully described in Section 22 below to Northeastern Neighborhood 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. 110-29-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Montgomery Subdivision of part of Original One Hundred Acre Lot No. 380 as shown by the recorded plat in Volume 6 of Maps, Page 20 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 124th Street (formerly Plymouth Avenue) and back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to 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. 111-02-029 as more fully described in Section 24 below to Northeastern Neighborhood 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. 111-02-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 33 in the Macoban Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 363, as shown by the recorded plat in Volume 94 of Maps, Page 2 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 112th Street, and extending back of equal width 100 feet, appears by said plat.

Subject to Zoning Ordinances, if any.

**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. 111-10-042 as more fully described in Section 26 below to Northeastern Neighborhood 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. 111-10-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 25 feet of Sublot No. 18 in the Schatzinger Consolidated Realty Company's Maple Leaf Subdivision of part of Original One Hundred Acre Lot No. 365 as shown by the recorded plat in Volume 39 of Maps, Page 2 of Cuyahoga County Records

Also subject to all 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 Per-

manent Parcel No. 111-10-043 as more fully described in Section 28 below to Northeastern Neighborhood 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. 111-10-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. of part of Original One Hundred Acre Lot No. 365, as shown by the recorded plat in Volume 39 of Maps, Page 2 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Lancelot Avenue, N.E., and extending back 102.71 feet on the Easterly line 102.58 feet on the Westerly line and having a rear line of 35 feet, appears by said plat.

Also subject to all 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. 111-11-066 as more fully described in Section 30 below to Northeastern Neighborhood 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. 111-11-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 154 in the Realty Trust Company's Bart Estate Allotment of part of Original One Hundred Acre Lot No. 365 as shown by the recorded plat in Volume 41 of Maps, Page 26 of Cuyahoga County Records. Said Sublot No. 154 has a frontage of 35 feet on the Southerly side of Cornado Avenue, N.E., and extends back between parallel lines 100 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 31.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-05-022 as more fully described in Section 32 below to Northeastern Neighborhood 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. 120-05-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 51 in Martin Dodge's Superior Street Subdivision, of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records.

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. 120-05-023 as more fully described in Section 34 below to Northeastern Neighborhood 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. 120-05-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 52 in Martin Dodge's Superior Street Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Oakland Avenue, N.E., (formerly Cheapside Street) and extending back 90.56 feet deep on the Easterly line, 91.11 feet deep on the Westerly line and 30 feet wide in the rear, appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 35.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-05-045 as more fully described in Section 36 below to Northeastern Neighborhood 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. 120-05-045

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. 388, and bounded and described as follows:

Beginning on the Westerly line of Lakeview Road, N.E., at a point 70-22/100 feet Northerly, measured along the Westerly line of Lakeview Road, N.E., form the Northerly line of Moulton Avenue, N.E.; thence Southerly along the Westerly line of Lakeview Road, N.E., 35-11/100 feet; thence Westerly on a line parallel with the Northerly line of Moulton Avenue, N.E., 135-50/100 feet; thence Northerly 35 feet to a point 132-92/100 feet Westerly from the place of beginning; thence Easterly 132-92/100 feet to the place of beginning, and being further known as Sublot No. 57 in F.L. Cody's proposed Subdivision of part of Original One Hundred Acre Lot No. 388. Subject to Sewer Easement recorded in Volume 1717, Page 110 of Cuyahoga County Records.

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. 120-05-046 as more fully described in Section 38 below to Northeastern Neighborhood 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. 120-05-046

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. 388, bounded and described as follows:

Beginning on the Westerly line of Lakeview Road, N.E., at its intersection with the Northerly line of Moulton Avenue, N.E., thence

Northerly along said Westerly line of Lakeview Road, N.E., 35.11 feet; thence Westerly parallel with the Northerly line of Moulton Avenue, N.E., 135.50 feet to the Northeastly corner of a parcel of land conveyed to Vincenzo D'Antonio and Francesca D'Antonio by deed dated Jun 30, 1936, and recorded in Volume 4633, Page 434 of Cuyahoga County Records; thence Southerly along the Easterly line of said land conveyed to Vincenzo D'Antonio and Francesco D'Antonio as aforesaid 35 feet to the Northerly line of Moulton Avenue, N.E.; thence Easterly along the Northerly line of Moulton Avenue, N.E., 138.07 feet to the place of beginning and being further known as Sublot No. 58 in F.L. Cody's proposed Subdivision of part of Original One Hundred Acre Lot No. 388.

Also subject to all zoning ordinances, if any.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-05-094 as more fully described in Section 40 below to Northeastern Neighborhood 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. 120-05-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in Martin Dodge's Superior Street Subdivision of part of Original One Hundred Acre Lot No. 388 as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records and being 30 feet front on the Westerly side of Oakland Street (now known as East 120th Street), and extending back of equal width 90 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 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. 120-05-105 as more fully described in Section 42 below to Northeastern Neighborhood 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. 120-05-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in Martin Dodge's Superior Street Subdivision of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 120th Street (formerly Oakland Street) and extending back of equal width 90 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 43.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Per-

manent Parcel No. 120-05-106 as more fully described in Section 44 below to Northeastern Neighborhood 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. 120-05-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 5 in Martin Dodge's Superior Street Allotment of part of Original One Hundred Acre Lot No. 388, as appears by said plat, be the same more or less, but subject to all legal highways. 18 of Maps, Page 17 of Cuyahoga County Records, and being 30 feet front on the Westerly side of Oakland Street now known as East 120th Street, and extending back of equal width 90 feet deep as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 45.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-05-133 as more fully described in Section 46 below to Northeastern Neighborhood 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. 120-05-133

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot 17 in George M. Hicks Subdivision of part of Original One Hundred Acre Lot Nos. 387 and 388, as appears by said plat, be the same more or less, but subject to all legal highways. 14 of Maps, Page 46 of Cuyahoga County Records, and all of Sublot No. 20 in Martin Dodge's Superior Street Allotment of part of Original One Hundred Acre Lot No. 388 as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning in the Northeastly line of Beulah Avenue, N.E., at the most Southerly corner of Sublot No. 20; thence Northwestly along the Northeastly line of Beulah Avenue, N.E., 37.73 feet to the Southwestly corner of said Sublot No. 20 and the Southeastly corner of Sublot No. 17; thence Westerly along the Northerly line of Beulah Avenue, 11 feet; thence Northerly parallel with the Westerly line of Sublot No. 17 about 135.50 feet to the Northerly line of Sublot No. 17; thence Easterly along said Northerly line about 3 feet to the Northeastly corner of Sublot No. 17; thence Southerly along the Easterly line of Sublot No. 17, 39.40 feet to the Northwestly corner of Sublot No. 20; thence Easterly along the Northerly line of Sublot No. 20, 30 feet to the Northeastly corner of Sublot No. 20; thence Southerly along the Easterly line of Sublot No. 20, 121.16 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Sewer Easement and Perpetual Right-of Way from Christian H. and Emilie Raquet to the City of Cleveland, dated September 1, 1915, filed for record November 27, 1915 at 10:29 a.m. and recorded in Volume 1718, Page 352 of Cuyahoga County Records.

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. 120-05-134 as more fully described in Section 48 below to Northeastern Neighborhood 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. 120-05-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 38 feet of Sublot No. 17 and the Easterly 2 feet of Sublot No. 18 in George M. Hicks's Subdivision of part of Original One Hundred Acre Lot Nos. 387 and 388, as shown by the recorded plat in Volume 14 of Maps, Page 46 of Cuyahoga County Records and being 40 feet front on the Northerly side of Beulah Avenue and extending back about 135-46/100 feet on the Westerly line, 137-06/100 feet on the Easterly line and being 40 feet wide in the rear, as appears by said plat, 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. 120-05-156 as more fully described in Section 50 below to Northeastern Neighborhood 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. 120-05-156

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 2, 3 and all of 4 in Martin Dodge's Superior Street Allotment of part of Original One Hundred Acre Lot No. 388 as shown by the recorded plat in Volume 18 of Maps, Page 17 of Cuyahoga County Records, together forming a parcel of land, bounded and described as follows:

Beginning in the Westerly line of East 120th Street, 40 feet wide, at the Southeastly corner of Sublot No. 4; thence Westerly along the Southerly line of said Sublot No. 4, 90 feet to the Southwestly corner thereof; thence Northerly along the Westerly line of said Sublot No. 4 and parallel with East 120th Street 30 feet to the Northwestly corner of said Sublot; thence Easterly along the Northerly line of Sublot No. 4, 30 feet to the Southwestly corner of Sublot No. 2; 35.64 feet to a point; thence Easterly parallel with the Southerly line of Sublot No. 4, 60 feet to a point in the Westerly line of East 120th Street; thence Southerly along the Westerly line of East 120th Street 65.64 feet to the place of beginning, as appears by said plat, 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. 120-06-069 as more fully described in Section 52 below to Northeastern Neighborhood 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. 120-06-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 85 in J.H. Wade and others Re-Subdivision of part of Original One Hundred Acre Lot No. 386, as shown by the recorded plat in Volume 33 of Maps, Page 18 of Cuyahoga County Records and being 50 feet front on the Southerly side of Orville Avenue, N.E., and extending back of equal width 200 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 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. 120-09-114 as more fully described in Section 54 below to Northeastern Neighborhood 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. 120-09-114

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Subdivision 14 and the Southerly two feet of Sublot No. 13 in H.H. Herbert's Allotment of part of Original One Hundred Acre Lot No. 387 as shown by the recorded plat in Volume 17 of Maps, Page 14 of Cuyahoga County Records and together forming a parcel of land having a frontage of 44 feet front on the Easterly side of East 114th Street (formerly Crawford Court), and extending back about 153 44/100 feet on the Northerly line, 153 16/100 feet on the Southerly line, and having a rear line of 44 feet, as appears by said plat.

**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. 120-11-001 as more fully described in Section 56 below to Northeastern Neighborhood 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. 120-11-001

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. 388, and bounded and described as follows:

Beginning on the Easterly line of East 120th Street (formerly Oakland Street) at a point 347-7/100 feet Northerly from its point of intersection with the Southerly line of land conveyed by Henry L. Aumick and others, to Lyman B. Beers by deed dated September 7, 1875 and recorded in Volume 251, Page 184 of Cuyahoga County Records; thence North 89° 59' East 130 feet; thence Northerly parallel with said Easterly line of East 120th Street 45 feet to the Southerly line of Moulton Avenue, N.E., (formerly Moulton Street); thence Westerly along the Southerly line of Moulton Avenue, N.E., 130 feet to the Easterly line of East 120th Street; thence Southerly along said Easterly line of East 120th Street to the place of beginning and being further known as Sublot No. 25 in Lyman B. Beers proposed Subdivision of part of Original

One Hundred Acre Lot No. 388, be the same more or less, but subject to all legal highways.

**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. 120-11-002 as more fully described in Section 58 below to Northeastern Neighborhood 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. 120-11-002

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. 388 bounded and described as follows:

Beginning on the Easterly line of East 120th Street (formerly Oakland Street), at a point 30.07 feet Northerly from its point of intersection with the Southerly line of land conveyed to Lyman B. Beers by deed dated September 7, 1875 and recorded in Volume 251, Page 184 of Cuyahoga County Records; thence North 89° 59' East, 64.3 feet to the principal place of beginning of the herein described parcel; thence from said principal place of beginning, continuing North 89° 59' East, 65.7 feet; thence Northerly parallel with said Easterly line of East 120th Street, 40 feet; thence Westerly parallel with the first described course, 65.7 feet; thence Southerly parallel with said Easterly line of East 120th Street, 40 feet to the principal place of beginning, and being further known as the Easterly part of Sublot No. 26 in the Lyman B. Beers Proposed Allotment of part of Original One Hundred Acre Lot No. 388, according to a survey made by Jay F. Brown as appears by said plat, be the same more or less, but subject to all legal highways.

1. Appurtenant Access Easement in the Warranty Deed from Tillie H. Berg and Aaron L. Berg, to William White, filed for record April 23, 1968 and recorded in Volume 12313, Page 455 of Cuyahoga County Records.

