

The City Record

Official Publication of the City of Cleveland

June the Fifth, Nineteen Hundred and Ninety-Six

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Charles L. Patton, Jr.
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

Containing	PAGE
City Council	3
The Calendar	43
Board of Control	45
Civil Service	49
Board of Zoning Appeals	49
Board of Building Standards and Building Appeals	50
Public Notices	51
Public Hearings	51
City of Cleveland Bids	52
Adopted Resolutions and Ordinances	52
Committee Meetings	52
Index	53

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

MAYOR-Michael R. White
 LaVonne Sheffield-Turner, Chief of Staff, Executive Assistant for Policy
 Barry Withers, Executive Assistant for Administration
 Judith Zimomra, Executive Assistant for Service
 Kenneth Silliman, Executive Assistant for Economic Development
 Richard Werner, Executive Assistant for Governmental Affairs.
 Linda Willis, Director, Office of Equal Opportunity

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

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

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

DEPT. OF PORT CONTROL - William F. Cunningham, Jr., Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
 Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner,
 5600 Carnegie Avenue.
 Streets - Randell T. Scott, Commissioner, Room 25
 Engineering and Construction - J. Christopher Nielson, Acting
 Commissioner, Rm. 518
 Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth Nobilio, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH -Robert O. Staib, Director, Mural Building
 1925 St. Clair Avenue.
DIVISIONS - Health - Juan Molina Crespo, Acting Commissioner, Mural
 Building, 1925 St. Clair Avenue
 Environment - Carolyn Wallace, Acting Commissioner, Mural Building,
 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North-
 field Road

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

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

Park Maintenance and Properties - Richard L. Silva, Acting Commissioner,
 Public Auditorium - E. 6th & Lakeside.
 Recreation - Michael Cox, Acting Commissioner, Room 8
 Research, Planning & Development - M. Fallon, Commissioner, Burke
 Lakefront Airport

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

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

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

DEPT. OF AGING - Rm. 122, Susan Axelrod, Director

COMMUNITY RELATIONS BOARD - Room 11, Jackie R. Whitner,
 Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary
 Adele Springman, Vice-Chairman; Councilmen Michael Polensek and
 Edward Rybka, City Council Representatives; Louise Boddie, Jr., Muqit
 Abdul Sabur, Clifford Savren, Henry Simon, George S. Smilnak, Harry
 Taketa, Timothy Cosgrove.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson,
 President; James J. Marniella, Vice President; Donna K. Nelson, Secretary;
 Timothy J. Cosgrove, Member.

SINKING FUND COMMISSION - Michael R. White, President; Patricia
 Stokes, Asst. Sec'y.; Kathryn Burrer Hyer, Director; President of Council
 Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Valerie Schwonek, Chairman;
 Dona Brady, Vice-Chairman; Anna Chatman, Paula Phillips, Tony
 Petkovsek, Anthony Costanzo, Sec'y.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room
 516, J. F. Denk, Chairman; J. Bowes, S. K. Birch, Alternate Members - D.
 Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan. Exec. Sec'y.

BOARD OF REVISION OF ASSESSMENTS - Law Director, Sharon Sobol
 Jordan; Pres. Finance Director, Kathryn Burrer Hyer, Director Sec'y.
 Council President Jay Westbrook.

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

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

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director;
 Rev. Albert T. Rowan, Chairman; Todd W. Schmidt, Vice Chairman Thomas
 D. Corrigan, 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, Kathryn Burrer Hyer,
 Councilmen James Rokakis, Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Ralph R. Carpinelli,
 Chairman; Marion J. Long, Anton J. Eichmuller, Samuel Montfort
 J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.;
 Ben S. Eulinberg, Martin J. Kilbane, Jozef Valencik, Martin Gallagher,
 Laszlo V. Kemes, Secretary.

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

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	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. 83

WEDNESDAY, JUNE 5, 1996

No. 4304

CITY COUNCIL

MONDAY, JUNE 3, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

Rules Committee: Westbrook, Chairman; Coats, Miller, Robinson, Smith.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio June 3, 1996.

The regular meeting of the Council was called to order, the President, Jay Westbrook in the chair.

Councilmen present: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Miller, O'Malley, Patmon, Patton, Paulenske, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Spellman, Axelrod, Morrison and Acting Directors Holland, Ross, Balraj and Whitner.

Absent: Directors Denihan, Hamilton and Warren.

The prayer was dispensed with. Pledge of Allegiance.

MOTION

On the motion of Mr. Coats, the reading of the minutes of the last meeting be dispensed with and the journal approved.

COMMUNICATIONS

File No. 975-96.

From the Division of Purchases and Supplies re:Sales Request No. 90147 for sale or lease of property at East 21st Street, north of Payne Avenue. Received.

File No. 976-96.

From the Division of Purchases and Supplies re:Monthly Requirement Contract Report - May, 1996. Received.

File No. 977-96.

From the Department of Finance re:1996 Budget (including a strength report as of March 24, 1996 and a report of all hirings in 1996). Received.

File No. 978-96.

From the Department of Finance re:GO Bonds for 1996 (including GO

projects for the 1996 new money portion of GO Bond financing). Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 979-96.

Re: Transfer of Ownership Application - 9725521 - WODDI, II, Inc. dba Cousins Superette, 9621 Mt. Auburn Road, first floor and basement. (Ward 4). Received.

File No. 980-96.

Re: Transfer of Ownership Application - 5179902 - Lez, Inc. dba Moe's Food Mart, 2976 East 116th Street. (Ward 4). Received.

File No. 1065-96.

Re: New Application - 0142124 - Margaret F. Almaliki dba L & Y Deli, 3226 East 93rd Street. (Ward 5). Received.

File No. 981-96.

Re: Transfer of Ownership Application - 2644568 - Farmer Food Market, Inc. dba Brothers, 6938 Kinsman Road, first floor. (Ward 5). Received.

File No. 982-96.

Re: Transfer of Ownership Application - 6550490 - 10813 St. Clair Corp. dba Sunlight Market, 10813 St. Clair Avenue. (Ward 8). Received.

File No. 983-96.

Re: Transfer of Ownership Application - 0770527 - BNY Cleveland, Inc. dba Bar Cleveland, 1204 Old River Road. (Ward 13). Received.

File No. 984-96.

Re: Transfer of Ownership Application - 4211524 - Jahadno, Inc. dba Janet Deli, 2626 Scranton Road, first floor and basement. (Ward 14). Received.

File No. 985-96.

Re: Transfer of Ownership Application - 8385521 - Sounion, Inc., 16120 Brookpark Road. (Ward 20). Received.

File No. 986-96.

Re: Transfer of Ownership Application - 6381573 - Niaf, Inc. dba Kinsman Food Deal, 12502 Kinsman Road. (Ward 3). Received.

File No. 987-96.

Re: Transfer of Location Application - 261559800071 - Fai Con Club, 12117 Mayfield Road. (Ward 6). Received.

File No. 988-96.

Re: Stock Application - 8478754 - Stadium Restaurant, Inc., Cleveland Stadium Tower A, 3rd and 4th Levels, 1075 West 3rd Street. (Ward 13). Received.

File No. 989-96.

Re: Transfer of Ownership Application - 6961405 - Players Sports Bar & Grille, Inc., 2994 West 25th Street, 2nd and 3rd floors. (Ward 14). Received.

File No. 990-96.

Re: Transfer of Ownership Application - 4174769 - JKH, Inc., 17004 Lorain Avenue, first floor and basement. (Ward 21). Received.

OATH OF OFFICE**File No. 991-96.**

Oath of Office for Bancroft Henderson - member of the City Records Commission. Received.

File No. 992-96.

Oath of Office for Earl Bumgarner - member of the Board of Examiners of Plumbers, City of Cleveland. Received.

File No. 993-96.

Oath of Office for Jesse Anderson - member of the Regional Transit Authority. Received.

File No. 994-96.

Oath of Office for Arthur Saunders - member of the Board of Building Standards, City of Cleveland. Received.

File No. 995-96.

Oath of Office for Richard Schanfarber - member of the Landmarks Commission, City of Cleveland. Received.

File No. 996-96.

Oath of Office for James Gibans - member of the Landmarks Commission, City of Cleveland. Received.

File No. 997-96.

Oath of Office for Judge Lillian Burke - member of the Landmarks Commission, City of Cleveland. Received.

File No. 998-96.

Oath of Office for Randall Shorr - member of the Landmarks Commission, City of Cleveland. Received.

File No. 999-96.

Oath of Office for Paul Volpe - member of the Landmarks Commission, City of Cleveland. Received.

File No. 1000-96.

Oath of Office for George Dixon - member of the Regional Transit Authority, City of Cleveland. Received.

File No. 1001-96.

Oath of Office for Tverner Collier - member of the Police Review Board, City of Cleveland. Received.

File No. 1002-96.

Oath of Office for Larry Liou - member of the Community Relations Board, City of Cleveland. Received.

File No. 1003-96.

Oath of Office for Kathryn Hall - member of the Community Relations Board, City of Cleveland. Received.

File No. 1004-96.

Oath of Office for Louise Harris - member of the Cuyahoga Metropolitan Housing Authority. Received.

File No. 1005-96.

Oath of Office for David Bowen - member of the City Planning Commission, City of Cleveland. Received.

File No. 1006-96.

Oath of Office for Jackie R. Whitner - Acting Director of the Department of Community Relations. Received.

REPORTS**File No. 1007-96.**

From the City of Cleveland, Office of the Mayor re: The People's Budget, 1996. Received.

File No. 1008-96.

From the Ohio Rehabilitation Services Commission re: 1995 Annual Report. Received.

COMMUNICATION**File No. 1009-96.**

May 23, 1996

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Mr. Dan Clark for appointment to the Cleveland-Cuyahoga Port Authority. This appointment is effective immediately upon approval by Council, is a four year term and will expire on January 28, 2000.