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. 120-11-003 as more fully described in Section 60 below to Northeastern Neighborhood 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. 120-11-003

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. 388, and bounded and described as follows:

Beginning at a point of the East line of a proposed street called East 120th Street (formerly Oakland Avenue) which is 40 feet in width and the East line of said street is 168 feet East of West line of said lot owned by Lyman B. Beers and which beginning point is 267.07 feet North of the South line of said Lyman B. Beers land, thence North 89° 59' East 130 feet; thence North parallel with East line of said East

120th Street, 40 feet; thence Westerly parallel with the Southerly line of land hereby conveyed 130 feet to the East line of said proposed Street; thence South along the East line of said street, 40 feet to the place of beginning and is further described as being Sublot No. 27 in said Lyman B. Beers' (now F.L. Cody's) proposed allotment of a part of said Original One Hundred Acre Lot No. 388 as per survey made by Jay F. Brown, County Surveyor, 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. 120-11-047 as more fully described in Section 62 below to Northeastern Neighborhood 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. 120-11-047

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. 388, and bounded and described as follows:

Beginning on the Westerly line of Lakeview, N.E., (formerly Lake View Avenue) at a point 35-11/100 feet Southerly measured along said Westerly line of Lake View Road, N.E., from its intersection with the Southerly line of Moulton Avenue, N.E., (formerly Moulton Street); thence Southerly along said Westerly line of Lake View Road, N.E., 40-13/100 feet; thence Westerly on a line parallel to said Southerly line of Moulton Avenue, N.E., 146-88/100 feet; thence Northerly 40 feet to a point on a line drawn parallel to said Southerly line of Moulton Avenue, N.E., and distant 143-94/100 feet Westerly from the place of beginning; thence Easterly 143-94/100 feet to the place of beginning, and further known as Sublot No. 60 in F. L. Cody's proposed Subdivision of part of Original One Hundred Acre Lot No. 388, be the same more or less, but subject to all legal highways.

1. Sewer Easement of various parties, dated October 4, 1915, filed for recorded November 29, 1915, at 10:26 a.m. and recorded in Volume 1717, Page 110 of Cuyahoga County Records.

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. 120-11-049 as more fully described in Section 64 below to Northeastern Neighborhood 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. 120-11-049

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. 388 bounded and described as follows:

Beginning on the Southerly line of Moulton Avenue, N.E., (formerly Moulton Avenue), 45 feet wide at its point of intersection with the Easterly line of East 123rd Street (for-

merly McKinley Street), 30 feet wide; thence Southerly along said Easterly line of East 123rd Street 85 feet; thence Easterly parallel with said Southerly line of Moulton Avenue, N.E., 62.59 feet to the Westerly line of land conveyed by Frank L. Cody to Harry D. Hill by deed dated July 28, 1893, and recorded in Volume 558, Page 317 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed to Harry D. Hill and along the Westerly line of land conveyed by Frank L. Cody to Homer C. Hill by deed dated June 19, 1893, and recorded in Volume 550, Page 335 of Cuyahoga County Records, and along the Westerly line of land conveyed by Frank L. Cody to John A. Brant by deed dated July 24, 1893 and recorded in Volume 558, Page 288 of Cuyahoga County Records, 85 feet to said Southerly line of Moulton Avenue, N.E.; thence Westerly along said Southerly line of Moulton Avenue, N.E., 62.08 feet to the place of beginning, and being further known as Sublot Nos. 78 and 79 in F.L. Cody's proposed Subdivision of part of Original One Hundred Acre Lot No. 338, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**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. 120-11-067 as more fully described in Section 66 below to Northeastern Neighborhood 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. 120-11-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 5 in the Aumick Subdivision of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 16 of Maps, Page 5 of Cuyahoga County Records. Said Sublot No. 5 has a frontage of 40 feet on the Westerly side of East 123rd Street (formerly Glendale Street) and extends back 172.02 feet on the Northerly line, 166.71 feet on the Southerly line, and has a rear line of 40.38 feet, as appears by said plat.

Subject to Sewer Easement to City of Cleveland, D. and A. Volume 9, Page 506.

Also subject to all 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. 120-11-068 as more fully described in Section 68 below to Northeastern Neighborhood 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. 120-11-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in Nancy E. and Henry L. Aumich's Subdivision of part of Original One Hundred Acre Lot No. 388 as shown by the recorded plat in Volume 16 of Maps, Page 5 of Cuyahoga County Records, and

extending back 178-65/100 feet on the Northerly line, 172-21/100 feet on the Southerly line, and has a rear line of 50-44/100 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 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. 120-11-095 as more fully described in Section 70 below to Northeastern Neighborhood 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. 120-11-095

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. 388 and bounded and described as follows:

Beginning on the Westerly line of East 120th Street (formerly Oakland Street), at a point 307.07 feet Northerly from its point of intersection with the Southerly line of land conveyed to Lyman B. Beers by deed dated September 7, 1875 and recorded in Volume 251, Page 184 of Cuyahoga County Records; thence North 89° 59' East, 64.3 feet; thence Northerly parallel with said Easterly line of East 120th Street, 40 feet; thence Westerly parallel with the first described course, 64.3 feet to the said Easterly line of East 120th Street; thence Southerly along said Easterly line of East 120th, 40 feet to the place of beginning, and being further known as the Westerly part of Sublot No. 26 in the Lyman B. Beers Proposed Allotment of part of Original One Hundred Acre Lot No. 388, according to a survey made by Jay F. Brown, as appears by said plat.

Subject to Easement recorded in Volume 12313, Page 455 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

**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. 120-13-072 as more fully described in Section 72 below to Northeastern Neighborhood 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. 120-13-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records and forming a parcel of land 40 feet front on the Easterly side of East 124th Street (formerly Archer Avenue) and extending back between parallel lines 115 feet as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 120-14-007 as more fully

described in Section 74 below to Northeastern Neighborhood 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. 120-14-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in the Martin Dodge Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 17 of Maps, Page 16 of Cuyahoga County Records, and being 40 feet front on the Southeastern side of Ashbury Avenue, N.E., and extending back of equal width 120 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 120-14-048, 120-12-003 and 120-11-048 as more fully described in Section 76 below to Northeastern Neighborhood 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. 120-14-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 27 and 28 in H. Clark Ford's Subdivision of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat of said Subdivision in Volume 14 of Maps, Page 40 of Cuyahoga County Records. Said part of said Sublot Nos. 27 and 28 is bounded and described as follows:

Beginning at the point in the Southwesterly line of East 122nd Street, distant Northwesterly 44.48 feet measured along the said Southwesterly line of East 122nd Street, from the Southeastern corner of Sublot No. 27; thence Southeasterly along the said Southwesterly line of said East 122nd Street, 96.04 feet to the Southeastern corner of Sublot No. 28; thence Westerly along the Southerly line of said Sublot No. 28, 115.95 feet; thence Northerly parallel with the Westerly line of said Sublot No. 28, 30.18 feet, thence Northeasterly in a straight line 72.26 feet to the place of beginning, as appears by a survey made by Ralph Hecker, Civil Engineer.

Also subject to all zoning ordinances, if any.

P.P. No. 120-14-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in H.C. Ford's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 14 of Maps, Page 40 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Crawford Street, now known as Ashbury Avenue, N.E., 161.01 feet deep on the Easterly line, 161.34 feet deep on the Westerly line and 50 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 120-11-048

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. 388, bounded and described as follows:

Beginning at the point of intersection of the Southerly line of Moulton Avenue, N.E., with the Westerly line of Lakeview Road, N.E.; thence Southerly along the westerly line of Lakeview Road N.E., 35.11 feet; thence Westerly parallel with the Southerly line of Moulton Avenue, N.E., 143.94 feet thence Northerly 35 feet to a point in the Southerly line of Moulton Avenue, N.E., distant Westerly 141.37 feet from the place of beginning thence Easterly along the Southerly line of Moulton Avenue N.E., 141.37 feet to the place of beginning and being further known as Sublot No. 59 in Frank L. Cody's proposed Re-Subdivision of Blocks "A" and "B" of L.B. Beer's proposed Subdivision of part of Original One Hundred Acre Lot No. 388, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 77.** 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 78.** 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 79.** 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 80.** 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1034-97.**  
**By Councilmen Zone and Westbrook.**

**An ordinance establishing the West 117 Street/Berea Road Business Revitalization District. (BRD). (Map Change No. 1946, Sheets Nos. 1 & 2).**

Whereas, the Board of Trustees of Westown Community Development Corporation (Westown CDC) and Western-Elmwood-Berea Corporation (WEBCO) have submitted a written request dated May 19, 1997 to the City Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed district; and

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1988; therefore,

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

**Section 1.** That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the West 117 Street-Berea Road Business Revitalization District.

Beginning at the intersection of the southerly property line of the New York Central Railroad tracks and the center line of West 114 Street; thence southerly along said center line of West 114 Street to the center line of Western Avenue, N.W.; thence westerly along said center line of Western Avenue, N.W. to its intersection with the northerly extension of a line located one hundred twenty (120) feet west of the westerly line of West 116 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of West 116 Street and along its southerly extension to the center line of Belmont Avenue, N.W.; thence westerly along said center line of Belmont Avenue, N.W. to its intersection with the center line of Elmwood Avenue, N.W.; thence northerly along said center line of Elmwood Avenue, N.W. to its intersection with the center line of Sector Avenue, N.W.; thence westerly along said center line of Sector Avenue, N.W. to its intersection with the southerly extension of the westerly line of Sublot No. 6 in the A.J. Marvin Subdivision as recorded in Volume 18, Page 20 of the Cuyahoga County Map Records (said westerly line of said Sublot No. 7 being located approximately three hundred fourteen (314) feet west of the westerly line of West 117 Street); thence northerly along said southerly extension and along said westerly line of said Sublot No. 7 to its intersection with a line located one hundred twenty five (125) feet north of the northerly line of Sector Avenue, N.W.; thence westerly along said line which is parallel to and one hundred twenty five (125) feet north of said northerly line of Sector Avenue, N.W. and along its westerly extension to the center line of West 121 Street; thence northerly along said center line of West 121 Street and continuing northerly along the northerly prolongation of West 121 Street to its intersection with the center line of Berea Road, N.W.; thence north-easterly along said center line of Berea Road, N.W. to its intersection with said southerly property line of said New York Central Railroad tracks; thence southeasterly along said southerly property line of said New York Central Railroad tracks to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the West 117 Street-Berea Road Business Revitalization District shall be noted on 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 July 16, 1997.

Effective August 25, 1997.

**Ord. No. 1079-97.**  
**By Councilmen Melena, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Alcon Industries, or its designee, to provide economic development assistance to partially finance the cost of demolishing an adjacent building and remediating the condition of the parcel, located at 8000 Baker Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Alcon Industries, or its designee, to provide economic development assistance to partially finance the cost of demolishing an adjacent building and remediating the condition of the parcel, located at 8000 Baker Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1079-97-A.

**Section 3.** That the costs of said contract shall not exceed Three Hundred Sixty Six Thousand Dollars (\$366,000), and shall be paid from Fund Nos. 17 SF 008 and 17 SF 003, Request No. 23321.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 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 Nos. 17 SF 006 and 17 SF 005.

**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. 17 SF 305, 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1080-97.****By Councilman Moran.**

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties and Commissioner of Purchases and Supplies to acquire certain real property for a public park, which property is located adjacent to Brookside Park for the Division of Recreation, Department of Parks, Recreation and Properties.

Whereas, the City of Cleveland and the Cleveland Metroparks entered into a long-term lease agreement for the public property comprising Brookside Park; and

Whereas, the City of Cleveland is working with the Cleveland Metroparks for the Cleveland Metroparks to acquire the real property described in Section 1 of this ordinance (the "property"), which property is adjacent to Brookside Park, for the public purpose of expanding the public park land in this area; and

Whereas, in the event the Cleveland Metroparks is unwilling or unable to acquire the property, the City of Cleveland desires to ensure the property remains public open space; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties and Commissioner of Purchases and Supplies be and are hereby authorized and directed to purchase the following described property for the purpose of expanding Brookside Park:

Sublot Number 1 through 8 in the Municipal Realty Company's Memphis Avenue Subdivision as recorded in Volume 84, Page 12 of the Cuyahoga County Map Records.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire the real property described in Section 1 and to employ and pay all fees for title companies, surveys, escrow work, appraisers, and all other costs necessary for the acquisition of such property.

**Section 3.** That the price to be paid for the acquisition of the property described in Section 1 shall not exceed its fair market value as determined by the Board of Control and that all costs of acquisition of the property shall be paid from the general fund of the City, including the fund or funds to which are credited the proceeds from any public financing for a purpose which includes the public purpose set forth in 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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1087-97.****By Councilmen Skrha, Smith and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to enter into a First Amendment to Lease By Way of Concession, City Contract No. 48606, with Cleveland National Air Show, Inc. for the conduct of the air show at Burke Lakefront Airport in 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 Port Control is hereby authorized to enter into a First Amendment to Lease By Way of Concession, City Contract No. 48606, with Cleveland National Air Show, Inc. to provide (1) that the term for 1997 be changed from Labor Day Weekend to September 27 and 28, 1997 and (2) that the guaranteed minimum rent for 1997 be changed from \$78,000 to \$51,948.00. All other terms and conditions in City Contract No. 48606 shall remain the same and in full force and effect. The amendment herein authorized shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1088-97.****By Councilmen Skrha, Smith and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with the International Women's Air & Space Museum for office and display space at Burke Lakefront Airport.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into a Lease Agreement ("Lease") with the International Women's Air & Space Museum (the "Lessee") for use and occupancy of approximately 1,000 square feet of space at Burke Lakefront Airport for office and display use. Rent shall be \$8.50 per square foot. The term of such Lease shall be seven (7) years; Lessee shall provide all maintenance, security and janitorial services related to the displays.

**Section 2.** That the Lease herein authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1113-97.****By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of various on-road vehicles and off-road equipment, for the various divisions of City government.

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various on-road vehicles and off-road equipment as set forth in detail on the attachment to Request No. 22906 on file in the office of the Division of Purchases and Supplies, in the estimated sum of \$12,217,921.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. 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 22906).

**Section 3.** That pursuant to Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative agreement using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1145-97.****By Mayor White.**

An emergency ordinance to amend Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1612-88, passed September 12, 1988, and to supplement said ordinances by enacting new Section 443.261 thereof, relating to rates of fare for taxicabs.

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

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



**Section 1.** That Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1612-88, passed September 12, 1988, is hereby amended to read as follows:

**Section 443.26 Rates of Fare for Taxicabs and other Public Hacks**

(a) The maximum rates of fare for gasoline fueled or propane fueled taxicabs shall be as follows:

(1) For the first one-sixth mile or fraction thereof, one dollar and eighty cents (\$1.80).

(2) For each succeeding one quarter mile or fraction thereof, thirty-five cents (\$.35).

(3) For each such taxicab employed upon an hourly rate, twelve dollars (\$12.00) per hour.

(b) The maximum rate of fare for coaches shall be as follows:

(1) For each person transported between any railroad terminal, dock or hotel within the area bounded on the north by Lake Erie, on the west by the Cuyahoga River, on the south by Central Avenue and on the east by East 14th Street, twenty-five cents (\$.25).

(2) For each person transported between the Municipal Airport and any railroad terminal or dock or hotel within the area bounded on the north by Lake Erie, on the west by the Cuyahoga River, on the south by Central Avenue and on the east by East 14th Street, two dollars (\$2.00).

(3) For each coach employed upon an hourly rate, four dollars (\$4.00) per hour.

(4) For each person transported between designated points or in connection with special events a special trip rate per person as set forth in a schedule filed with and approved by the Commissioner of Assessments and Licenses, not to exceed one dollar and twenty-five cents (\$1.25).

(c) **Waiting Time or Traffic Delay Charge.** The rate for waiting or traffic delay shall be fifteen dollars (\$15.00) per hour except for coaches hired at the hourly rate.

(d) The rate for each trunk carried outside shall be twenty cent (\$.20). For ordinary handbags or suitcases there shall be no charge.

(e) **Hourly Rate.** Public hacks may, upon request of passengers, accept employment whereby the fare to be asked may be computed on an hourly rental. When a public hack is so employed, the fare to be charged shall be computed from the time of leaving the nearest station of the owner to the time of returning to the nearest station from the point of dismissal.

(f) **Receipt to be Given.** Upon request of a passenger, the owner, driver, chauffeur or other person in charge or control of a public hack shall deliver to the person paying for the hire of the same at the time of such payment a receipt therefor upon a blank, the form of which is to be prescribed and approved by the Commissioner of Assessments and Licenses. The receipt shall contain in legible type or writing the name of the owner, the City license number, the driver's City license number and other items for which a charge is made, the total amount paid and the date of payment.

**Section 2.** That existing Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1612-88, passed September 12, 1988, is hereby repealed.

**Section 3.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 443.261 thereof, to read as follows:

**Section 443.261 Drivers' Expenses Capped; Reporting.**

(a) **Finding.** This Council finds that the wages earned by drivers of public hacks are inadequate to insure a sufficient number of taxicabs and capable drivers, and that the public convenience and necessity require the imposition of a cap on the expenses paid by drivers of public hacks.

(b) **Definitions.** As used in this section: "Drivers' expenses" means all costs, expenses and fees paid by drivers to a company, association or independent operator currently charged or hereafter established for the lease of a public hack, and includes, by way of example and not by way of limitation, the costs of the lease itself, insurance and fuel. "Base rates" means the drivers' expenses charged by a company, association or independent operator to its drivers on the date of introduction of the ordinance enacting this section.

(c) **Drivers' Expenses Capped.** For the period commencing on the effective date of this ordinance and ending on December 31, 1997, a company, association or independent operator shall not increase its drivers' expenses over the "base rates" as defined in division (b) of this section. For the two-year period commencing on January 1, 1998, a company, association or independent operator shall not increase its drivers' expenses over the "base rates" as defined in division (b) of this section. For the two-year period commencing on January 1, 1998, a company,

In the case of fuel only, changes in the market price of the commodity may be passed along to drivers, and any such increase shall not be counted toward the percentage caps imposed by this division. Overhead costs associated with the sale of fuel by a company, association or independent operator are subject to the caps imposed by this division.

(d) **Reporting.** Within ten (10) days after the effective date of this section, each company, association or independent operator shall submit a schedule of its base rates as defined in division (b) of this section.

On or before December 31 in each year subsequent to the effective date of this section, each company, association or independent operator shall submit its then current schedule of rates, identifying any changes in drivers' expenses. The requirements of this paragraph are satisfied by the company, association or independent operator by a certification of the percentage change in drivers' expenses from the previous reporting period.

All reports required by this section shall be certified by an affidavit of the owner of the company, association or independent operator, on such forms as the Commissioner of Assessments and Licenses shall prescribe.

**Section 4. Non-severability.** This Council finds that an increase in meter rates serve the public convenience and necessity only if the caps on drivers' expenses identified in Section 443.261 of the Codified Ordinances are imposed. Accordingly, the provisions of this ordinance shall not be severable, and the invalidation of any portion of this ordinance shall result in the invalidation of the entire ordinance.

**Section 5.** That Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by this ordinance shall take effect July 1, 1997.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1146-97.**

**By Councilmen Britt, Willis, Coats and Westbrook (by departmental request).**

**An emergency ordinance to amend Section 7 of Ordinance No. 1433-96, passed October 28, 1996, as amended by Ordinance No. 321-97, passed March 10, 1997, relating to authorizing the Director of Public Service to enter into an agreement for the rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road.**

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

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

**Section 1.** That Section 7 of Ordinance 1433-96, passed October 28, 1996, as amended by Ordinance No. 321-97, passed March 10, 1997, is hereby amended to read as follows:

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, 20 SF 334, 52 SF 001, 52 SF 215, 52 SF 217, 54 SF 001, 58 SF 001 and 58 SF 217, Request Nos. 21799 and 21933, from the proceeds of any grant funds from the Ohio Public Works Commission, and from a cash gift from University Hospitals Incorporated to be used as a local cash match for this Improvement.

**Section 2.** That existing Section 7 of Ordinance No. 1433-96, passed October 28, 1996, as amended by Ordinance No. 321-97, passed March 10, 1997, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1158-97.**

**By Councilmen Sweeney, Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Megas Beauty Care, Inc. and G.T. Transfer and Exchange, Inc. to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities at 15501 Industrial Parkway 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, Megas Beauty Care, Inc. and G.T. Transfer & Exchange, Inc., (the "Enterprise") has proposed to expand its facilities at its operation in the City of Cleveland; and

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

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

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

**Section 1.** That this Council hereby approves the application of Megas Beauty Care, Inc. and G.T. Transfer and Exchange, Inc. for enterprise zone incentives on the basis that Megas Beauty Care, Inc. and G.T. Transfer & Exchange, Inc. are qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Megas Beauty Care, Inc. to provide for a ten (10) year abatement for certain tangible personal property and with G.T. Transfer & Exchange, Inc. to provide for a ten (10) year abatement for certain real estate taxes as an incentive to expand facilities at 15501 Industrial Parkway 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 abatements shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1158-97-A.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees not to exceed maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** 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 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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1162-97.**  
**By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8000 and 8006 Hough Avenue to John and Desiree Lundy.**

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(s). 119-01-092 and 119-01-043, as more fully described in Section 2 below, to John and Desiree Lundy.

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

P.P. No. 119-01-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 10 feet from front to rear of Sublot No. 3 and the Westerly 25 feet from front to rear of Sublot No. 10 in Lucretia M. Holt's Re-Subdivision of part of Original One Hundred Acre Lot No. 391 as shown by the recorded plat in Volume 5 of Maps, Page 29 of Cuyahoga County Records and together forming a parcel of land 35 feet front on the Southerly line of Hough Avenue (now known as Hough Avenue, N.E.) and extending back of equal width 147 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.

P.P. No. 119-01-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 35 feet of the Westerly 60 feet of Sublot No. 10 in Lucretia M. Holt's Re-Subdivision of part of Sublot No. 12 in the Hough Heir's Subdivision of part of Original One Hundred Acre Lot Nos. 391 and 392 as shown by the recorded plat of said Re-Subdivision in Volume 5 of Maps, Page 29 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Hough Avenue, N.E., and

extending back of equal width 147 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1166-97.**  
**By Councilmen Polensek and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to accept a gift of one mobile fire safety learning laboratory to be used in educating school children regarding fire safety, for the Division of Fire, Department of Public Safety.**

Whereas, the Fire Safety Task Force, through its Chairman Judge Robert A. Ferreri, has indicated a desire to make a gift of one mobile fire safety learning laboratory to be used in educating school children regarding fire safety, to the Division of Fire, Department of Public Safety and

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to accept on behalf of the Division of Fire one mobile fire safety learning laboratory, known as a "Fire Safety House," to be used in educating school children regarding fire safety, valued at \$26,200, from the Fire Safety Task Force, through its Chairman Judge Robert A. Ferreri. The Director of Public Safety may alter the existing markings on the vehicle in a manner satisfactory to both the City and the donor.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1170-97.**  
**By Councilmen Rybka, Jackson and Westbrook (by departmental request).**  
**An emergency ordinance authorizing the Director of Economic Development to employ one or more professional consultants to develop a Community Development Plan for certain defined areas within the Broadway neighborhood, and to conduct a building conditions survey.**

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 and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to develop a Community Development Plan for certain defined areas within the Broadway neighborhood, and to conduct a building conditions survey along Broadway Avenue between Union Avenue and East 71st.

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

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 10 SF 501, Request No. 23332.

**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 July 16, 1997.  
 Effective July 23, 1997.

**Ord. No. 1174-97.**  
**By Councilman Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract, or the lease, or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing City telephone networks, for the Department of Finance, for a period not to exceed three 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 Finance is hereby authorized and directed to make a written require-

ment contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase, lease or lease with option to purchase for the necessary items, exercisable by the Director of Finance, for a period not to exceed three (3) years, telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing City telephone networks, 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 Department of Finance. 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 three (3) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23231)

**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 July 16, 1997.  
 Effective July 23, 1997.

**Ord. No. 1176-97.**  
**By Councilman Dolan.**  
**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with PPG, or its designee, to provide for abatement of certain tangible personal property and real estate taxes for a period not to exceed ten years, as an incentive to renovate buildings, and to acquire machinery and equipment necessary to relocate a shipping and warehouse facility from Strongsville to 3800 West 143rd Street 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, PPG (the "Enterprise") has proposed to relocate a shipping and warehouse facility from Strongsville to 3800 West 143rd Street in the City of Cleveland; and

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

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

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

**Section 1.** That this Council hereby approves the application of PPG, or its designee, contained in Council File No. 1176-97-A, for enterprise zone incentives on the basis that PPG 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 to provide for abatement for certain tangible personal property and real estate taxes for a period not to exceed ten (10) years as an incentive to renovate a building and to acquire machinery and equipment necessary to relocate a shipping and warehouse facility from Strongsville to 3800 West 143rd Street, Cleveland Ohio.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in the file referenced in Section 1 of this ordinance.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees not to exceed maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** 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 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 July 16, 1997.  
 Effective July 23, 1997.

**Ord. No. 1178-97.**

**By Councilmen Polensek, Willis and Westbrook (by departmental request).**

**An emergency ordinance to amend the title, Section 1 and Section 3 of Ordinance No. 1800-96, passed February 10, 1997; supplement said ordinance by adding new Sections 4 and 5; and to renumber existing Sections 4 and 5 to new Sections 6 and 7, relating to authorizing and directing the Director of Public Safety to apply for and accept a grant from the County Criminal Justice Service Agency for the Juvenile Curfew Program, and to enter into contracts therefor.**

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 Sections 1 and 3 of Ordinance No. 1800-96, passed February 10, 1997, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the County Criminal Justice Service Agency for the Juvenile Curfew Program, and to enter into contracts to implement the program.

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$112,462.50, from the County Criminal Justice Service Agency, to conduct the Juvenile Curfew 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 Director of Public Safety is hereby authorized to enter into contract with the Partnership for a Safer Cleveland, for the implementation of the Juvenile Curfew Program.