Thank you for your consideration.

Sincerely,
Michael R. White
Mayor

Received.

Referred to Committee on Mayor's Appointments.

**COMMITTEE ON
MAYOR'S APPOINTMENTS**

The Chair appointed Councilman Dale Miller as Chairman and Councilmen Craig Willis, Gary Paulenske, Charles L. Patton, Jr., and Michael D. Polensek to consider the Mayor's appointment to the Cleveland-Cuyahoga County Port Authority.

CONDOLENCE RESOLUTIONS

The rules were suspended and the following Resolutions were adopted by a rising vote:

Res. No. 1066-96. Aaron D. Stewart.

Res. No. 1067-96. William E. Robinson.

Res. No. 1068-96. Henry Hopwood.

Res. No. 1069-96. Lewis E. Moore.

CONGRATULATORY RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

Res. No. 1070-96. Rev. Julius Trimble.

Res. No. 1071-96. East High School - 30th Reunion.

Res. No. 1072-96. Dr. William and Mrs. Carol Foley and the Cleveland BoyChoir.

Res. No. 1073-96. Nick Previte.

Res. No. 1074-96. H. Louis Chapman.

Res. No. 1075-96. Charles L. Tillie.
Res. No. 1076-96. Officer Edward O'Donnell.

Res. No. 1077-96. Mrs. Clarice Prevost.

Res. No. 1078-96. Frances Whitney.
Res. No. 1079-96. Rosemary Hubbard.

Res. No. 1080-96. Gayle Maracz.

Res. No. 1081-96. Ella M. Davis.

RESOLUTION OF RECOGNITION

The rules were suspended and the following Resolution was adopted without objection:

Res. No. 1082-96. Robert H. Jamison CompuTech Center.

**FIRST READING EMERGENCY
ORDINANCES REFERRED****Ord. No. 1010-96.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2220 East 82nd, 2241 East 81st, 2239 East 80th, 2237 East 80th and 2242 East 80th Streets to Fairfax Renaissance Development Corporation.

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). 119-28-082, 119-28-089, 119-28-126, 119-28-125, 119-28-160, as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation.

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. 119-28-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 131 in the Curtiss, Ambler Realty Company Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 82nd Street and extending back between parallel lines 101.5 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 119-28-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in the Curtiss Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of

Cuyahoga County Records, and being 40 feet front on the Easterly side of East 81st Street and extending back between parallel lines 101.5 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways. Subject to zoning ordinances, if any.

Subject to restrictions in Volume 1075, Page 614 of Cuyahoga County Records.

P.P. No. 119-28-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in the Curtiss Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 80th Street and extending back of equal width 101.50 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.

P.P. No. 119-28-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 67 in the Curtiss Ambler Realty Company's Subdivision of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 80th Street and extending back of equal width 101 50/100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinance, if any.

P.P. No. 119-28-160

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in the Curtiss Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 32 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 80th Street and extending back of equal width 102 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1011-96.

By Councilman Coats.

An emergency ordinance to enact Section 451.34 of the Codified Ordinances of Cleveland, Ohio, 1976, establishing zones for passenger bus parking; permits and violations.

Whereas, the lack of designated parking areas for passenger buses at certain areas and neighborhoods of the City of Cleveland has occasionally impaired the flow of traffic and resulted in motor vehicle congestion, particularly at museums and tourist attractions; and

Whereas, the parking of certain motor vehicles, i.e. passenger buses and recreational vehicles at locations not suitable to accommodate these vehicles threatens the health, safety, and welfare of many of the residents of the City; and

Whereas, it is necessary to establish passenger bus parking spaces and zones at various locations throughout the City of Cleveland to circumvent these concerns; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 451.34 thereof to read as follows:

Section 451.34 Establishment of Zones for Passenger Bus Parking; Permits; Violations

(a) The Director of Public Safety is authorized to establish zones on public streets and at public parking facilities to be reserved for persons standing or parking passenger buses. As used in this Section, the term "passenger bus" shall refer to every motor vehicle designed for carrying sixteen or more passengers and used for the transportation of persons, other than in a ridesharing arrangement as defined in RC 4511.01(DDD), and every school bus as defined in Section 4511.01(F). Prior to the establishment of any such zone, the Commissioner of Traffic Engineering and Parking shall conduct a study and report the findings to the Director of Public Safety together with recommendations as to the need for and the advisability of creating the zone. The investigation shall consider all relevant traffic engineering considerations, including without limitation the specific considerations identified in this division. Following the investigation, the zone shall not be established if the Director of Public Safety determines that any of the following are true:

(1) Establishing proposed zone

would create or contribute to a traffic flow or traffic congestion problem.

(2) The proposed zone is in an area already experiencing traffic congestion, and there are adequate off-street areas for standing or parking passenger buses, and the proposed zone cannot be implemented without resolving, accommodating, or decreasing said traffic congestion.

(3) The proposed zone is presently a restricted parking area, unless the investigation of the Commissioner of Traffic Engineering and Parking reveals that it is desirable to lift or change the restriction.

(b) The establishment of a zone pursuant to this Section shall be effective ten (10) days after publication of a notice in the City Record and upon the posting of signs sufficient in number and location to apprise the ordinarily observant person of the existence of the zone, and shall have the force and effect of law until rescinded by the Director of Public Safety or until disapproved by ordinance of Council.

(c) The use of any zone established pursuant to this Section shall be suspended on any street of the City which has been closed pursuant to any lawful authority, including without limitation street closings made pursuant to Sections 133.09, 403.05 or 411.05 of these Codified Ordinances.

(d) Parking Permit Requirement; Permit Application; Fee; Issuance.

(1) Prior to parking a passenger bus in a parking space designated for passenger bus parking, the owner of such passenger bus shall obtain a passenger bus parking permit, by filing a permit application with the Director of Public Safety containing the following information:

A. The name, address, and telephone number of the owner;

B. The name, address, and telephone number of the individual or other person to whom the City shall serve in person or by mail any notice or order required by this Section.

C. A certified copy of the vehicle title and registration must accompany the permit application.

(2) A separate application must be filed for each passenger bus for which a parking permit is being sought.

(3) A fifty dollar (\$50.00) fee must accompany each permit application to defray the expenses incident to the administration of the provisions of this Section. This permit application fee shall be waived for school buses and other passenger buses owned by governmental agencies.

(4) Permits shall be issued by the Director of Public Safety in accordance with division (d)(6) of this Section. Permits so issued shall be valid for a period of one year, or any portion thereof. Permits shall expire on the thirty-first day of March of each year.

(5) Every owner desiring to renew a passenger bus parking permit shall file a new permit application with the Director of Public Safety containing the information required by division (d)(1) of this Section.

(6) Upon receipt of the information required by division (d)(1) of this Section and payment of the required fees to the Director, a permit shall be issued.

All permits shall be issued,

renewed, or denied with fifteen (15) working days of the filing of the permit application. Notice of a permit denial shall be served in person or by certified mail to the individual or other person identified in the permit application as required by division (d)(1)E. of this Section. Any permit issued pursuant to this Section shall not be assigned or transferred to any other owner of a passenger bus.

(7) Permit shall be displayed in a manner determined by the Chief of Police.

(e) No person shall stand or park a vehicle in a zone established for passenger bus parking, and no person shall stand or park a passenger bus in a zone established for passenger bus parking unless a permit has been previously issued therefore in accordance with the requirements of this Section, and unless the permit sticker is displayed in a manner determined by the Chief of Police.

(f) The Director of Public Safety shall have the authority to promulgate rules and regulations to implement the provisions of this Section.

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 1012-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Castle Precision Industries, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment to produce aircraft landing gear, located at 12401 Taft 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 Castle Precision Industries, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment to produce aircraft landing gear, located at 12401 Taft 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. 1012-96-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000), and shall be paid from Fund Nos. 12 SF 954 and 17 SF 008, Request No. 22415.

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. 12 SF 958 and 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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1013-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to install rebuilt gasoline and diesel engines, 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 labor and materials necessary to install rebuilt gasoline and diesel engines, 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 21049)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1014-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tires, 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 tires, 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 21050)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1015-96.**By Councilmen Coats and Rokakis (by departmental request).****An emergency ordinance authorizing and directing the purchase by requirement contract of automotive and truck parts, including labor if necessary, and an inventory control service, 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 automotive and truck parts, including labor if necessary, and an inventory control service, 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 21047)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1016-96.**By Councilmen Coats and Rokakis (by departmental request).****An emergency ordinance authorizing and directing the purchase by requirement contract of Meyer snow plow and spreader parts, and 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, and 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 21048)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1017-96.**By Councilmen Coats and Rokakis (by departmental request).****An emergency ordinance authorizing and directing the purchase by requirement contract of various automobile and truck oils and lubricants, 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 various automobile and truck oils and lubricants, 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 21046)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1018-96.**By Councilmen Coats and Rokakis (by departmental request).****An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair rear loading packer bodies, excluding cylinders, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to repair rear loading packer bodies, excluding cylinders, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21402)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1019-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, as needed, compactors, tire shredder and push pits at the Ridge Road Transfer Station, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair, as needed, compactors, tire shredder and push pits at the Ridge Road Transfer Station, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21403)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1020-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 69th Street 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(s). 118-22-102, 118-22-103, 118-22-140, 118-22-104, 118-22-105, 118-22-106, 118-22-107, as more fully described in Section 2 below, to Burten, Bell and Carr Development Corporation or designee.