**Section 2.** That the existing title and Sections 1 and 3 of Ordinance No. 1800-96, passed February 10, 1997, are hereby repealed.

**Section 3.** That Ordinance No. 1800-96, passed February 10, 1997, is hereby supplemented by adding new Sections 4 and 5 to read, respectively, as follows:

**Section 4.** That the Director of Public Safety is hereby authorized and directed to make a written agreement for the lease for a term of one year, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for not to exceed eight (8) vehicles, to be procured by the Commissioner of Purchases and Supplies upon a unit basis to implement the program.

**Section 5.** That the cost of all contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

**Section 4.** That existing Sections 4 and 5 of Ordinance No. 1800-96, passed February 10, 1997, are hereby renumbered, respectively, to new Section 6 and Section 7.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1208-97.**

**By Councilman Westbrook (by departmental request).**

**An emergency ordinance to appropriate properties located on Maplewood Avenue for the public purpose of construction of a public right-of-way needed for the development of a consolidated rental car facility.**

Whereas, the Council of the City of Cleveland, by Resolution No. \_\_\_\_\_, adopted \_\_\_\_\_, declared

the necessity and intention of appropriating the fee simple property interests herein described for construction of a public right-of-way needed for the development of a consolidated rental car facility; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

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

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

**Section 1.** That for the public purpose of construction of a public right-of-way needed for the development of a consolidated rental car facility, the following described fee simple interest be and the same hereby is appropriated:

## 18509 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 131 in the Riverside Park Allotment of part of Original Rockport Township Section Nos. 3 and 4, as shown by the recorded plat in Volume 71 of Maps, Page 30 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Maplewood Avenue, S.W., and extending back of equal width 119 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

## 19605 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being known as Sublot No. 74 in the Riverside Park Subdivision of part of Original Rockport Township Sections 3 and 4 as shown by the recorded plat of said subdivision in Volume 71 of Maps, Page 30 of Cuyahoga County Records and being 40 feet front on the Southerly side of Maplewood Avenue, S.W., and extending back of equal width 119 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

## 19721 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 80 in the C & D Southwest Subdivision of part of Original Rockport Township Section No. 4 as shown by the recorded plat in Volume 174 of Maps, Page 34 of Cuyahoga County Records, and being 50.75 feet front on the Southerly side of Maplewood Avenue, S.W., and extending back of equal width 119 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

## 19725 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 81 in the C & D Southwest Subdivision of part of Original Rockport Township, Section No. 4, as shown by the recorded plat in Volume 174 of Maps, Page 34 of Cuyahoga County Records and being 31.25 feet front on the Southerly side of Maplewood Avenue, 31.42 feet on the curved turnout between the Southerly side of Maplewood Avenue and the Easterly side of West 198th Street and extending back 99 feet on the Westerly line (which is also the Easterly side of West 198th Street) 119 feet on the Easterly line and having a rear line of 51.25 feet as appears by said plat, be the same more or less, but subject to all legal highways.

## 19722 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 73 in the C & D Southwest Subdivision of part of Original Rockport Township Section No. 4, as shown by the recorded plat in Volume 174 of Maps, Page 34 of Cuyahoga County Records, and being 50.75 feet front on the Northerly side of Maplewood Avenue, S.W., and extending back between parallel lines 118.53 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

## 19700 Maplewood Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 66 in the Riverside Park Subdivision of part of Original Rockport Township Section Nos. 3 and 4 as shown by the recorded plat of said subdivision in Volume 71 of Maps, Page 30 of Cuyahoga County Records. Said sublot has a frontage of 40 feet on the North side of Maplewood Avenue, be the same more or less, but subject to all legal highways.

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

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1256-97.**

**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the Ridge Road Transfer Station Rehabilitation Project; determining the method of making the public improvement of rehabilitating the Ridge Road Transfer Station; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ one or**

**more professional consultants to provide architectural, engineering, and other services necessary; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.**

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 Mayor is hereby authorized to accept a grant in the approximate amount of \$1,900,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating the Ridge Road Transfer Station; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the project grant, File No. 1256-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$475,000, from Fund Nos. 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 921-97, passed June 9, 1997.

**Section 3.** That, it is hereby determined to make the public improvement of rehabilitating the Ridge Road Transfer Station, 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 4.** 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, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 5.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more architects, engineers, and other consultants or one or more firms of such 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 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 from 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 fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 6.** 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 7.** 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 8.** 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 9.** That the costs of the Improvement, services, and property acquisition herein contemplated shall be paid from Fund Nos. 01-40-03-0390, 10 SF 006, 20 SF 290, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 322, 20 SF 331, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 921-97, passed June 9, 1997, Request Nos. 21942 and 21945, and from the proceeds of any grant funds from the Ohio Public Works Commission.

**Section 10.** 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1257-97.**  
**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the Aetna Road Rehabilitation Project; determining the method of making the public improvement of rehabilitating Aetna Road between Broadway Avenue and East 93rd Street; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ one or more professional consultants to provide architectural, engineering, and other services necessary; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.**

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 Mayor is hereby authorized to accept a grant in the approximate amount of \$3,115,200, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Aetna Road between Broadway Avenue and East 93rd Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the project grant, File No. 1257-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$778,800, from Fund Nos. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 52 SF 001, 52 SF 215, 52 SF 217, 54 SF 001, 54 SF 211, 58 SF 001, 58 SF 223, 58 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997.

**Section 3.** That, it is hereby determined to make the public improvement of rehabilitating Aetna Road between Broadway Avenue and East 93rd Street, 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 4.** 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, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 5.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more architects, engineers, and other consultants or one or more firms of such 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 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 from 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 fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 6.** 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 7.** 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 8.** 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 9.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 292, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 52 SF 001, 52 SF 215, 52 SF 217, 52 SF 219, 54 SF 001, 54 SF 211, 58 SF 001, 58 SF 223, 58 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997, Request Nos. 21940 and 21944, and from the proceeds of any grant funds from the Ohio Public Works Commission.

**Section 10.** 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1258-97.**

**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the East 40th Street Rehabilitation Project; determining the method of making the public improvement of rehabilitating East 40th Street between Central and Superior Avenues; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ one or more professional consultants to provide architectural, engineering, and other services necessary; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.**

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 Mayor is hereby authorized to accept a grant in the approximate amount of \$3,735,200, from the Ohio Public Works Com-

mission, acting by and through its Director, to finance the capital improvement of rehabilitating East 40th Street between Central and Superior Avenues; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the project grant, File No. 1258-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$933,800, from Fund Nos. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 52 SF 001, 52 SF 215, 52 SF 217, 54 SF 001, 54 SF 211, 58 SF 001, 58 SF 223, 58 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997.

**Section 3.** That, it is hereby determined to make the public improvement of rehabilitating East 40th Street between Central and Superior Avenues, 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 4.** 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, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 5.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more architects, engineers, and other consultants or one or more firms of such 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 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 from 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 fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 6.** 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 7.** 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 8.** 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 9.** That the costs of the Improvement, services, and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 291, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 52 SF 001, 52 SF 215, 52 SF 217, 54 SF 001, 54 SF 211, 58 SF 001, 58 SF 223, 58 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997, Request Nos. 21939 and 21946, and from the proceeds of any grant funds from the Ohio Public Works Commission.

**Section 10.** 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1259-97.**

**By Councilmen Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland State University to provide various housing, urban land-use, property parcel vacant lot, and residential real estate market data services, products, studies, and other technical assistance in order to facilitate neighborhood planning and programming efforts.**

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 contract with Cleveland State University to utilize the Urban Center's Housing Policy Research Program to provide various housing, urban land-use, property parcel vacant lot, and residential real estate market data services, products, studies, and other technical assistance in order to facilitate neighborhood planning and programming efforts.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$36,000.00, and shall be paid from Fund No. 14 SF 022, Request No. 23089.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1260-97.**  
**By Councilmen Johnson and Westbrook (by departmental request).**

**An emergency ordinance to amend Section 4 of Ordinance No. 1030-97, passed June 9, 1997, relating to determining to proceed to control blight and disease of shade trees by replacing, maintaining, trimming and removing shade trees in and along the public rights-of-way in portions of the City of Cleveland; adopting the assessments; and levying the assessments.**

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

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

**Section 1.** That Section 4 of Ordinance No. 1030-97, passed June 9, 1997, is hereby amended to read as follows:

**Section 4.** That the cost of said Tree Maintenance shall be paid, prior to the collection of assessments, from Fund Nos. 10 SF 200 and 20 SF 322. Proceeds of the assessments levied hereinafter shall be deposited to Fund No. 10 SF 200.

**Section 2.** That existing Section 4 of Ordinance No. 1030-97, passed June 9, 1997, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1261-97.**  
**By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Utilities to enter into agreement with the Northeast Ohio Regional Sewer District to provide reimbursement of costs for a study of the I-480 and West 130th Detention Facility.**

Whereas, the Department of Public Utilities, Division of Water Pollution Control, desires to participate with the Ohio Department of Transportation, the City of Parma, and the Northeast Ohio Regional Sewer District in conducting a study of the I-480 and West 130th Detention Facility for the purpose of obtaining information as to the impact on the upstream and downstream communities prior to the Ohio Department of Transportation's bridge construction on Brookpark Road in Parma and the dredging of the detention basin in Cleveland, which study shall be contracted by the Northeast Ohio Regional Sewer District; and

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to enter into agreement with the Northeast Ohio Regional Sewer District to provide for the payment or reimbursement of the cost expended by the Northeast Ohio Regional Sewer District on behalf of the Division of Water Pollution Control in order to obtain professional services necessary to conduct a study of the I-480 and West 130th Detention Facility. Said agreement shall be in a form approved by the Director of Law and shall contain such terms and conditions as will protect and benefit the public interest.

**Section 2.** That the cost of the expenditure authorized by this ordinance shall be paid from Fund No. 54 SF 001, Request No. 23015.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1262-97.**  
**By Councilmen Skrha, Patton and Westbrook (by departmental request).**

**An emergency ordinance to amend Ordinance No. 1254-92, passed June 15, 1992, as amended by Ordinance No. 2096-92, passed December 14, 1992, by adding new Sections 5 to 11 thereof; to amend existing Section 6 thereof; and to renumber existing Sections 5, 6, 7 to new Sections 12, 13, 14, relating to a public improvement contract, professional services and equipment and furnishing contract to renovate the building located at 1825 Lakeside Avenue.**

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 Ordinance No. 1254-92, passed June 15, 1992, as amended by Ordinance No. 2096-92, passed December 14, 1992, is hereby supplemented by adding new Sections 5, 6, 7, 8, 9, 10, and 11, to read, respectively, as follows:

**Section 5.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities, in order to provide temporary office space during the renovation of the 1201 Lakeside Avenue Building, is authorized to lease up to 45,000 square feet of office space within a 1/2 mile radius of 1201 Lakeside Avenue.

**Section 6.** That the term of the lease authorized by Section 5 shall not exceed two years.

**Section 7.** That the rent for the lease authorized by Section 5 shall be fair market value as determined by the Board of Control.

**Section 8.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose or purposes of providing office space to employees of the Department of Public Utilities, Division of Water.

**Section 9.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 10.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 11.** That the Director of Public Utilities and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 2.** That Section 6 of Ordinance No. 1254-92, passed June 15, 1992, as amended by Ordinance No. 2096-92, is hereby amended to read as follows:

**Section 6.** That the cost of said equipment, furnishing, improvements, professional services, and lease hereby authorized shall be paid from Fund Nos. 52 SF 217 and 52 SF 219, Request No. 10174.

**Section 3.** That existing Section 6 of Ordinance No. 1254-92, passed June 15, 1992, as amended by Ordinance No. 2096-92, is hereby repealed.

**Section 4.** That existing Sections 5, 6, and 7 of Ordinance No. 1254-92, passed June 15, 1992, as amended by Ordinance No. 2096-92, passed December 14, 1992, are hereby renumbered to new "Section 12", "Section 13", and "Section 14".

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1263-97.**  
**By Councilmen Sweeney, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Consolidated Controls, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a vacant building located at 4511 Rocky River Drive, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Consolidated Controls, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a vacant building located at 4511 Rocky River Drive necessary to relocate Consolidated Controls, Inc. from Middleburg Heights to the City of Cleveland, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1263-97-A.

**Section 3.** That the costs of said contract shall not exceed Eighty-Two Thousand Dollars (\$82,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 23334.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 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. 17 SF 006.

**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. 17 SF 305, 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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1264-97.**

**By Councilmen Johnson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks and recreation facilities, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; to employ one or more architectural, landscape architectural or engineering firms and other consultants necessary to provide professional services relating to such improvements; and authorizing and directing the purchase by contract furniture and equipment necessary for the improvement for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned recreation facilities, including all site improvements and appurtenances necessary and incidental thereto, for the Division of Recreation, Department of Parks, Recreation and Properties, by contract let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 922-97, passed June 9, 1997, 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 improvements.

**Section 3.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks and playgrounds, including all site improvements and appurtenances necessary and incidental thereto, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 4.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 922-97, passed June 9, 1997, 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 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 5.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 922-97, passed June 9, 1997, the Director of Parks, Recreation and Properties is hereby authorized to employ by contract or contracts one or more firms of architectural, landscaping architectural or engineering consultants and other consultants necessary 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 public improvements authorized by Sections 1 and 2 of this ordinance.

**Section 6.** That the selection of said 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 or contracts 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 7.** That the costs of the improvements and professional services hereby authorized shall be paid from the fund to which are credited the proceeds of the sale of the general obligation bonds, authorized by Ordinance No. 922-97, passed June 9, 1997, and Fund Nos. 20 SF 330, 20 SF 323, 20 SF 313 and 20 SF 303, Request No. 20562.

**Section 8.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 922-97, passed June 9, 1997, the Director of Parks, Recreation and Properties 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: furniture and equipment necessary for the above mentioned public improvement.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1265-97.**

**By Mayor White, Councilmen Westbrook, Johnson and Patmon.**

**An emergency ordinance to name the bike path located in Rockefeller Park as the Harrison Dillard Bike Path.**

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 bike path located in Rockefeller Park is hereby named the "Harrison Dillard Bike Path."

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques, and other references necessary to reflect the naming of the Harrison Dillard Bike Path.

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1266-97.**

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

**An emergency ordinance to amend the title of Ordinance No. 718-97, passed June 16, 1997; to supplement by adding new Sections 3 and 4; and to renumber existing Sections 3, 4, 5, and 6 to new Sections 5, 6, 7, and 8, relating to the sale of real property as part of the Land Reutilization Program and located at various addresses on East 90th Street to Rehoboth Outreach Church of Christ.**

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 of Ordinance No. 718-97, passed June 16, 1997, is hereby amended to read as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3200, 3220, 3224, 3226, 3230, 3232, 3234, 3238, 3242, 3250 East 90th Street to Rehoboth Outreach Church of Christ.

**Section 2.** That the existing title of Ordinance No. 718-97, passed June 16, 1997, is hereby repealed.

**Section 3.** That Ordinance No. 718-97, passed June 16, 1997, is hereby supplemented by adding new Sections 3 and 4 to read, respectively, as follows:

**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. 127-10-019 (eastern part) as more fully described in Section 4 below, to Rehoboth Outreach Church of Christ.

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

Permanent Parcel No. 127-10-019  
(Eastern part)

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. 432 and further bounded and described as follows:

Beginning on the Westerly line of East 90th Street (40.00 feet, wide) at the Southeasterly corner of Block "A" in John Rock's Subdivision, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records;

Thence South 00° 00' East, 80.34 feet, along the Westerly line of East 90th Street (40.00 feet wide) to a point, which is also the principal place of beginning;

Thence South 90° 00' West, 175.00 feet, parallel to the Northerly line of Sublot No. 75 in John Rock's Subdivision to a point;

Thence South 00° 00' East, 290.0 feet, parallel to the Westerly line of East 90th Street (40.00 feet wide) to a point;

Thence North 90° 00' East, 45.0 feet to a point;

Thence North 00° 00' East, 25.00 feet along the Westerly line of Sublot No. 69 in John Rock's Subdivision, to a point;

Thence North 00° 32' 16" East, 182.48 feet, along the Westerly line of Sublot Nos. 70, 71, 72, 73, 74 and 75 in the John Rock's Subdivision to a point;

Thence North 90° 00' East, 100.00 feet along the Northerly line of Sublot No. 75, to a point on the Westerly line of East 90th Street (40.00 feet wide), which is also the Northeasterly corner of Sublot No. 75;

Thence North 00° 00' East, 85.00 feet, along the Westerly line of East 90th Street to the principal place of beginning containing 0.6152 acres of land.

**Section 4.** That existing Sections 3, 4, 5, and 6 of Ordinance No. 718-97, passed June 16, 1997, are hereby renumbered, respectively, to "Section 5", "Section 6", "Section 7", and "Section 8".

**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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1302-97.**

**By Councilman Willis.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Garrett Square Economic Development Corporation to encroach into the right-of-way of streets within the Forest Hills Park/Parkway Areas by hanging banners on C.P.P. Poles (to be separately permitted) for a period of two (2) 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 Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to Garrett Square Economic Development Corporation, 12412 Superior Avenue, Cleveland, Ohio 44106; its successors and assigns, to encroach into the public right-of-way of streets within the Forest Hills Park/Parkway Areas by hanging banners on poles owned by Cleveland Public Power and identified as Group V at the locations described below. The permission herein granted is effective only for the two (2) year period commencing May 12, 1997:

**LIMITED USE OF GROUP V BANNERS: TWO (2) YEARS.**

**GROUP V:**

POLE LOCATION:	POLE NUMBER:	OWNER:
Median		
East 117th Street from St. Clair	76-1	C.P.P.
Avenue to Sellars	76-2	C.P.P.
	76-3	C.P.P.
	76-4	C.P.P.
	76-5	C.P.P.

**Section 2.** That said banners are to be hung within the public right-of-way of portions of the streets as aforesaid, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

**Section 3.** Nothing in this ordinance grants or shall be considered a grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1 of this ordinance.

**Section 4.** That the permit herein authorized 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 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 July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1305-97.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2841-43 and 2837-39 East 78th Street to Charlie H. Rockamore.**

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 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(s). 124-29-045 and 124-29-044, as more fully described in Section 2 below, to Charlie H. Rockamore.

**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. 124-29-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 76 in J.H. Hardy's Subdivision of part of Original One Hundred Acre Lot No. 330, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and forming a parcel of land having frontage of 50 feet on the Easterly side of East 78th Street (formerly Leon Street), and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 124-29-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 77 in J.H. Hardy's Subdivision of part of Original One Hundred Acre Lot No. 330, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and forming a parcel of land having a frontage of 50 feet on the Easterly side of East 78th Street (formerly Leon Street), and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1309-97.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 38th Street through East 40th Street; Central to Community College 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. 103-30-050, 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. 103-30-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 22 in Henry Houtz's Subdivision of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northeasterly line of Scovill Avenue, S.E., (formerly Scoville Avenue) at a point 30-04/100 feet Southeasterly (measured along said Northeasterly line)

from the most Westerly corner of said Sublot No. 22; thence Southeasterly along said Northeasterly line, 37-79/100 feet to the Northwesterly line of East 37th Street (formerly Forest Street); thence Northeasterly along said Northwesterly line of East 37th Street, 107-50/100 feet to the Southeasterly corner of land conveyed to W.F. Walworth, Trustee, by deed dated March 16, 1892 and recorded in Volume 517, Page 94 of Cuyahoga County Records; thence Northwesterly along the Southwesterly line of land so conveyed to W.F. Walworth, Trustee, about 37-75/100 feet to its point of intersection with a line drawn parallel with said Northwesterly line of East 37th Street from the place of beginning; thence Southerly along said parallel line about 109-54/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**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. 103-30-052, 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. 103-30-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in Henry Houtz's Subdivision or a part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records, and being bounded and described as follows:

Beginning on the Northerly line of Scoville Avenue, S.E., at the Southeasterly corner of Sublot No. 21; thence Westerly along said Northerly line of Scovill Avenue, S.E., about 44 feet, 1 inch to the Southeasterly corner of land conveyed to Henry Dolinsky by deed dated July 20, 1905 and recorded in Volume 979, Page 408 of Cuyahoga County Records; thence Northerly along the Easterly line of land so conveyed to Henry Dolinsky, about 177 feet, 8 inches to the Northerly line of said Sublot No. 21; thence Easterly along the Northerly line of said Sublot No. 21, 44 feet to the Northeasterly corner thereof; thence Southerly along the Easterly line of said Sublot No. 21, 176 feet, 1 inch to the place of beginning, be the same more or less, but subject to all legal highways.

**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. 103-30-053, 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. 103-30-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 20 and 21 in Henry Houtz's Subdivision of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County

Records and bounded and described as follows:

Beginning on the Northerly line of Community College Avenue (formerly Scovill Avenue, S.E.), at a point 22 feet Easterly (measured along said Northerly line) from the Southwesterly corner of said Sublot No. 21; thence Westerly along the Northerly line of Community College Avenue (formerly Scovill Avenue, S.E.), 44 feet 1-1/4 inch; thence Northerly on a line parallel to the Easterly line of said Sublot No. 20, about 180 feet 10 inches to the Southerly line of a 12 foot alley; thence Easterly along the Southerly line of said alley about 44 feet to the Northwesterly corner of land conveyed to Jacob Spillman and Mary Spillman by Warranty Deed dated October 31, 1918, and recorded in Volume 2160, Page 233 of Cuyahoga County Records; thence Southerly about 178 feet 5 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-30-107, 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. 103-30-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 22 in Henry Houtz's Subdivision of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northwesterly line of East 37th Street at a point distant Southwesterly 32.50 feet from its intersection with the Southwesterly line of Linden Court, S.E.; thence Northwesterly 67.75 feet parallel with the said Southwesterly line of Linden Court, S.E., to a point in the Northwesterly line of said Sublot No. 22; thence Southwesterly 32.50 feet along the Northwesterly line of said Sublot No. 22 to a point; thence Southeasterly 67.75 feet parallel with the said Southwesterly line of Linden Court, S.E., to a point in the said Northwesterly line of East 37th Street; thence Northeasterly 32.50 feet along the said Southwesterly line of East 37th Street to the place of beginning, be the same more or less, but subject to all legal highways. The above described premises are conveyed subject to and together with the rights created, established and recognized in a certain deed from the Cleveland Trust Company to Minerva Haywood dated July 20, 1940, and recorded in Volume 5121, Page 103 of Cuyahoga County Records.

**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. 103-30-108, 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. 103-30-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 17, 18 and 21 in Stadman and Darker's Allotment of part of Original Ten Acre Lot Nos. 42 and 43 as shown by the recorded plat in Volume 2 of Maps, Page 5 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 37th Street (formerly Forest Street) at a point distant Northerly 140 feet from its point of intersection with the Northerly line of Scovill Avenue, S.E., (formerly Scovill Avenue); thence Northerly along the Easterly line of 37th Street, 54 27/100 feet to the Northerly line of said Sublot No. 21; thence Easterly along said Northerly line of Sublot No. 21, about 75 18/100 feet to the Westerly line of land conveyed to William R. Watterson by Deed dated February 6, 1902, and recorded in Volume 817, Page 276 of Cuyahoga County Records; thence Southerly on a line parallel to said Easterly line of East 37th Street, 54 29/100 feet; thence Westerly on a line parallel to said Northerly line of Sublot No. 21 about 75-18/100 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 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. 103-31-003, 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. 103-31-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 115 and 116 in Charles H. Norton Allotment of part of Original One Hundred Acre Lot No. 44 as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-31-005, 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. 103-31-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 117, 118 and 119 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together bounded and described as follows:

Beginning at a point in the Southerly line of Central Avenue, now known as Central Avenue, S.E., distant 105-66/100 feet Westerly from

the intersection of said line with the Westerly line of Osborn Street, now known as East 39th Street, which point of beginning is also the Northeast corner of said Sublot No. 117; thence Southerly 143-11/100 feet to a stake in the South line of said Sublot No. 117, distance 22-99/100 feet Easterly from the Southwest corner of said Sublot No. 117; thence Easterly along the Southerly lines of Sublot Nos. 117 and 118, 27 feet to a point 54-2/100 feet Westerly, measured along said line from the West line of said East 39th Street, (formerly Osborn Street); thence Northerly to a point in the Southerly line of Central Avenue, S.E., distant 69-92/100 feet Westerly from the intersection of said Southerly line with the Westerly line of East 39th Street, (formerly Osborn Street); thence Westerly along the Southerly line of Central Avenue, S.E., 35-74/100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 103-31-006, 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. 103-31-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 118 and 119 and 120 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning in the Southerly line Central Avenue, S.E., at a point 69.92 feet Westerly from the intersection said Southerly line of Central Avenue, S.E., with Westerly line of East 39th Street; thence Easterly along said Southerly line of Central Avenue, S.E., 36 feet; thence Southerly about 156.79 feet to a point in the Southerly line of Sublot No. 119, 26 feet, Westerly from the Westerly line of East 39th Street; thence Westerly 28.02 feet, along the Southerly lines of Sublot Nos. 118 and 119 to a point; thence Northerly in a direct line to the place of beginning, 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. 103-31-007, 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 17 of this Ordinance is more fully described as follows:

## P.P. No. 103-31-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 119 and 120 of Charles H. Norton's Subdivision of part of

Original Ten Acre Lot No. 44 in said City. Said parts of Sublot Nos. 119 and 120 hereby conveyed, bounded and described as follows:

Beginning at the Northeastly corner of Sublot No. 120 which is also the point of intersection of the Southerly line of Garden Street, now Central Avenue, with the Westerly line of Osborn Street, now East 39th Street; thence Southerly on the Westerly line of Osborn Street, now East 39th Street, 162-11/12 feet to the Southeastly corner of said Sublot No. 120; thence Westerly on the Southerly line of Sublot Nos. 119 and 120, 26 feet; thence Northerly in a straight line to a point in the Southerly line of Garden Street, now Central Avenue, 33-11/12 feet Westerly by the line of Garden Street, now Central Avenue, from the place of beginning, thence Easterly along the Southerly of Garden Street, now Central Avenue, 33-11/12 feet to the place of beginning a map of said Subdivision being recorded in Volume 3, Page 64 of Cuyahoga County Records, 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. 103-31-036, 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 19 of this Ordinance is more fully described as follows:

## P.P. No. 103-31-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in Charles H. Norton's Subdivision of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and being 52' - 1" front on the Northerly side of Community College Avenue, S.E., (formerly Scovill Avenue, S.E.), and extending back of equal width 149' - 10-1/2" deep on the Easterly line 152' - 2" deep on the Westerly line and 52 feet wide in the rear, be the same more or less, but subject to all legal highways.