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

P. P. No. 118-22-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 56 in Payne and Clark's Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat of said Subdivision in Volume 11 of Maps, Page 33 of Cuyahoga County Records, and being 40.83 feet front on the Westerly side of East 69th Street and extending back between parallel lines 137.75 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 118-22-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 57 in Payne-Clark Allotment of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records, and being 40.16 feet front on the Westerly side of East 69th Street, and extending back of equal width, 137.75 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 118-22-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 58 in the Payne-Clark Re-Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 69th Street at the Southeastern corner of said Sublot No. 58; thence Northerly, along the Westerly line of said East 69th Street, 10 feet; thence Westerly, parallel with the Southerly line of said Sublot No. 58, 79 feet; thence Northerly, parallel with the Westerly line of said East 69th Street, 13 feet; thence Westerly, parallel with the Southerly line of said Sublot No. 58, 58.75 feet to the Westerly line of said Sublot No. 58; thence Southerly, along said Westerly line, 23 feet to the Southwesterly corner of said Sublot No. 58; thence Easterly, along the Southerly line of said Sublot No. 58, 137.75 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: A right of way for water and sewer pipeline recorded in Deed 7244, Page 471.

P. P. No. 118-22-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 58 in the Payne-Clark Re-Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of East 69th Street at a point distant Northerly measured along said Westerly line 10 feet from the Southeastern corner of said Sublot No. 58; thence Northerly along the Westerly line of East 69th Street, 30.17 feet to the Northeastern corner of said Sublot No. 58; thence Westerly along the Northerly line of said Sublot No. 58, 137.75 feet to the Northwest corner of said Sublot No. 58; thence Southerly along the Westerly line of said Sublot No. 58, 17.17 feet to a point distant Northerly measured along said Westerly line 23 feet from the Southeastern corner of said Sublot No. 58; thence Easterly parallel with the Southerly line of said Sublot No. 58, 58.75 feet; thence Southerly parallel with the Westerly line of said East 69th Street 13 feet; Easterly parallel with the Southerly line of said Sublot No. 58, 79 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. 118-22-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in Payne-Clark Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records and being 40.16 feet front on the Westerly side of East 69th Street (formerly Jessie Street) and extending back between parallel lines 137.75 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. 118-22-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in the Payne-Clark Subdivision of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11 of Maps, Page 33 of Cuyahoga County Records and

being 40.17 feet front on the West-erly side of East 69th Street (for-merly Jessie Street) and extending back at equal width 137.75 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. 118-22-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known being Sublot No. 61 in Payne and Clark's Subdivision of part of Original One Hundred Acre Lot No. 355, as shown by the recorded plat of said Subdivision in Volume 11 of Maps, Page 33 of Cuyahoga County Records.

Said Sublot No. 61 has a frontage of 40 16/100 feet on the West-erly side of East 69th Street (for-merly Jessie Street) and extends back between parallel lines 137 75/100 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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1021-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to accept money from the Board of Commissioners of Cuyahoga County to share in the cost of asbestos abatement and demolition of the Criminal Court Building with the City of Cleveland.

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 accept money from the Board of Commissioners of Cuyahoga County in an amount not to exceed \$350,000, to share in the cost of asbestos abatement and demolition of the Criminal Court Building to be performed by the City of Cleveland pursuant to Section 137.161 of the Codified Ordinances of Cleveland, Ohio, 1976. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted pursuant to this ordinance and, upon acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in this ordinance.

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.

Referred to Directors of Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1022-96.
By Councilmen Rybka, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3605 East 65th Street to Broadway Area Housing Coalition.

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). 132-04-055, as more fully described in Section 2 below, to Broadway Area Housing Coalition.

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

P.P. No. 132-04-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 23 in E.F. Barstow's Subdivision of part of Original One Hundred Acre Lot No. 318, as shown by the recorded plat in Volume 7 of Maps, Page 26 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 65th Street (formerly Tod Street), and extending back of equal width 120 feet, as appears by

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

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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1023-96.
By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the issuance of parking facilities refunding revenue bonds of the City of Cleveland in the maximum aggregate principal amount of \$85,000,000 (except in the event that any series 1996 bonds are to be offered at an original issue discount), for the purpose of advance refunding the City's outstanding parking facilities improvement revenue bonds, series 1992; authorizing a trust indenture providing for the rights of the holders of the refunding bonds and pledging pledged revenues to secure those bonds; authorizing a first supplemental trust indenture, a bond purchase agreement, an escrow agreement, an official statement and related agreements; and authorizing and approving related matters.

Whereas, pursuant to Ordinance No. 328-92 passed on February 24, 1992 (the 1992 Ordinance) and the Trust Indenture between the City and Society National Bank, Cleveland, Ohio (now Mellon Bank, F.S.B., as successor to Society National Bank), as trustee (the 1992 Trustee) dated as of October 15, 1992 (the 1992 Indenture), the City issued its \$71,000,000 Parking Facilities Improvement Revenue Bonds, Series 1992, dated as of October 15, 1992 (the Series 1992 Bonds) for the purpose of providing funds for acquiring, constructing, improving, rehabilitating and equipping parking facilities of the City (the 1992 Project);

Whereas, the 1992 Project consisted of three off-street parking

garages needed in the City for the parking of motor vehicles, traffic regulation and traffic control;

Whereas, each of the off-street parking facilities constituting the 1992 Project is located within an "urban renewal area" of the City as defined in Chapter 725 of the Ohio Revised Code, the Series 1992 Bonds were issued as urban renewal bonds pursuant to Chapter 725 of the Ohio Revised Code, and the 1992 Project represents certain undertakings by the City for the elimination and for the prevention of the development and spread of blight and deterioration within those areas;

Whereas, the 1992 Project advances the economic welfare of the City by increasing and promoting commerce by providing parking facilities for surrounding businesses and other commercial enterprises;

Whereas, the 1992 Project created and preserved jobs and employment opportunities in the City and improved the economic welfare of the people by maintaining and improving access to the City by the commuting public within and outside the City's corporate boundaries;

Whereas, this Council finds and determines that the debt service payments to be made by the City with respect to the 1992 Project will be reduced by the refinancing of the Series 1992 Bonds and that, therefore, it is necessary and in the best interest of the City to advance refund all of the City's Series 1992 Bonds that remain outstanding (the Refunded Bonds), to call for optional redemption on September 15, 2002 the Refunded Bonds that are stated to mature after that date, and to issue the bonds described in Section 3 of this ordinance (the Series 1996 Bonds) to provide funds, together with any other funds available to the City for that purpose, to advance refund the Refunded Bonds, including the payment of expenses relating to the advance refunding of the Refunded Bonds or the issuance of the Series 1996 Bonds, thereby reducing the financing costs of the 1992 Project;

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that the issuance of the Series 1996 Bonds authorized by this ordinance is needed to enable the City to take advantage of current favorable market conditions to refund the Refunded Bonds and thereby reduce the financing costs of the 1992 Project; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Indenture or elsewhere in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Accreted Amount" means, as of any date, the amount or portion of the amount payable on Bonds at maturity that is accrued to or payable on the particular date in accordance with the applicable Bond Legislation and that is in excess of the Aggregate Outstanding Principal Amount described in clauses (i), (ii) and (iii) of the definition of that term. Accreted Amount does not include interest payable on the outstanding principal amount of a Bond, except for interest on a Bond that is payable

only at that Bond's principal maturity.

"Aggregate Outstanding Principal Amount" means, with respect to Bonds outstanding as of any date:

(i) With respect to any Outstanding Bonds on which no interest is payable, the aggregate discounted offering price at which the Bonds are initially sold to the public, disregarding any purchase price discount to the Original Purchaser;

(ii) With respect to any Outstanding Bonds on which no interest is payable prior to principal maturity, their aggregate face amount;

(iii) With respect to any Outstanding Bonds involving other compound Accreted Amounts or accreted values, the Aggregate Outstanding Principal Amount of those Bonds as defined in and calculated in accordance with the Bond Legislation authorizing them or, if no such definition or provision for that calculation is so provided, then in accordance with generally accepted accounting principles; and

(iv) With respect to any other Outstanding Bonds, their aggregate face amount. For purposes of any consent or other action to be taken by the holders of a specified percentage of the Aggregate Outstanding Principal Amount of all Bonds or Bonds of any series, Bonds held by or for the account of the City shall be excluded.

"Authorized Denominations" means, unless otherwise provided in any Supplemental Indenture, the denomination of \$5,000 or any integral multiple of \$5,000.

"Bond" or "Bonds" means all Bonds issued and outstanding pursuant to the Indenture and the Supplemental Indentures.

"Bond Insurance" means an insurance policy that, if determined pursuant to the Bond Legislation to be necessary or desirable for marketing purposes, is issued by a Bond Insurer for the benefit of the holders of the Series 1996 Bonds and that insures the payment when due of all or any portion of Bond Service Charges on the Series 1996 Bonds.

"Bond Insurer" means an insurance company that is nationally recognized for the purpose of insuring the payment when due of the principal of and interest on obligations issued by states or political subdivisions and that, if utilized to provide Bond Insurance, is to be designated and identified as such in the First Supplemental Indenture or the Certificate of Award, and is approved by the Original Purchaser.

"Bond Legislation" means (a) when used with reference to the Series 1996 Bonds, this ordinance and the Certificate of Award which, upon its execution, shall be deemed to be incorporated herein and made a part hereof; (b) when used with reference to another issue of Bonds, the ordinance described in clause (a) above, to the extent applicable, and the legislation providing for the issuance of those Bonds; and (c) when used with reference to all Bonds outstanding, the ordinance described in clause (a) above and the legislation providing for the issuance of the outstanding and then to be issued Bonds.

"Bond Reserve Fund" means the Bond Reserve Fund and accounts thereof created by Section 7 of this ordinance and the Indenture.

"Bond Reserve Requirement" means the amount that is required

to be on deposit in the Bond Reserve Fund, or for the funding of which provision otherwise is required to be made, in accordance with the Indenture.

"Bond Service Charges" means, for any period or time, the principal of (whether at stated maturity, by mandatory sinking fund redemption, by acceleration or otherwise) and interest and any premium due on the Bonds for that period or payable at that time, as the case may be.

"Book entry form" or "book entry system" means, with respect to the Bonds, a form or system, as applicable, under which (a) the ownership of beneficial interests in Bonds and Bond Service Charges may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Holder, with the physical Bond certificates "immobilized" in the custody of the Depository. The book entry system is maintained by and is the responsibility of the Depository and not the City or the Trustee. The book entry is the record that identifies, and records the transfer of the interest of, the owners of beneficial (book entry) interests in the Bonds.

"Certificate of Award" means, as to the Series 1996 Bonds, the certificate authorized by Section 4 of this ordinance, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Series 1996 Bonds and their issuance, sale and delivery as this ordinance provides may or shall be set forth or determined therein.

"Credit Support Instrument" means an insurance policy, including a policy of bond insurance, letter of credit or other credit enhancement, support or liquidity device which is used to enhance the security or liquidity of any Bonds.

"Depository" means The Depository Trust Company (a limited purpose trust company), New York, New York, until any successor Depository shall have become such pursuant to the applicable provisions of the Indenture and, thereafter, "Depository" shall mean the successor Depository. Any Depository shall be a securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or Bond Service Charges, and to effect transfers of Bonds, in a book entry form.

"Escrow Agreement" means the Escrow Agreement, dated as of the same date as the Series 1996 Bonds, between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and executed in accordance with Section 9 of this ordinance, and as the same may be further modified, amended or supplemented from time to time after its execution in accordance with the terms thereof.

"Escrow Fund" means the "City of Cleveland, Series 1996 Bonds Escrow Fund" established pursuant to Section 9 of this ordinance and the Escrow Agreement.

"Escrow Trustee" means the bank designated as the initial escrow trustee in the Escrow Agreement and, in the event that a successor Escrow Trustee shall have become such pursuant to the provisions of

the Escrow Agreement, thereafter "Escrow Trustee" shall mean the successor Escrow Trustee.

"First Supplemental Indenture" means the First Supplemental Trust Indenture between the City and the Trustee, dated as of the same date as the Series 1996 Bonds, authorized pursuant to Section 11 of this ordinance.

"Funds" means any of the funds thereof established pursuant to Section 7 of this ordinance and the Indenture.

"Holder" or "Holder of a Bond" means the Person in whose name a Bond is registered on the Register.

"Improvements" means the Improvements as defined in the Indenture.

"Indenture" means, collectively, the Trust Indenture, the First Supplemental Indenture and any additional Supplemental Indentures as may from time to time be executed in accordance with the terms of the Trust Indenture.

"Interest Payment Dates" means, as to the Series 1996 Bonds, March 15 and September 15 of each year during which the Series 1996 Bonds are outstanding, commencing September 15, 1996, unless otherwise provided in the Certificate of Award.

"Mandatory Redemption Obligation" or "Mandatory Redemption" or "Mandatory Sinking Fund Redemption" means mandatory prior redemption of Term Bonds (or other term Bonds) pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means amounts required by any Bond Legislation to be deposited to the Bond Service Fund in any fiscal year for the purpose of retiring, at their stated maturities or by mandatory prior redemption or other prior retirement, principal or Accreted Amount maturities of Bonds, or of paying interest or interest equivalent on Bonds, which by the terms of the Bonds are due and payable in any subsequent fiscal year.

"1992 Funds" means the funds established in Section 11 of the 1992 Ordinance.

"Original Purchaser" means collectively, as to the Series 1996 Bonds, Grigsby Brandford & Co. Inc., Smith, Barney Inc., A.G. Edwards & Sons, Inc., Banc One Capital Corporation and Lehman Brothers.

"Outstanding Bonds", "Bonds outstanding" or "outstanding" means, as of the applicable date, all Bonds that have been authenticated and delivered, or are being delivered, by the Trustee, under the Indenture except:

(a) Bonds canceled upon surrender, exchange or transfer, or canceled because of payment or redemption on or prior to that date;

(b) Bonds, or the portion thereof, for the payment, redemption or purchase for cancellation of which sufficient moneys shall have been deposited and credited with the Trustee or any paying agents on or prior to that date for that purpose (whether upon or prior to the maturity or redemption date of those Bonds); provided that if any of those Bonds are to be redeemed prior to their maturity, notice of that redemption shall have been given or arrangements satisfactory to the Trustee shall have been made for giving notice of that redemption, or waiver by the affected Holders of that notice satisfactory in

form to the Trustee shall have been filed with the Trustee;

(c) Bonds, or the portion thereof, which are deemed to have been paid and discharged pursuant to the provisions of the Indenture; and

(d) Bonds in lieu of which others have been authenticated under the Indenture. For purposes of any consent or other action to be taken by the Holders of a specified percentage of the Aggregate Outstanding Principal Amount of all Bonds or Bonds of any series, Bonds held by or for the account of the City shall be excluded.

"Person" or words importing persons means firms, associations, partnerships, joint ventures, societies, estates, trusts, corporations, public or governmental bodies, other legal entities and natural persons.

"Pledged Revenues" means the Pledged Revenues set forth in Section 2(c), as more particularly defined in the Indenture.

"Principal Payment Dates" means September 15 or other date in each of the years from and including 1997 through no later than 2026, as shall be set forth in the Certificate of Award pursuant to the terms of this ordinance.

"Purchase Agreement" means, as to the Series 1996 Bonds, the Bond Purchase Agreement between the City and the Original Purchaser, authorized pursuant to Section 4 of this ordinance.

"Purchase Price" means with respect to the Series 1996 Bonds, the amount specified in the Certificate of Award provided that amount shall be not less than (i) 97% of the amount determined by (A) subtracting any original issue discount in the initial offering price of any Series 1996 Bonds from the aggregate principal amount of the Series 1996 Bonds and (B) adding any original issue premium in the initial offering price of any Series 1996 Bonds, plus (ii) any accrued interest on the Series 1996 Bonds from their date to the date of delivery to the Original Purchaser, less (iii) the premium or other costs of any Credit Support Instrument purchased from the proceeds of the Series 1996 Bonds.

"Rating Services" means each rating agency assigning a rating to the Series 1996 Bonds or if such rating agency shall be dissolved or no longer assigning credit ratings to long-term debt, then any other nationally recognized entity designated by the City assigning credit ratings to long-term debt.

"Register" means the books kept and maintained by the Registrar for registration and transfer of Bonds pursuant to the Indenture.

"Registrar" means the Trustee, until a successor Registrar shall have become such pursuant to applicable provisions of the Indenture.

"Serial Bonds" means those Series 1996 Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to Mandatory Sinking Fund Redemption.

"Series 1996 Bonds" means the Parking Facilities Refunding Revenue Bonds, Series 1996, of the City issued pursuant to this ordinance, the Certificate of Award, the Trust Indenture and the First Supplemental Indenture.

"State" means the State of Ohio. "Supplemental Indentures" means

any indentures supplemental to the Trust Indenture as may from time to time be executed in accordance with the Trust Indenture.

"Term Bonds" means those Series 1996 Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to Mandatory Sinking Fund Redemption.

"Trust Indenture" means the Trust Indenture, dated as of the same date as the Series 1996 Bonds, between the City and the Trustee, authorized pursuant to Section 11 of this ordinance.

"Trustee" means the bank named in the Certificate of Award as Trustee which shall be a bank duly authorized to exercise corporate trust powers in the State, until a successor Trustee shall have become such pursuant to the applicable provisions of the Indenture, and thereafter "Trustee" shall mean the successor Trustee.

Section 2. Determinations by Council. This Council finds and determines as follows:

(a) **Public Purpose.** The Council of the City found and determined at the time of the issuance of the Series 1992 Bonds, and hereby reaffirms, that: it was necessary for the City to acquire, construct, improve, rehabilitate and equip the municipal parking facilities comprising the 1992 Project; the 1992 Project and the issuance of the Series 1992 Bonds to pay costs of the 1992 Project, and the issuance of the Series 1996 Bonds to advance refund the Series 1992 Bonds, served and serves a proper public municipal purpose by providing needed parking facilities to the people of the City, alleviating traffic congestion on the streets of the City, thereby facilitating the movement of traffic, the movement of police and fire vehicles in the City for the safety and welfare of its citizens, and the cleaning of the streets for the health, safety and welfare of its citizens. The facilities comprising the 1992 Project are located in designated urban renewal areas of the City, and the City's completion of the municipal facilities constituting the 1992 Project in those urban renewal areas, and the issuance of the Series 1992 Bonds to pay costs of the 1992 Project and the issuance of the Series 1996 Bonds to advance refund the Series 1992 Bonds, were and will be undertaken for the elimination of conditions of blight determined to exist in those areas and to prevent the reoccurrence of such conditions of blight. The 1992 Project advances the economic welfare of the City by increasing and promoting commerce by providing parking facilities for surrounding businesses and other commercial enterprises, and the 1992 Project creates and preserves jobs and employment opportunities in the City and improves the economic welfare of the City by maintaining and improving access to the City by the commuting public.

(b) **Issuance of Series 1996 Bonds.** It is necessary and proper, expedient and in the best interest of the City to, and the City shall, issue the Series 1996 Bonds for the purpose of providing funds to advance refund the Refunded Bonds. The aggregate principal amount of Series 1996 Bonds to be issued shall not exceed \$85,000,000, assuming that the Series 1996 Bonds are to be initially

offered to the public at a price at least equal to one hundred percent (100%) of their aggregate principal amount, but, if any of the Series 1996 Bonds are to be initially offered to the public at an original issue discount, then the maximum aggregate principal amount of the Series 1996 Bonds hereby authorized, shall be increased over those amounts by an amount equal to the sum of the products obtained by multiplying the original issue discount at which each Series 1996 Bond is to be initially offered to the public, by the principal amount of the Series 1996 Bond to be so offered. Subject to the immediately preceding sentence, the aggregate principal amount of the Series 1996 Bonds shall be in an amount determined in the Certificate of Award to be the aggregate principal amount of Series 1996 Bonds that are required to be issued, taking into account any other funds available to the City for the purpose, including any moneys in the 1992 Funds that are to be made available for the advance refunding of the Refunded Bonds in accordance with Section 9 of this ordinance, in order to advance refund the Refunded Bonds, to establish any reserves required under the Indenture, to pay expenses relating to that advance refunding or the issuance of the Series 1996 Bonds and otherwise to effect the purpose for which the Series 1996 Bonds are to be issued.