**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. 103-31-037, 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. 103-31-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 45 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Northerly line of Scovill Avenue, S.E., 2-5/12 feet Easterly from the Southwestly corner of said Sublot No. 45, which point is also the Southeastly corner of land conveyed to

Salvatore DiNardo by deed dated August 2, 1920, and recorded in Volume 2443, Page 346 of Cuyahoga County Records; thence Easterly along the Northerly line of Scovill Avenue, S.E., 42-2/12 feet to the Southeastly corner of said Sublot No. 45; thence Northerly along the Easterly line of Sublot No. 45, 152 and 8-1/4/12 feet to the Northeast corner of said Sublot; thence West-erly along the Northerly line of said Sublot, 42-1/12 feet to the North-easterly corner of land conveyed to Salvatore DiNardo as aforesaid; thence Southerly along the Easterly line of land so conveyed to Salva-tore DiNardo, about 154-9/12 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 23.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-038, 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. 103-31-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 and the West 2-5/12 feet of Sublot No. 45 in Charles H. Norton's Subdi- vision of part of Original Ten Acre Lot No. 44, as shown by the record- ed plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Northerly side of Community College Avenue, S.E., 157-8/12 feet deep on the Westerly line, about 154 feet deep on the East-erly line and 49-11/12 feet wide in the rear, 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 Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Permanent Parcel No. 103-31-039, as more fully described in Section 26 below, to Burten Bell and Carr Develop- ment 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. 103-31-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 in Charles M. Morton's Re-Subdi- vision of part of Original Ten Acre Lot No. 44, as shown by the record- ed plat or said Re-Subdivision in Volume 3 of Maps, Page 24 of Cuya- hoga County Records. Said Sublot No. 49 has a frontage of 30 feet on the Easterly side of East 38th Street, (formerly Putnam Street), and extends back between parallel lines 125 feet and 1 inch, as appears by said plat, be the same more or less, but subject to all legal high- ways.

**Section 27.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-040, 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. 103-31-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 and the Southerly 10 feet from front to rear of Sublot No. 53 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuya- hoga County Records, and together forming a parcel of land 40 feet front on the Easterly side of Put- nam Street, (now known as East 38th Street), and extending back of equal width 125 feet 1 inch deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 29.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-058, 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. 103-31-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 97 in C.H. Norton's Sub- division of part of Original Ten Acre Lot No. 44 as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of said Sublot No. 97 at a point distant Easterly, 95 feet from the Easterly line of East 38th Street (60 feet wide) thence Easterly along the Northerly line of said Sublot, 30-08/100 feet to the Northerly corner thereof; thence Southerly along the Easterly line of said Sublot No. 30 feet; thence Westerly along the Southerly line of said Sublot No. 30-08/100 feet; thence Northerly paral- lel with the Easterly line of said Sublot, 30 feet to the place of begin- ning, be the same more or less, but subject to all legal highways.

**Section 31.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-071, 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. 103-31-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 90 and the Southerly one-half of Sublot No. 92 in Charles H. Norton's Subdivision of part of Orig- inal Ten Acre Lot No. 44 as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records.

Said Sublot No. 90 and the Souther- ly one-half of Sublot No. 92 togeth- er form a parcel of land having a frontage of 45 feet on the Easterly side of East 39 Street (formerly

Osborn Street) and extending back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 33.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-072, 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. 103-31-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 88 and the Northerly 15 feet of Sublot No. 86 in Charles H. Norton's Allotment of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 45 feet on the Westerly side of East 39th Street (formerly Osborne Street), and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 35.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-073, 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. 103-31-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 84 and the Southerly part of Sublot No. 86 in the Charles H. Norton's Subdivision of part of Orig- inal Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records. Said Sublot No. 84 and part of Sublot No. 86, together form a parcel of land having a frontage of 45 feet on East 39th Street, and extend- ing back between parallel lines 125.00 feet be the same more or less, but subject to all legal highways.

**Section 37.** That pursuant to Section 183.021 of the Codified Ord-nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Sup-ples is hereby authorized to sell Per-manent Parcel No. 103-31-075, 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. 103-31-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 78 and the Southerly one-half of Sublot No. 80 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records and together forming a parcel of land

45 feet front on the Northwesterly side of East 39th Street (formerly Osborn Street), and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.  
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. 103-31-076, 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. 103-31-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 76 and the Northerly one-half of Sublot No. 74 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44 as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land 45 feet front on the Westerly side of East 39th Street (formerly Osborne Street) and extending back of equal wide 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 103-31-078, 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. 103-31-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 and the Northerly half of Sublot No. 68 in Charles H. Horton's Subdivision of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, said Sublot No. 70 and the Northerly half of Sublot No. 68 together form a parcel of land having a frontage of 45 feet on the Westerly side of East 39th Street, and extending back between parallel lines, 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways and also known as 2380 East 39th Street, Cleveland, Ohio.

**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. 103-31-081, 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. 103-31-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 and the Southerly one-half of

Sublot No. 62 in Charles H. Norton's Allotment of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land 45 feet front on the Westerly side of East 39th Street (formerly Osborn Street) and extending back of equal width 125 feet deep, 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. 103-31-082, 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. 103-31-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 20 feet of Sublot No. 56 and all of Sublot No. 58 in Charles H. Norton's Allotment of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 50 feet on the Westerly side of East 39th Street (formerly Osborne Street), and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to restrictions or records and zoning ordinance, 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. 103-31-083, 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. 103-31-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 5 feet of Sublot No. 52, all of Sublot No. 54 and the Southerly 10 feet of Sublot No. 56 in Charles H. Norton's Re-Subdivision of part of Original Ten Acre Lot No. 44 as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 24 of Cuyahoga County Records.

Said Northerly 5 feet of Sublot No. 52, all of Sublot No. 54 and the Southerly 10 feet of Sublot No. 56 together form a parcel of land having a frontage of 45 feet on the Westerly side of East 39th Street (formerly Osborn Street) and extending back between parallel line 125 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 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. 103-31-086, 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. 103-31-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 297 and the Northerly 5 feet front and rear of Sublot No. 298 in Leonard Case's Subdivision of part of Original Ten Acre Lot Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and together forming a parcel of land 55 feet front on the Easterly side of East 39th Street (formerly Osborn Street), 125 feet 5 inches deep on the Northerly line, about 125 feet 5-1/2 inches deep on the Southerly line, and having a rear line of 55 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Restrictions of record and zoning ordinances.

**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. 103-31-087, 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. 103-31-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 296 in Leonard Case Subdivision of part of Original Ten Acre Lot Nos. 44, 45, 46, and 47 as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 39th Street and extending back of equal width 125' - 4-1/2" deep on the Northerly line, 125' - 5" deep on the Southerly line, as appears by said plat, 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. 103-31-089, 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. 103-31-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 294 in Leonard Case Subdivision of part of Original Ten Acre Lot Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records and being 50 feet front on the Southeasterly side of East 39th Street (formerly Osborn Street) and extending back 125 feet, 3 inches deep on the Northeasterly line, 125 feet and 3-1/2 inches deep on the Southwesterly line, and being 50 wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 103-31-091, 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. 103-31-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 292 in Leonard Case's Allotment of part of Original Ten Acre Lot Nos. 44, 45, 46 and 47 as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 39th Street, (formerly Osborn Street) and extending back 125 feet 1-3/4 inches on the Northerly line, 125 feet 2-1/2 inches on the Southerly line and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 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. 103-31-092, 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. 103-31-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 291 in Leonard Case Subdivision of part of Original Ten Acre Lot Nos. 44, 45, 46 and 47 as shown by the recorded plat in Volume 8 of Maps, Page 36 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. 103-31-105, 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. 103-31-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 281 in Leonard Case's Subdivision of a part of Original Ten Acre Lot Nos. 44, 45, 46 and 47, as shown by the recorded plat of said Subdivision in Volume 8 of Maps, Page 36 of Cuyahoga County Records. Said part of Sublot No. 281 is bounded and described as follows:

Beginning on the Northwest corner of said Sublot No. 281 in the Easterly line of East 39th Street, (formerly Osborn Street); thence running Easterly 124 feet 6-1/4 inches along the Northerly line of said Sublot No. 281 to the North-easterly corner of said Sublot; thence Southerly 50 feet Original

Ten Acre Lot No. the Southeasterly corner of said Sublot No. 281; thence Westerly 12 feet 6-3/4 inches along the Southerly line of said Sublot to the Easterly line of land deeded to Edward Klein by deed recorded in Volume 1159, Page 148 of Cuyahoga County Records; thence Northerly along the Easterly line of said land deeded to Edward Klein, 20 feet; thence Westerly long the Northerly line of Kein's land, 112 feet to the Easterly line of East 39th Street, (formerly Osborn Street); thence Northerly along the Easterly line said East 39th Street, 30 feet the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

**Section 63.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 64.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

#### **Ord. No. 1310-97.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10110 through 10114 Pierpont Avenue to Harry W. James.**

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 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(s). 109-04-052 and 109-04-053, as more fully described in Section 2 below, to Harry W. James.

**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. 109-04-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 489 in Superior Park Subdivision No. 3 of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Pierpont Avenue, N.E., and extending back of equal width 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Subject to zoning ordinances, if any.

P. P. No. 109-04-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 490 in B. Schatzinger's Superior Park Subdivision No. 3 of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Pierpont Avenue, N.E., and extending back of equal width 110 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 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1313-97.****By Councilman Polensek.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Lithuanian Village Inc. to stretch a banner at E. 185th St. at Kewanee Avenue, for the period from July 30, 1997 to August 3, 1997, inclusive, publicizing that their hall and restaurant are open during the E. 185th St. Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Lithuanian Village Inc. to install, maintain and remove a banner at E. 185th St. at Kewanee Avenue, for the period from July 30, 1997 to August 3, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1334-97.****By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6400, 6406, 6410, 6412-14 Lexington Avenue to Barry Thomas.**

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. 104-21-014, 104-21-015, 104-21-016, as more fully described in Section 2 below, to Barry Thomas.