(c) **Pledged Revenues.** Bond Service Charges on the Series 1996 Bonds and any additional Bonds issued under the Indenture shall be payable from the Pledged Revenues as defined and described in the Indenture. The Pledged Revenues generally shall include the fees, charges and other income derived from the City's operation or ownership of certain off-street parking facilities, after provision for the reasonable operating and maintenance expense thereof, all proceeds from the lease, management, sale or other disposition of those off-street parking facilities, the income from the City's ownership or operation of on-street parking facilities, and the amounts in the Funds as provided in the Indenture. The Pledged Revenues may include, as additional security for the Bonds, to the extent provided for and subject to the terms and conditions of the Indenture, any of the following moneys not raised by taxation: all receipts of the City relating to fines, waivers, court costs and other receipts relating to the violation of municipal parking ordinances, all fines, waivers and court costs collected by the City for any misdemeanor offense under municipal ordinances, and any urban renewal service payments collected from any part of one or more urban renewal areas in the City available for the purpose and designated in the Indenture.

(d) **Refunding of Series 1992 Bonds.** It is necessary and in the best interest of the City to advance refund the Refunded Bonds and to redeem by optional redemption on September 15, 2002 the Refunded Bonds maturing after that date. The Director of Finance is authorized and directed to give written notice to the 1992 Trustee of that call for redemption, and the Refunded Bonds maturing after September 15, 2002 shall be redeemed in accor-

dance with the 1992 Ordinance, the 1992 Indenture and the Escrow Agreement.

Section 3. Terms and Provisions of the Series 1996 Bonds.

(a) **General.** The Series 1996 Bonds shall be issued only in registered form, substantially in that form set forth in Exhibit A to the Indenture. The Series 1996 Bonds shall contain on the face thereof a statement to the effect that the Series 1996 Bonds, as to both principal and interest, are not a general obligation of the City but are payable solely from the Pledged Revenues. The terms, provisions, denominations and principal maturities of, redemption provisions applicable to, and the interest rates to be borne by, the Series 1996 Bonds shall be those set forth in the Certificate of Award executed pursuant to Section 4 of this ordinance and in the Trust Indenture and First Supplemental Indenture executed pursuant to Section 11 of this ordinance.

The Series 1996 Bonds shall be dated as of July 1, 1996, or such later date, not more than 50 days prior to the date of their initial delivery, as may be established in the Certificate of Award; shall bear interest from their date or the most recent date to which interest has been paid or duly provided for, and that interest shall be payable, as provided for in the Indenture; shall be subject to mandatory and optional redemption on the terms and conditions set forth in the Certificate of Award and the Indenture; and shall be signed by the Mayor and the Director of Finance, provided that one or both of such signatures may be a facsimile, and shall bear the seal of the City or a facsimile thereof. Pursuant to Section 83 of the City's Charter, the Director of Law shall prepare the Series 1996 Bonds and shall endorse thereon her approval of the form and correctness by her manual or facsimile signature.

The Series 1996 Bonds shall, if not in book entry form, be exchangeable for Series 1996 Bonds of Authorized Denominations, as provided in the Indenture, and shall be issued in Authorized Denominations. Series 1996 Bonds shall be numbered in such manner as determined by the Trustee in order to distinguish each Series 1996 Bond from any other Series 1996 Bond, shall be subject to optional redemption in the amounts, upon the conditions, and at the times and prices, and may be subject to Mandatory Sinking Fund Redemption in the amounts and at the times and prices, all as set forth in or provided for by or pursuant to the Bond Legislation and upon the conditions set forth in the Indenture. Bond Service Charges on the Series 1996 Bonds shall be payable as provided in the Indenture, in each instance without deduction for the services of any paying agent.

(b) **Principal Maturities, Interest Rates and Mandatory and Optional Redemption.** The Series 1996 Bonds shall mature on the Principal Payment Dates and be payable in the principal amounts or in accordance with Mandatory Sinking Fund Requirements, and shall bear interest at the rates per annum, payable on each Interest Payment Date, all as to be set forth in the Certificate of Award.

The Series 1996 Bonds may be subject to redemption prior to stated maturity as follows:

Mandatory Sinking Fund Redemption. If requested by the Original Purchaser and confirmed in the Certificate of Award, any annual principal maturity amount may be consolidated with one or more consecutive preceding annual principal maturity amounts into a single aggregate principal amount maturing on that stated annual maturity date. In that case, those Term Bonds then maturing on that stated annual maturity date shall be subject to Mandatory Redemption prior to stated maturity in part pursuant to Mandatory Sinking Fund Requirements, at a redemption price of 100% of the principal amount redeemed plus interest accrued to the redemption date. Portions of the Term Bonds shall be so redeemed on the Principal Payment Date in each of those preceding years and in the respective full annual principal amounts listed in a principal maturity schedule set forth in the Certificate of Award for payment in those preceding years (the Mandatory Sinking Fund Requirements).

If retired only by Mandatory Sinking Fund Redemption prior to their stated maturity, the remaining principal amount of any Term Bonds will be paid at their stated maturity date. The aggregate of the money to be deposited with the Trustee in the Bond Service Fund for payment of Bond Service Charges on Term Bonds shall include amounts sufficient to redeem the principal amount of Term Bonds set forth opposite the respective dates in the principal maturity schedule set forth in the Certificate of Award (less the amount of any credit as provided below).

The City shall have the option to deliver to the Trustee for cancellation Term Bonds in any aggregate principal amount and to receive a credit against any then current Mandatory Sinking Fund Requirement (and corresponding Mandatory Redemption Obligation) as set forth pursuant to the above for any Term Bonds. That option shall be exercised by the City on or before the 45th day preceding the applicable Mandatory Redemption date, by furnishing the Trustee a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current Mandatory Sinking Fund Requirement. If a certificate is not timely furnished to the Trustee, the Mandatory Sinking Fund Requirement (and corresponding Mandatory Redemption Obligation) shall not be reduced. A credit against the then current Mandatory Sinking Fund Requirement (and corresponding Mandatory Redemption Obligation) also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the Mandatory Sinking Fund Requirements) or purchased for cancellation and cancelled by the Trustee, to the extent not applied theretofore as a credit against any Mandatory Redemption obligation.

Each Term Bond so delivered, or previously redeemed, or purchased and cancelled, shall be credited by the Trustee at 100% of its principal amount against the then current Mandatory Sinking Fund Requirement (and corresponding Mandatory Redemption Obligation). Any excess of that amount over the then current Mandatory Sinking Fund

Requirement shall be credited against subsequent Mandatory Sinking Fund Requirements (and corresponding Mandatory Redemption Obligations) in the order directed by the Director of Finance.

Optional Redemption. If determined by the Director of Finance in the Certificate of Award to be necessary or advisable to the sale of the Series 1996 Bonds, the Series 1996 Bonds shall, as provided in the Certificate of Award, be subject to redemption by and at the option of the City, in whole on any date or in part on any Interest Payment Date, in integral multiples of \$5,000, at the redemption prices specified (expressed as a percentage of the principal amount redeemed), plus in each case accrued interest to the redemption date; provided that the earliest optional redemption date shall not be earlier than September 15, 2004, and the highest redemption price shall not be greater than 102%.

If optional redemption of any Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any applicable Mandatory Redemption date provided for pursuant to the above provisions, the Term Bonds or portions of Term Bonds to be redeemed shall be selected by lot prior to the selection by lot of the Term Bonds to be redeemed on the same date by operation of the Mandatory Redemption Obligations.

Series 1996 Bonds to be redeemed pursuant to optional redemption shall be redeemed only upon written notice from the City to the Trustee, given upon the direction of the Council by adoption of a resolution or ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Series 1996 Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Trustee. In the event that notice of redemption shall have been given by the Trustee to the registered owners as provided in the Indenture, there shall be deposited with the Trustee, on or prior to the redemption date, moneys that, in addition to any other money available therefor and held by the Trustee, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Series 1996 Bonds for which notice of redemption has been given.

Further procedures and conditions for the satisfaction of the Mandatory Sinking Fund Requirements and optional redemption or Mandatory Redemption are set forth in the Indenture.

(c) Authorization of Bond Rating and Bond Insurance. If in the judgment of the Director of Finance the filing of applications for a rating on the Series 1996 Bonds by one or more Rating Services, or for a policy of Bond Insurance or other Credit Support Instrument relating to the Series 1996 Bonds, are necessary or desirable for marketing purposes, the Director of Finance is authorized to prepare and submit either or both of those applications, to provide such information as may be required in support of them and to provide further for the payment of the cost of such a rating or policy (or other Credit Support Instrument) payable by the City from pro-

ceeds of the Series 1996 Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

(d) Book Entry Form. Notwithstanding any other provisions of this ordinance, the Series 1996 Bonds shall be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Series 1996 Bonds shall be issued in the form of a single registered Series 1996 Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Series 1996 Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Series 1996 Bonds for use in a book entry system, the Director of Finance and Trustee may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance and Trustee do not or are unable to do so, the Director of Finance and Trustee, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Series 1996 Bonds from the Depository, and authenticate and deliver registered Series 1996 Bond certificates to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Mayor, the Director of Finance, the Director of Parks, Recreation and Properties, or any one of them are authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Series 1996 Bonds, after determining (as evidenced by their signing) that the signing thereof will not endanger the funds or securities of the City under the Indenture.

(e) Capital Appreciation Bonds. Notwithstanding any other provision of this ordinance to the contrary, the Director of Finance, if determined to be in the best interest of and financial advantage to the City, may designate in the Certificate of Award certain maturities of the Series 1996 Bonds as "Capital Appreciation Bonds" (CABs). The CABs, if any, shall be issued in an aggregate principal amount set forth in the Certificate of Award, shall bear interest from their date of delivery at the rate or rates of interest as shall be determined in the Certificate of Award to be such as will result in the aggregate principal

and interest due at the stated maturity of that CAB; provided that the CABs of any one stated maturity all shall bear the same compounding rate of interest. CABs shall be issued in the denomination equal to the original principal amount that, when interest is accrued and compounded thereon on each Interest Accretion Date, defined below, to the stated maturity date of the CABs, will equal a \$5,000 maturity amount (being the principal and interest due and payable at the stated maturity of that CAB) or any integral multiple thereof. However, in no case as to a particular maturity date shall CABs be issued in denominations exceeding the principal amount maturing on that date.

In the event CABs are issued, the rate or rates of interest to be borne by the Series 1996 Bonds, as specified in the Certificate of Award, shall be such that the Series 1996 Bonds shall have a True Interest Rate, defined below, not exceeding 9% per year. The debt charges on CABs shall be payable when due as set forth in the Indenture.

As used in this subparagraph (e): "Interest Accretion Dates" means the semiannual dates as set forth and so designated in the Certificate of Award; and "True Interest Rate" means the rate determined by doubling the semi-annual interest rate, computed semiannually, necessary to discount all payments of principal and interest on the Series 1996 Bonds to the purchase price at which the Series 1996 Bonds are sold to the Original Purchaser, exclusive of any accrued interest.

Section 4. Sale of the Series 1996 Bonds; Disclosure Documents. The Series 1996 Bonds are awarded and sold to the Original Purchaser in accordance with the Purchase Agreement and at the Purchase Price as shall be determined in the Certificate of Award.

For the purpose of implementing the provisions of this ordinance, the Director of Finance is hereby authorized and directed to sign the Certificate of Award selling the Series 1996 Bonds to the Original Purchaser at the price established therein and in accordance with this ordinance, and to evidence that sale and the further terms and provisions thereof by completing, signing and delivering the Purchase Agreement substantially in the form now on file with the Clerk of Council after approval thereof by the Director of Law. The form of Purchase Agreement is hereby approved with such changes therein as are not inconsistent with this ordinance and not adverse to the City and as shall be approved by the officers signing the Purchase Agreement. The approval of those changes, and the determination that those changes are not adverse to the City, shall be conclusively evidenced by that signing.

Having due regard to the best interests of the City there shall be further determined in the Certificate of Award or, as appropriate, in the Indenture or First Supplemental Indenture, consistent with the provisions of this ordinance, (a) the date of the Series 1996 Bonds, (b) the final aggregate principal amount of the Series 1996 Bonds, (c) the aggregate principal amount and principal maturities of the Series 1996 Bonds to be issued as Serial Bonds or as Term Bonds, the Principal Payment Dates on which those Series 1996 Bonds shall be stated to

mature and the Principal Payment Dates for those Series 1996 Bonds and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and as to any Term Bonds, the Principal Payment Date(s) on which Term Bonds shall be subject to Mandatory Sinking Fund Redemption and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Requirements on each such Mandatory Redemption date in accordance with the provisions of the Indenture, (d) the dates and prices upon and at which any Series 1996 Bonds shall be subject to optional redemption, (e) the Interest Payment Dates and the rate or rates of interest to be borne by the Series 1996 Bonds, (f) the Purchase Price of the Series 1996 Bonds, and (g) any other matters as provided in this ordinance, all subject, however, to the following further considerations:

(i) The rate or rates of interest per year to be borne by the Series 1996 Bonds shall be such as are determined to be required by marketing considerations and to result in the sale of the Series 1996 Bonds on a basis most favorable to the City; provided, that the Series 1996 Bonds of any one stated maturity all shall bear the same rate of interest, and that rate may not exceed 9% per year.

(ii) The schedule of the principal amount of Series 1996 Bonds maturing or payable pursuant to Mandatory Sinking Fund Requirements on each Principal Payment Date and the dates and prices upon and at which any Series 1996 Bonds shall be subject to optional redemption, shall be determined to be consistent with the anticipated Pledged Revenues and to be productive of the most favorable interest rates on the Series 1996 Bonds and their maximum receptivity in the market; and

(iii) The rate or rates of interest per year to be borne by the Series 1996 Bonds, and the principal amount of Series 1996 Bonds maturing or payable pursuant to Mandatory Sinking Fund Requirements on each Principal Payment Date, shall be such that the total principal and interest payments on the Series 1996 Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year.

It is hereby determined by this Council that the terms of the Series 1996 Bonds and the procedures for their sale and the determination of the price to be paid for them, all as established in accordance with the Bond Legislation, the Purchase Agreement and the Indenture, are and will be in the best interest of the City.

The Mayor, the Director of Finance, the Clerk of Council and other City officials as appropriate are directed to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of the Series 1996 Bonds to the Original Purchaser and to take all actions necessary to effect due signing, authentication and delivery of the Series 1996 Bonds under the terms of the Bond Legislation, the Purchase Agreement and the Indenture.

The Mayor, the Director of Finance and other City officials as deemed appropriate, each are autho-

rized and directed, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of a preliminary official statement relating to the issuance of the Series 1996 Bonds, and (ii) determine, and certify or otherwise represent, when the preliminary official statement as so prepared is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of SEC Rule 15c2-12(b)(1). The distribution and use of such a preliminary official statement is hereby authorized and approved.

Those officers and each of them are also authorized and directed, on behalf of the City and in their official capacities, to complete that preliminary official statement with such modifications, changes and supplements as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement as so revised is a final official statement for purposes of SEC Rule 15c2-12(b)(3) and (4). Those officers each are further authorized to use and distribute, or authorize the use and distribution of, the final official statement and supplements thereto in connection with the original issuance of the Series 1996 Bonds as may, in their judgment, be necessary or appropriate. Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, the final official statement and such certificates in connection with the accuracy of the preliminary official statement and the final official statement and any amendment thereto as may, in their judgment, also be necessary or appropriate.

For the benefit of the holders and beneficial owners from time to time of the Series 1996 Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Series 1996 Bonds under, SEC Rule 15c2-12, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Mayor and the Director of Finance are authorized and directed to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Series 1996 Bonds in accordance with SEC Rule 15c2-12. The performance of that Agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with that

agreement or providing notice of the occurrence of any other events, the Director of Finance shall consult with, as appropriate, the legal counsel and bond or other qualified independent special counsel to the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any legal advice provided by any such counsel in determining whether a filing should be made.

Section 5. Application of Proceeds of Series 1996 Bonds. The proceeds of sale of the Series 1996 Bonds shall be allocated and deposited as provided in the Indenture, including: deposit to the Interest Payment Account of the Bond Service Fund, any accrued interest paid by the Original Purchaser; deposit to the Escrow Fund, the amount necessary, when added to the amounts to be deposited in the Escrow Fund by the Escrow Trustee or by the City from other sources in accordance with Section 9 of this ordinance, to effect the payment and discharge of the Refunded Bonds and the release, discharge and satisfaction of the 1992 Indenture; deposit to any reserve funds such amounts as may be necessary, when added to any amounts in the 1992 Funds available for the purpose, to establish or maintain reserves required by the Indenture, and deposit to the Costs of Issuance Fund, as defined in the Indenture, such amounts needed to pay costs of advance refunding the Refunded Bonds and issuing the Series 1996 Bonds. The proceeds from the sale of the Series 1996 Bonds are appropriated and shall be used for the purpose for which those Bonds are issued as provided in the Bond Legislation and the Indenture.

Section 6. Security for the Bonds. The Series 1996 Bonds do not constitute a debt, or a pledge of the faith and credit of the City. Bond Service Charges on the Series 1996 Bonds shall be secured by, and shall be payable solely from the Pledged Revenues.

Section 7. Establishment of Funds; Application of Revenues. There is hereby created pursuant to Section 725.03 of the Ohio Revised Code an urban renewal debt retirement fund which shall be maintained as a trust fund in the custody of the Trustee as a separate deposit account and as an account of the Revenue Fund under the Indenture. The Pledged Revenues shall be deposited in that urban renewal debt retirement fund pursuant to Chapter 725 of the Ohio Revised Code and the Indenture. All other Funds, accounts therein and Accounts described in the Indenture shall be and hereby are established and shall be designated as indicated in the Indenture. Each Fund and Account shall be maintained in the custody of the City or the Trustee, as provided in the Indenture. The Pledged Revenues and other money and funds as described in the Indenture shall be deposited in, and disbursed from, those Funds, accounts therein and Accounts as provided in the Indenture.

Section 8. Covenants of the City. The City, by issuance of the Series 1996 Bonds and any additional Bonds, covenants and agrees with the holders of the Series 1996 Bonds to perform its covenants and agreements set forth in the Indenture.