**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. 104-21-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 61 and 63 in Luther and Orville Moses Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records and together bounded and described as follows: Beginning, at a point in the Southerly line of Lexington Avenue, now known as Lexington Avenue N.E. 11 feet Easterly from the Northwesterly corner of Sublot No. 63, and thence Southerly and parallel with the Westerly line of Sublot No. 63, 100 feet; thence Westerly and parallel with the Southerly line of Lexington Avenue N.E. 31 feet; thence Northerly parallel with the first described line 100 feet to the Southerly line of Lexington Avenue N.E.; thence Easterly along the Southerly line of Lexington Avenue N.E. 31 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

## P. P. No. 104-21-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 63 and 65 in Luther and Arvilla Moses' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records, bounded and described as follows: Beginning on the Southerly line of Lexington Avenue, N.E., (formerly Lexington Street) at a point one foot easterly (measured along said southerly line of Lexington Avenue, N.E.), from the northeasterly corner of said Sublot No. 63; thence westerly along the southerly line of Lexington Avenue, N.E. 30 feet; thence southerly parallel with the easterly line of said Sublot No. 63, 100 feet to the northerly line of land conveyed to Thomas and Lillie P. Broderick to Alexander and Jane E. Dowrie by deed dated May 8, 1893, and recorded in Volume 549, Page 61 of Cuyahoga County Records; thence easterly along the northerly line of land so conveyed to Alexander and Jane Dowrie, 9 feet to the northeasterly corner thereof; thence southerly along the easterly line of land so conveyed 10 feet to the northerly line of land conveyed by Ferdinand L. and Minnie Refeaning, husband and wife, Herman W. Oster by deed dated June 28, 1893, and recorded in Volume 550, Page 561 of Cuyahoga County Records; thence easterly along the northerly line of land so conveyed to Herman W. Oster and along the easterly extension thereof, 21 feet; thence northerly parallel with the easterly line of said Sublot No. 63, 110 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Easements contained in the instrument dated May 8, 1893 and recorded in Volume 549, Page 61 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

## P.P. No. 104-21-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 65 of Luther and Arvilla Moses Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Lexington Avenue, N.E. (formerly Moses Street) at a point 42-8/12 feet Easterly (measured along said Southerly line) from the Northwesterly corner of said Sublot No. 65; thence Westerly along said Southerly line of Lexington Avenue, N.E. 41-8/12 feet to the Northeasterly corner of land conveyed to Charles W. Schmidt and Catherine Schmidt by Deed dated March 1, 1905 and recorded in Volume 958, Page 473 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Charles W. Schmidt and Catherine Schmidt, 110 feet; thence Easterly on a line parallel to said Southerly line of Lexington Avenue, N.E., about 41-5/12 feet to the Southwesterly corner of land conveyed to Joseph Weinmann by Deed dated December 22, 1900 and recorded in Volume 770, Page 404 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed to Joseph Weinmann, 110 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

## P.P. No. 104-21-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 65 in L & A Moses' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Lexington Avenue, N.E. at a point 42 feet, 8 inches Easterly measured along said Southerly line from the Northwesterly corner of said Sublot No. 65; thence Easterly along the Southerly line of Lexington Avenue, N.E., 41 feet 8 inches to its intersection with the Westerly line of East 65th Street (formerly Norwood Street); thence Southerly along the Westerly line of East 65th Street, 110 feet; thence Westerly parallel with the Southerly line of Lexington Avenue, N.E., about 41 feet 9 inches to the Southeasterly corner of land conveyed to J.M. Lordick by deed dated January 13, 1900 and recorded in Volume 755, Page 8 of Cuyahoga County Records; thence Northerly along the Easterly line of land conveyed to J.M. Lordick 110 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1335-97.**  
**By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8108, 8106, 8100 Linwood Avenue to Rosalind M. Evans.**

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. 106-20-036, 106-20-037 and 106-20-038, as more fully described in Section 2 below, to Rosalind M. Evans.

**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. 106-20-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in E. C. Green's Re-Allotment of part of Original 100 Acre Lot No. 391, as shown by the recorded plat

in Volume 15 of Maps, Page 5 of Cuyahoga County Records, and being 33 feet front on the southerly side of Linwood Avenue, N.E., (formerly Linwood Street), and extending back of equal width 98.80 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P.P. No. 106-20-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2 in E.C. Green's Re-Allotment of Sublot Nos. 22 and 23 in Bulkey and Holden's Allotment of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat of said Re-Allotment in Volume 15 of Maps, Page 5 of Cuyahoga County Records.

Said Sublot No. 2 has a frontage of 33 feet on the Southerly side of Linwood Avenue, N.E., and extends back between parallel lines 98 feet 8 inches, as appears by said plat, together with all the hereditaments and appurtenances thereof, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 106-20-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in E.C. Green's Re-Allotment of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat in Volume 15 of Maps, Page 5 of Cuyahoga County Records and being 31 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 98.80 feet along the Easterly side of East 81st Street (formerly Princeton Street), as appears by said plat, be the same more or less, but subject to all legal highways.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1336-97.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 81 Street to Kenneth and Delphia Stanback.**

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. 106-20-083, Southerly part, 106-20-084 and 106-20-085, as more fully described in Section 2 below, to Kenneth and Delphia Stanback.

**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. 106-20-085

P.P. No. 106-20-084 and

P.P. No. 106-20-083 (Southerly part)  
Parcel "B"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot 6 and part of Sublots 5 and 7 in M.E. and S.K. Davis' allotment of part of Original One Hundred Acre Lot No. 391, as recorded in Volume 5, page 39 of Cuyahoga County Map Records, and being bounded and described as follows:

Beginning at an iron pin set in the West line of Sublot 5, said point being North 00° 09' 00" West 90 feet from the Southwest corner of Sublot No. 4 in the aforesaid allotment; thence North 00° 09' 00" West along the Easterly right-of-way of East 81st Street (formerly Park Avenue, 50 feet wide) 90.00 feet to an iron pin set in the West line of Sublot 7; thence North 89° 31' 30" East 150.30 feet to an iron pin set in the East line of Sublot 7; thence South 00° 09' 00" East along the East line of Sublots 7, 6, and 5, 90 feet to an iron pin set in the East line of Sublot 5; thence South 89° 31' 30" West 150.30 feet to the point of beginning, and containing 13,527 square feet of land, according to a survey by Nicholas Marino, Ohio Registered Surveyor No. 7769 in November 1996, be the same more or less but subject to all legal highways.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1337-97.**

**By Councilman Patton.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward One Festival Committee to stretch banners at Kerruish Park for the period of July 19, 1997 to September 19, 1997, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Ward One Festival Committee to install, maintain and remove banners at Kerruish Park for the period from July 19, 1997 to September 19, 1997, inclusive, at the following locations:

Address	Pole Number	Pole Owner	Attachment
Kerruish Park, E. Side of street.	544111	C.P.P.	Banner/Hardware
16602 Tarkington (Lee Rd. side at SEcor. Lee/Tarkington).	No Pole #	C.P.P.	Banner/Hardware
Across from 4770 Lee Rd.	No Pole #	C.P.P.	Banner/Hardware
16918 Harvard	547734	C.P.P.	Banner/Hardware
4099 Lee Rd.	E12-37	C.P.P.	Banner/Hardware
4770 Lee Rd./W. Side St.	340925	C.E.I.	Banner/Hardware
4770 Lee Rd./W. Side St. behind School crossing signal).	No Pole #	C.E.I.	Banner/Hardware
In front of Food Mart	605534	C.E.I.	Banner/Hardware
In front of 4381 Lee Rd.	550360	C.E.I.	Banner/Hardware
W. Cor. of Lee/Miles	538218	C.E.I.	Banner/Hardware
S.W. Cor. of Lee/Miles	806638	C.E.I.	Banner/Hardware
In front/16815 Harvard	537374	C.E.I.	Banner/Hardware

Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997

**Ord. No. 1339-97.**

**By Councilman Patton.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Department of Community Relations to stretch a banner on Lee Road approximately 50 feet from the intersection of Lee Road and Harvard Avenue, for the period from July 15, 1997 to August 6, 1997, inclusive, publicizing the National Night Out Against Crime.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Department of Community Relations Board to install, maintain and remove a banner on Lee Road west side of Lee Road (pole no. 49-50 CPP) east side of Lee Road (pole no. 542275

CEI), for the period from July 15, 1997 to August 6, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1340-97.**

**By Councilman Skrha.**

**An emergency ordinance consenting and approving the issuance of a permit for the IMG & United Way Footrace on July 13, 1997, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the IMG & United Way Footrace, sponsored by Hermes Race Systems, on July 13, 1997, to start at Burke Lakefront Airport onto, West 25th Street to Detroit, across Veterans Memorial Bridge to Huron Rd., Huron Rd. to Ontario, Ontario to Carnegie, across Hope Memorial Bridge to West 25th Street, West 25th Street to Franklin to the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be

closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1341-97.**  
**By Councilman Skrha.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Public Theater to stretch banners across West St. Clair Avenue and 10 poles between W. 6th St. and W. 9th St., for the period from August 1, 1997 to August 24, 1997, inclusive, publicizing the Shakespeare Downtown Production.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Cleveland Public Theater to install, maintain and remove banners across West St. Clair Avenue and 10 poles between W. 6th St. and W. 9th St., for the period from August 1, 1997 to August 24, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1342-97.**  
**By Councilman Skrha and Smith.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Bridge to Bridge Run on June 28, 1997, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Bridge to Bridge Run, sponsored by Hermes Race Systems and Lutheran Hospital, on June 28, 1997, beginning at Franklin to West 25th Street, West 25th Street to Detroit, across Veterans Memorial Bridge to Huron Rd., Huron Rd. to Ontario, Ontario to Carnegie, across Hope Memorial Bridge to West 25th Street, West 25th Street to Franklin to the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1343-97.**

**By Councilman Smith.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Near West Community Theater to stretch a banner across Bridge Avenue at 3603 Bridge, for the period from July 21, 1997 to August 11, 1997, inclusive, publicizing the 20th Anniversary Summer Youth Theater.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Near West Community Theater to install, maintain and remove a banner across Bridge Avenue at 3602 Bridge, for the period from July 21, 1997 to August 11, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1344-97.**

**By Councilmen Willis, Lewis and Patmon.**

**An emergency ordinance consenting and approving the issuance of a permit for a "Health Trek '97" Race on August 24, 1997, sponsored by the American Cancer Society.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a "Health Trek '97" Race, sponsored by the American Cancer Society, on August 24, 1997, beginning at Wade Oval to East Blvd. at the Botanical Garden, past the VA Medical Center to Martin Luther King Jr. Drive, north to the East 88th Street ramp to Martin Luther King Jr. Drive, turn around and return along the same route (doing this route twice), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.  
Effective July 23, 1997.

**Ord. No. 1352-97.**

**By Councilman Westbrook.**

**An emergency ordinance to supplement Ordinance No. 304-97, passed March 8, 1996, by adding new Section 14 and renumber existing Section 14 to Section 15 to require that all steel used in the construction of the football stadium be American made.**

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.** To supplement Ordinance No. 304-96, passed March 8, 1996, by adding new Section 14 to read as follows:

"Section 14. That all contracts authorized pursuant to this Ordinance No. 304-96 shall require that all steel used in connection with the construction of the Improvement defined in Section 1 of this ordinance shall be American made steel. There shall be no exceptions to the requirement that all steel used in connection with the construction of the Improvement be American made steel, unless otherwise provided by ordinance of City Council."

**Section 2.** That existing Section 14 of Ordinance No. 304-96, passed March 8, 1996, is hereby renumbered to Section 15.

**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 July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1353-97.**

**By Councilman Skrha.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Department of Community Relations to stretch a banner on East 9th Street and Euclid Avenue, for the period from July 15, 1997 to August 6, 1997, inclusive, publicizing the National Night Out Against Crime.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Department of Community Relations Board to install, maintain and remove a banner on East 9th Street and Euclid Avenue (pole no. B60-10 and B61-10, type steel, located at E. 9th St. north and E. 9th St. south), for the period from July 15, 1997 to August 6, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1354-97.**

**By Councilman Smith.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Club Alma Yaucano to stretch a banner at 2674 West 25th Street, for the period of July 25, 1997 to July 27, 1997 inclusive, publicizing the Club's Coffee Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Club Alma Yaucano to install, maintain and remove a banner at 2674 West 25th Street, for the period from July 25, 1997 to July 27, 1997, inclusive. Said banner shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 16, 1997.

Effective July 23, 1997.

**Ord. No. 1356-97.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6601-03 Wade Park Avenue, N.E. to Ella Mae and Willie Redd.**

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 Sup-

plies is hereby authorized to sell Permanent Parcel No. 106-01-036, as more fully described in Section 2 below, to Ella Mae and Willie Redd.

**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. 106-01-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in Peter Hecker's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat of said Subdivision in Volume 10 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Wade Park Avenue, N.E., 70 feet wide, at its point of intersection with the Easterly line of East 66th Street, 60 feet wide (formerly Dunham Avenue); thence Easterly along said Northerly line of Wade Park Avenue, N.E., 40 feet; thence Northerly on a line parallel to the Easterly line of said Sublot No. 1, about 93 feet, 6 inches to the Northwesterly line of said Sublot No. 1; thence Southwesterly along said Northwesterly line of said Sublot No. 1, about 41 feet, 3-1/2 inches to the Easterly line of East 66th Street; thence Southerly along said Easterly line of East 66th Street, 85 feet, 1-1/2 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

**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 July 16, 1997.

Effective July 23, 1997.

**COUNCIL COMMITTEE MEETINGS**

NO MEETINGS

## Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

### Alcon Industries

Baker Avenue, 8000 — economic development assistance — Alcon Industries — Economic  
 Development Department (O 1079-97) ..... **1395**

### Banners

Permit — Department of Community Relations — July 15, 1997 to August 6, 1997  
 (O 1339-97) ..... **1413**

### Burke Lakefront Airport

Contract No. 48606 — Cleveland National Air Show — Burke Lakefront Airport in 1997 —  
 Port Control Department (O 1087-97) ..... **1396**  
 International Women's Air and Space Museum — office and display space — Burke Lakefront  
 Airport — Port Control Department (O 1088-97) ..... **1396**

### City Planning Commission

Change the Use District of lands north side of Payne Avenue (O 2217-96) ..... **1386**  
 Contract Uptown Cleveland Security Corp. — provide finance commercial security services  
 (O 935-97) ..... **1389**  
 East 140th Street, Wade Park — Neighborhood Development Corporation (O 1031-97) ..... **1389**  
 East 81 Street — Kenneth and Delphia Stanback (O 1336-97) ..... **1412**  
 Enterprise Zone Agreement with Uptown Cleveland Development Corp., — provide ten year  
 abatement for real estate taxes — incentive to rehabilitate professional building  
 (O 851-97) ..... **1388**  
 Establishing West 117th Street/Berea Road — Map Change No. 1946, Sheets Nos. 1 &  
 2 (O 1034-97) ..... **1395**  
 Hough Avenue, 8000 and 8006 — John and Desiree Lundy (O 1162-97) ..... **1398**  
 Maplewood Avenue for public right-of-way needed for development of a consolidated rental  
 car (O 1208-97) ..... **1400**

### Codified Ordinances

Amend Ordinance No. 1254-92, passed June 15, 1992 as amended by Ordinance No. 2096-92,  
 passed December 14, 1992 by adding new Sections 5 to 11 thereof — amend existing  
 Section 6 thereof renumber existing sections 5, 6, 7 — relating to public  
 (O 1262-97) ..... **1403**  
 Emergency Ordinance to supplement Ordinance No. 304-97, passed March 8, 1996 by adding  
 new Section 14 and renumber existing Section 14 to Section 15 — require that all  
 steel used in the construction of football stadium be American made (O 1352-97) ..... **1414**

### Community Development

Amend the title of Ordinance No. 718-97, passed June 16, 1997 to supplement by adding new  
 Sections 3 and 4 — relating to the sale of real property as part of Land  
 Reutilization Program — located at various addresses on East 90th Street  
 (O 1266-97) ..... **1404**  
 Contract — Cleveland State University — provide various housing, urban land-use,  
 property parcel, vacant lot and residential real estate market (O 1259-97) ..... **1402**  
 East 140th Street, Wade Park — Neighborhood Development Corporation (O 1031-97) ..... **1389**  
 East 38th and East 40th Street — Burten Bell and Carr Development Corporation  
 (O 1309-97) ..... **1406**  
 East 78th Street, 2841-43 and 2837-39 — Charlie H. Rockamore (O 1305-97) ..... **1405**  
 East 98th Street, 1132 — Arthur Lee Young (O 1313-97) ..... **1411**  
 Hough Avenue, 8000 and 8006 — John and Desiree Lundy (O 1162-97) ..... **1398**  
 Maplewood Avenue for public right-of-way needed for development of a consolidated rental  
 car (O 1208-97) ..... **1400**  
 Pierpont Avenue, 10110 through 10114 — Harry W. James (O 1310-97) ..... **1410**  
 Wade Park, 6601-03 — Ella Mae and Willie Redd (O 1356-97) ..... **1415**

### Congratulations

Grayson, Mercedes (O 1113-97) ..... **1396**

**Economic Development Department**

Amend Urban Development Action Grant Development Contract with Halle Office Building Limited Partnership and S & R Playhouse Realty Company (O 549-97) ..... 1387

Baker Avenue, 8000 — economic development assistance — Alcon Industries — Economic Development Department (O 1079-97) ..... 1395

Contract — Consolidated Controls, Inc. — provide economic development assistance to partially finance the acquisition and renovation of a vacant building — located at 4511 Rocky River Drive (O 1263-97) ..... 1403

Contract Uptown Cleveland Security Corp. — provide finance commercial security services (O 935-97) ..... 1389

Employ one or more professional consultants to develop a Community Development Plan (O 1170-97) ..... 1399

Enterprise Zone Agreement with Megas Beauty Care — provide ten year abatement — expand facilities at 15501 Industrial Parkway located — Cleveland Area Enterprise Zone (O 1158-97) ..... 1397

Enterprise Zone Agreement with PPG — provide abatement of personal property and real estate taxes (O 1176-97) ..... 1399

Enterprise Zone Agreement with Uptown Cleveland Development Corp., — provide ten year abatement for real estate taxes — incentive to rehabilitate professional building (O 851-97) ..... 1388

**Finance Department**

Amend Section 443.26 of the Codified Ordinance — as amended by Ordinance No. 1612-88 — passed September 12, 1988 — to supplement ordinances by enacting new Section 443.261 — relating to rates of fare for taxicabs (O 1145-97) ..... 1396

Amend Section 7 of Ordinance No. 1433-96 passed October 28, 1996 — amended by Ordinance No. 321-97 — passed March 10, 1997 — relating to authorizing the Director of Public Service to enter into an agreement for rehabilitating/Construction (O 1146-97) ..... 1397

Amend Urban Development Action Grant Development Contract with Halle Office Building Limited Partnership and S & R Playhouse Realty Company (O 549-97) ..... 1387

Amend the title, Section 1 and Section 3 of Ordinance No. 1800-96 — passed February 10, 1997 — supplement said ordinance by adding new Sections 4, 5 and 6 — relating to apply and accept a grant from County Criminal Justice Service (O 1178-97) ..... 1400

Contract or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones (O 1174-97) ..... 1399

Employ one or more professional consultants to develop a Community Development Plan (O 1170-97) ..... 1399

Enter into lease By Way of Concession with Strongsville Tobacco Trading Company, Inc. — Cleveland Hopkins International Airport (O 341-97) ..... 1387

Enterprise Zone Agreement with Megas Beauty Care — provide ten year abatement — expand facilities at 15501 Industrial Parkway located — Cleveland Area Enterprise Zone (O 1158-97) ..... 1397

Enterprise Zone Agreement with PPG — provide abatement of personal property and real estate taxes (O 1176-97) ..... 1399

Gift — One mobile fire safety learning laboratory — educating school children (O 1166-97) ..... 1398

**Land Reutilization Program**

East 38th and East 40th Street — Burten Bell and Carr Development Corporation (O 1309-97) ..... 1406

East 78th Street, 2841-43 and 2837-39 — Charlie H. Rockamore (O 1305-97) ..... 1405

East 98th Street, 1132 — Arthur Lee Young (O 1313-97) ..... 1411

Hough Avenue, 8000 and 8006 — John and Desiree Lundy (O 1162-97) ..... 1398

Lexington Avenue, 6400, 6406, 6410, 6412-14 — Barry Thomas (O 1334-97) ..... 1411

Lexington Avenue, 7215, 7211 and 7202 — Vernesha and Ronald Boone (O 926-97) ..... 1388

Linwood Avenue, 8108, 8106, 8100 — Rosalind M. Evans (O 1335-97) ..... 1412

Pierpont Avenue, 10110 through 10114 — Harry W. James (O 1310-97) ..... 1410

Wade Park, 6601-03 — Ella Mae and Willie Redd (O 1356-97) ..... 1415

**Leases**

International Women's Air and Space Museum — office and display space — Burke Lakefront Airport — Port Control Department (O 1088-97) ..... 1396

**Liquor Permits**

E. 55th Street, 2943-45 — withdrawing objection — renewal of liquor permit (R 1348-97) ..... 1385

East 79th Street, 1601-03 — objecting — transfer of location (R 1345-97) ..... 1384

Lorain Avenue, 7310 — withdrawing objection — transfer of ownership (R 1347-97) ..... 1385

Meyer Avenue, 3347 — objecting transfer of ownership (R 1355-97) ..... 1386

N. Marginal Rd., 5555 — objecting — issuance of D5F (R 1349-97) ..... 1385

Superior Avenue, 5300 — objecting — transfer of ownership (R 1346-97) ..... 1384

Tower City Center Unit 850-60 — Objecting to issuance of D5B (R 1350-97) ..... 1385

W. 25th Street, 2850 — withdrawing objection — transfer of location — repealing Res. No. 1204-97 (R 1351-97) ..... 1386

**Parks, Recreation and Properties Department**

Amend Section 4 of Ordinance No. 1030-97, passed June 9, 1997 — relating to determining to proceed to control blight and disease of shade trees by replacing, maintaining, trimming and removing shade trees (O 1260-97) .....	1403
Brookside Park — acquire property — Recreation Division — Parks, Recreation and Properties Department (O 1080-97) .....	1396
Determining the method of making public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks and recreation facilities (O 1264-97) .....	1404
To name the bike path located in Rockefeller Park as the Harrison Dillard Bike Path (O 1265-97) .....	1404

**Permits**

Permit — Bridge to Bridge run — June 28, 1997 (O 1342-97) .....	1414
Permit — Cleveland Public Theater — August 1, 1997 to August 24, 1997 (O 1341-97) .....	1414
Permit — Club Alma Yaucano — July 25, 1997 to July 27, 1997 (O 1354-97) .....	1415
Permit — Department of Community Relations — July 15, 1997 to August 6, 1997 (O 1339-97) .....	1413
Permit — Department of Community Relations — July 15, 1997 to August 6, 1997 (O 1353-97) .....	1415
Permit — Garrett Square Economic Development Corporation — encroach into right-of-way street between Forest Hills Parks (O 1302-97) .....	1405
Permit — Health Trek '97 Race — August 24, 1997 (O 1344-97) .....	1414
Permit — IMG & United Way Footrace — July 13, 1997 (O 1340-97) .....	1413
Permit — Ward One Festival — July 19 to September 19, 1997 (O 1337-97) .....	1413
Permit — West Community Theater — July 21, 1997 to August 11, 1997 (O 1343-97) .....	1414

**Port Control Department**

Contract No. 48606 — Cleveland National Air Show — Burke Lakefront Airport in 1997 — Port Control Department (O 1087-97) .....	1396
Enter into lease By Way of Concession with Strongsville Tobacco Trading Company, Inc. — Cleveland Hopkins International Airport (O 341-97) .....	1387
International Women's Air and Space Museum — office and display space — Burke Lakefront Airport — Port Control Department (O 1088-97) .....	1396

**Public Hearings (Notices)**

Establishing West 117th Street/Berea Road — Map Change No. 1946, Sheets Nos. 1 & 2 (O 1034-97) .....	1395
--	------

**Purchases/Contracts**

Contract No. 48606 — Cleveland National Air Show — Burke Lakefront Airport in 1997 — Port Control Department (O 1087-97) .....	1396
--	------

**Recreation Division**

Brookside Park — acquire property — Recreation Division — Parks, Recreation and Properties Department (O 1080-97) .....	1396
---	------

**Safety Department**

Amend Section 443.26 of the Codified Ordinance — as amended by Ordinance No. 1612-88 — passed September 12, 1988 — to supplement ordinances by enacting new Section 443.261 — relating to rates of fare for taxicabs (O 1145-97) .....	1396
Amend the title, Section 1 and Section 3 of Ordinance No. 1800-96 — passed February 10, 1997 — supplement said ordinance by adding new Sections 4, 5 and 6 — relating to apply and accept a grant from County Criminal Justice Service (O 1178-97) .....	1400
Gift — One mobile fire safety learning laboratory — educating school children (O 1166-97) .....	1398

**Service Department**

Amend Section 7 of Ordinance No. 1433-96 passed October 28, 1996 — amended by Ordinance No. 321-97 — passed March 10, 1997 — relating to authorizing the Director of Public Service to enter into an agreement for rehabilitating/Construction (O 1146-97) .....	1397
Contract of Meyer snow plow and spreader parts for labor installation (O 811-97) .....	1387
Declaring intention to vacate Avrina Avenue (R 1267-97) .....	1384
Grant — Ohio Public Works Commission for East 40th Street Rehabilitation Project — enter into contract for making such improvement (O 1258-97) .....	1402
Grant — Ohio Public Works Commission for Aetna Road Rehabilitation Project — enter into contract for such improvement (O 1257-97) .....	1401
Grant — Ohio Public Works Commission for Ridge Road Transfer Station Rehabilitation Project — enter into contract for the making of such improvement (O 1256-97) .....	1400

**Street—Vacation**

Declaring the intention to vacate a portion of East 90th Place (R 1338-97)..... **1384**

**Urban Development Action Grant Development Contract**

Amend Urban Development Action Grant Development Contract with Halle Office Building  
Limited Partnership and S & R Playhouse Realty Company (O 549-97) ..... **1387**

**Utilities Department**

Agreement — Northeast Ohio Regional Sewer District — provide reimbursement of costs for  
study of the I-480 and West 130th Detention Facility (O 1261-97) ..... **1403**

**Zoning—Public Hearings—City Planning Committee**

Change the Use District of lands north side of Payne Avenue (O 2217-96) ..... **1386**