Section 9. Refunding of the Series 1992 Bonds and Application and Transfer of Certain Funds. (a) **Escrow Agreement and Escrow Fund.** The Mayor, the Director of

Finance and the Director of Parks, Recreation and Properties or any two of them are authorized and directed to sign and deliver, in the name and on behalf of the City, the Escrow Agreement, between the City and the Escrow Trustee in substantially the form as is now on file with the Clerk of Council after approval thereof by the Director of Law. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not adverse to the City and that are approved on behalf of the City by the officers signing the Escrow Agreement, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments to it. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement from proceeds of the Series 1996 Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

(b) **Application of Trustee-held 1992 Funds.** Upon the issuance and delivery of the Series 1996 Bonds, the Escrow Trustee shall and hereby is authorized and directed to make such payments and deposits, in immediately available funds, from the 1992 Funds held by the Escrow Trustee as set forth in the Indenture and Escrow Agreement, and such moneys in those 1992 Funds are hereby appropriated and shall be used for those purposes.

(c) **Application of Existing City 1992 Funds.** Upon the issuance and delivery of the Series 1996 Bonds, the Director of Finance shall and hereby is authorized and directed to make such payments and deposits, in immediately available funds from the 1992 Funds held by the City, as set forth in the Indenture and Escrow Agreement, and such moneys in those 1992 Funds are hereby appropriated as shall be used for those purposes.

(d) **Use of Escrow Fund.** The Escrow Fund shall be and hereby is established under the Escrow Agreement and shall be a trust fund held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds, all in accordance with the provisions of the 1992 Indenture and the Escrow Agreement. All money deposited in the Escrow Fund shall be held, invested and applied as provided in this ordinance, the Escrow Agreement and the 1992 Indenture and is appropriated for that purpose. If any U.S. Treasury Securities - State and Local Government Series - are to be purchased for the Escrow Fund, the Escrow Trustee is hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities.

Section 10. Tax Covenants of City. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 1996 Bonds in such manner and to such extent as may be necessary so that (a) the Series 1996 Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest there-

on will not be treated as an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series 1996 Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 1996 Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Series 1996 Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Series 1996 Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series 1996 Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series 1996 Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Series 1996 Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 1996 Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Series 1996 Bonds.

Each covenant made in this Section with respect to the Series 1996 Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Series 1996 Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Series 1996

Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Series 1996 Bonds.

Section 11. Indenture and Other Documents. To secure the payment of the Bond Service Charges on the Bonds as the same shall become due and payable and the performance by the City of its obligations provided for in the Bond Legislation, the Bonds and the Indenture, the Mayor, the Director of Finance and the Director of Parks, Recreation and Properties or any two of them are authorized and directed, for and in the name of the City and on its behalf, to sign and deliver to the Trustee the Trust Indenture and the First Supplemental Indenture, substantially in the forms now on file with the Clerk of Council after approval thereof by the Director of Law. The form of Trust Indenture and the First Supplemental Indenture are each hereby approved with such changes therein as are not inconsistent with the Bond Legislation and not adverse to the City and which are permitted by the Constitution and laws of Ohio and as shall be approved by the officers signing the Trust Indenture and the First Supplemental Indenture. The approval of those changes, and the determination that such changes are not adverse to the City, shall be conclusively evidenced by the signing of the Trust Indenture and the First Supplemental Indenture, by those officials.

The Mayor, the Director of Finance, the Director of Parks, Recreation and Properties, the Director of Law, the Clerk of Council and such other officers of the City as may be appropriate are authorized and directed to furnish, execute and deliver such documents, certifications and instruments as may be necessary or appropriate to issue the Series 1996 Bonds and to consummate the transactions contemplated herein, and in the Indenture, any Rate Exchange Agreement, the Escrow Agreement and the Purchase Agreement. The Clerk of Council or other appropriate official of the City shall furnish the Original Purchasers a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of the Series 1996 Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of the Series 1996 Bonds.

Section 12. Interest Rate Exchange Agreement. This Council finds that by engaging in interest rate swap transactions, from time to time, the City can, in effect, convert interest on all or a portion of the Series 1996 Bonds from a fixed rate to a floating rate, or from a floating rate to a fixed rate, and thereby may reduce its cost of borrowing by optimizing the relative amounts of fixed and floating rate obligations from time to time and minimizing the risk of variations in its debt service costs. To permit the City to have the flexibility to undertake such interest rate swap transactions and to establish the procedures for approving such transactions, this Council authorizes the execution and delivery of an Interest Rate Exchange Agreement (the "Rate Exchange Agreement") and

any related agreements necessary for the consummation of the transactions contemplated by such Rate Exchange Agreement.

Upon the recommendation of the financial advisor of the City to the Director of Finance that an interest rate swap transaction be undertaken by the City, the Director of Finance may authorize such an interest rate swap transaction in accordance with the Rate Exchange Agreement; provided that (a) the maximum aggregate notional amount of interest rate swap transactions outstanding at any one time, net of offsetting interest rate swap transactions, shall not exceed an amount equal to the aggregate outstanding principal amount of all Series 1996 Bonds Outstanding under the Indenture, and (b) the term of each interest rate swap transaction shall not exceed 30 years. The aggregate amount of all such rate interest swap transactions in effect as of any time shall be determined on a net basis; that is, where any such transaction is entered into to offset or reverse an earlier transaction, to the extent of the offsetting or reversing effect, the amounts of such offsetting or reversing interest rate swap transactions shall not be included in the aggregate total. The approval of each interest rate swap transaction by the Director of Finance shall be conclusively evidenced by the execution of the applicable interest rate swap transaction by the Director of Finance or any other person duly authorized by this Council to execute interest rate swap transactions.

The City may pay any amounts due under the Rate Exchange Agreement and the interest rate swap transactions from the Pledged Revenues, and any other available moneys of the City permitted by law to be used for the purpose of making those payments.

Anything in this Bond Legislation, the Rate Exchange Agreement or any interest rate swap transaction to the contrary notwithstanding, the obligation of the City to make payments under the Rate Exchange Agreement and any interest rate swap transaction does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City, the State of Ohio or any other political subdivision thereof. Nothing herein gives any party to the Rate Exchange Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio or by the taxing authority of any other political subdivision for the payment of any amounts due under the Rate Exchange Agreement and the interest rate swap transactions.

Section 13. Severability. Each section of this ordinance and each subdivision or paragraph of any section hereof is declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section hereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this ordinance.

Section 14. Validity. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Series 1996 Bonds in order to make them legal, valid and binding special obligations of the City have

been performed and have been met, or will at the time of delivery of the Series 1996 Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Series 1996 Bonds. It is further found and determined, and is hereby represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this ordinance was passed in conformity therewith.

Section 15. Compliance with Open Meeting Law. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 16. Effective Date. This ordinance constitutes an emergency measure providing for the usual operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that the issuance of the Series 1996 Bonds authorized by this ordinance is needed to enable the City to take advantage of current favorable market conditions to refund the Refunded Bonds and thereby reduce the financing costs of the 1992 Project and, provided this ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Properties and Recreation, Finance.

Ord. No. 1024-96.
By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the lease by requirement contract of golf carts at Seneca Golf Course and Highland Golf Course for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and director to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the lease of the requirements for a period not to exceed one (1) year, commencing upon execution of a contract, of the necessary items of golf carts, including maintenance and repair, in the estimated sum of \$50,000.00 for Highland Golf Course and \$34,000.00 for Seneca Golf Course, to be procured by the Commissioner of

Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation, and Properties.

Bids shall be taken in such a 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 shorter period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period. The cost of said contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, with all subsequent procurements, 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.

Section 2. The costs of the contracts authorized in Section 1 of this ordinance shall be paid from Fund 63 SF 001, Request No. 21401.

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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committee on Public Parks, Property and Recreation.

Ord. No. 1025-96.
By Councilmen Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East side of East 37th Street through East 43rd Street, Central to Cedar to Burten, Bell and Carr Development Corporation or its designee.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-002, as more fully described in Section 2 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 2. That the real property

to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P.P. No. 103-22-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 65 in H.P. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 64, 65 and 66 as appears by said plat, be the same more or less, but subject to all legal highways. 2 of Maps, Page 30 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cedar Avenue, S.E., and extending back of equal width 132 feet to the Northerly line of Rose Court, S.E., 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 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. 103-22-006, as more fully described in Section 4 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 47 feet 9 inches of Sublot No. 109 in Horace P. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 64, 65 and 66 as shown by the recorded plat of said Subdivision in Volume 2 of Maps, Page 30 of Cuyahoga County Records; said Northerly 47 feet 9 inches of said Sublot No. 109 has a frontage of 37 feet 11 inches on the Southerly side of Cedar Avenue, S.E., and extends back between parallel lines 47 feet 9 inches, as appears by said plat, 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. 103-22-012, as more fully described in Section 6 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 96.50 feet of Sublot No. 29 in William Williams' Allotment of part of Original Ten Acre Lots. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 50 feet front on the Southerly side of Cedar Avenue, S.E., (formerly Cedar Street), and extending back 96.50 feet on the Easterly line of East 38th Street (formerly William Street), and has a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-013, as more fully described in Section 8 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 40 feet of the Northerly 125 feet of Sublot No. 40 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Cedar Avenue, S.E., and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 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. 103-22-015, as more fully described in Section 10 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly half of Sublot No. 41 in William Williams' Subdivision of part of Original Ten Acre Lot No. 68 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 25 feet front on the Southerly side of Cedar Avenue, S.E., and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-22-020, as more fully described in Section 12 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 50 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 39th Street (formerly Grant Street) and extends back of equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 13. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-021, as more fully described in Section 14 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68 and 69 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 39th Street and extending back of equal width 151' 7" deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-022, as more fully described in Section 16 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 52 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in said City. Said Sublot No. 52 being 50 feet front on Grant Street (now East 39th Street) and 151-7/12 feet deep between parallel lines, according to the plat of said Subdivision recorded in Volume 3 of Maps, Page 6 in the Office of the Recorder of said County, be the same more or less, but subject to all legal highways.

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. 103-22-023, as more fully described in Section 18 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 53 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records; said Sublot No. 53 has a frontage of 50 feet on the Westerly side of East 39th Street (formerly Grant Street) and extends back between parallel lines, 151 feet 7 inches, 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 19. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-024, as more fully described in Section 20 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 33-1/2 feet of Sublot No. 54 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being a parcel of land 33-1/2 feet front on the Westerly side of East 39th Street (formerly Grant Street), and extending back to equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-025, as more fully described in Section 22 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 54 and 55 in the William Williams Subdivision recorded in Volume 3, Page 6 of Cuyahoga County Records and being 16 1/2 feet in width from front to rear off the South side of Sublot No. 54 and 17 feet in width off the North side of Sublot No. 55 of William Williams, Subdivision of part of Original Ten Acre Lot Nos. 67 and 70 in said City, making in all 33 1/2 feet front on the Westerly side of Grant Street (now known as East 39th Street) and 151 7/12 feet deep per record plat, be the same more or less, but subject to all legal highways.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-026, as more fully described in Section 24 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 33 feet of Sublot No. 55 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and

being 33 feet front on the Westerly side of East 39th Street, and extending back of equal width 151 feet 7 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-027, as more fully described in Section 26 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 59 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of East 39th Street at a point distant Southerly 13 feet from the North-easterly corner of said Sublot No. 59; thence Southerly 35 feet along the said Westerly line of East 39th Street to a point; thence Westerly 76 feet parallel with the Northerly line of said Sublot No. 59 to a point; thence Northerly 35 feet parallel with the said Westerly line of East 39th Street to a point; thence Easterly 76 feet parallel with the Northerly line of said Sublot No. 59 to the place of beginning, be the same more or less, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-028, as more fully described in Section 28 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 2 feet of Sublot No. 59 and all of Sublot No. 60 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said part of Sublot No. 59 and said Sublot No. 60 together form a parcel of land having a frontage of 46 feet 3 inches on the Westerly side of East 39th Street (formerly Grant Street) and extending back between parallel lines 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-030, as more fully described in Section 30 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 63 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, beginning at a point 119 feet 3 inches Northerly on Grant Street, now known as East 39th Street front the Northwest corner of Central Avenue, S.E., (formerly Garden Street) and East 39th Street; thence running Westerly 51 feet and 7 inches; thence South of a line of said Lot No. 63, 30 feet thence Easterly 51 feet and 7 inches to East 39th Street; thence Northerly on the West line of East 39th Street to the place of beginning; being 30 feet front on said East 39th Street, be the same more or less, but subject to all legal highways.

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. 103-22-031, as more fully described in Section 32 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 63 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Northwest corner of Central Avenue, S.E., and East 39th Street; thence running Northerly on the line of East 39th Street, 89 feet 3 inches; thence Westerly 26 feet 4 inches; thence Southerly parallel with East 39th Street, to the line of Central Avenue, S.E.; thence Easterly, on the line of Central Avenue, S.E., 26 feet 4 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-032, as more fully described in Section 34 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-032

Parcel No. 1
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 62 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga

County Records, and bounded and described as follows:

Beginning in the Northerly line of Central Avenue, S.E., at the Southeast corner of said Sublot No. 62; thence Northerly along the Easterly line of said Sublot No. 62, 139 feet 3 1/2 inches to the Northeast corner thereof; thence Westerly along the Northerly line of said Sublot No. 62, 44 18/100 feet to the Easterly line of land so conveyed to Caloggero Lobello and Guiseppa Lobello by deed dated July 1, 1916 and recorded in Volume 1817, Page 578 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Caloggero Lobello and Guiseppa Lobello, 36 64/100 feet; thence continuing Southerly along the Easterly line of land so conveyed to Caloggero Lobello and Guiseppa Lobello, 92 85/100 feet to the Northerly line of Central Avenue, S.E., thence Easterly along the Northerly line of Central Avenue, S.E.; about 47 37/100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 63 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Central Avenue, S.E., (formerly Garden Street) at the Southwest corner of said Sublot No. 63; thence Northerly along the Westerly line of said Sublot about 79 feet to the Southwest corner of land conveyed to Mary Ellen Randall by deed dated October 25, 1871 and recorded in Volume 192, Page 546 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed to Mary Ellen Randall, 25 feet, 3 inches to the Northwest corner of land conveyed to Daniel R. Wood and Eliza Jane Wood by deed dated June 23, 1876 and recorded in Volume 261, Page 397 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed to Daniel R. and Eliza Jane Wood to the said Northerly line of Central Avenue, S.E.; thence Westerly, along said Northerly line, 26.33 feet to the place of the beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-033, as more fully described in Section 36 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 61 and Sublot No. 62 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the record-

ed plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Northerly line of Central Avenue, S.E., distant 27-83/100 feet Easterly from the Southwest corner of said Sublot No. 61; thence Northerly in a straight line to a point in the Northerly line of said Sublot Nos. 61 and 62, 28-32/100 feet Easterly from the Northwest corner of said Sublot No. 61; thence Easterly along the Northerly line of said Sublot Nos. 61 and 62, 27-56/100 feet; thence Southerly parallel with the Westerly line of said Sublot No. 61, 36-64/100 feet; thence Southerly in a direct line 92-68/100 feet to a point in the Northerly line of Central Avenue, S.E., distant 54-83/100 feet Easterly, measured along said Northerly line from Southwest corner of Sublot No. 61; thence Westerly along the Northerly line of Central Avenue, S.E., 27 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-034, as more fully described in Section 38 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 61 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Subdivision of Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Northerly line of Central Avenue, S.E., at the Southwest corner of said Sublot No. 61; thence Northerly along the Westerly line of said Sublot No. 61, 118.03 feet to the corner thereof; thence Easterly along the Northerly line of said Sublot No. 61, 28.32 feet; thence Southerly in a direct line to a point in the Northerly line of Central Avenue, S.E., distant 27.83 feet Easterly, measured along said Northerly line, from the Southwest corner of said Sublot No. 61; thence Westerly along the Northerly line of Central Avenue, S.E., 27.83 feet to the place of beginning, as appears by said plat.

Subject to and together with easement rights, if any, created in deed recorded in Volume 2312, Page 115 of Cuyahoga County Records.

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. 103-22-037, as more fully described in Section 40 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 19 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Central Avenue, S.E., (formerly Garden Street) at a point 6 inches West from the Southeast corner of said Sublot No. 19; thence Westerly along said Northerly line of Central Avenue, S.E., 25 feet; thence Northerly parallel with the Easterly line of said Sublot No. 19, 80 feet; thence Easterly parallel with said Northerly line of Central Avenue, S.E., 25 feet; thence Southerly parallel with the Easterly line of said Sublot No. 19, about 80 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-040, as more fully described in Section 42 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot, No. 66, as shown by the recorded plat of said Allotment in Volume 2 of Maps, Page 34 of Cuyahoga County Records and part of Sublot No. 18 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records, said part of Sublot No. 2 in Taylor and Hoyt Allotment and said part of Sublot No. 18 in William Williams' Allotment together forming a parcel of land bounded and described as follows:

Beginning in the Northerly line of Central Avenue, S.E., 35.32 feet Easterly from the Southwest corner of said Sublot No. 2; thence Easterly along the Northerly line of Central Avenue, S.E., 35.36 feet to a point in the center of said Sublot No. 18; thence Northerly parallel with the Westerly line of said Sublot No. 18 and about 119 feet to a point in the rear line of said Sublot No. 18, 25 feet West from the Northeast corner thereof; thence Westerly along the Northerly line of said Sublot No. 18, 22.29 feet; thence in a straight line to the place of beginning, as appears by said plat, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-041, as more fully described in Section 44 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot. No. 66 as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and also a part of Sublot No. 18 in William Williams' Allotment of part of Original Ten Acre Lot No. 67 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and together bounded and described as follows:

Beginning on the Northerly line of Central Avenue at the Southwesterly corner of said Sublot No. 2; thence Northerly along the Westerly line of said Sublot No. 2, 124 feet 10-1/2 inches to the Northwest corner of said Sublot; thence Easterly along the Northerly line of said Sublot No. 2, 18 feet 1 inch to the Northeast corner thereof; thence Southerly along the Easterly line of said Sublot, 13.25 feet to the Northwest corner of said Sublot No. 18; thence Easterly along the Northerly line of said Sublot No. 18, 2.11 feet; thence Southerly 116.75 feet to a point in the Northerly line of Central Avenue 35.32 feet Easterly from the place of beginning; thence Westerly along the Northerly line of Central Avenue 35.32 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-042, as more fully described in Section 46 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Taylor Hoyt's Allotment of part of Original Ten Acre Lot. No. 66, in said City, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records.

Said Sublot No. 1 has a frontage of 30 feet on Central Avenue, S.E. (formerly Garden Street), and extends back 115 feet, 11 inches deep on the Westerly line along East 37th Street (formerly Forest Street) 124 feet 10-1/2 inches deep on the Easterly line and is 55 feet 4 inches wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-089, as more fully described in Section 48 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 48. That the real property to be sold pursuant to Section 48 of

this Ordinance is more fully described as follows:

P.P. No. 103-22-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 4 and 5 in Taylor and Hoyt's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records and also a part of Sublot No. 16 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 6 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 the Southwesterly corner of land conveyed by James Hoyt and others to Ellen Burke by deed dated October 21, 1875 and recorded in Volume 205, Page 605 of Cuyahoga County Records; thence Easterly and along the prolongation of same, Easterly about 85 feet to the Westerly line of land conveyed by Elisha Sheldon Ganson to Victoria E. Ganson by deed dated March 17, 1887 and recorded in Volume 412, Page 397 of Cuyahoga County Records; thence Southerly along the Westerly line of said land conveyed to Victoria E. Ganson about 30 feet to the Northeast corner of land conveyed by Frederick W. Smith to Helen M. Smith Quit Claim Deed dated December 8, 1910 and recorded in Volume 1301, Page 259 of Cuyahoga County Records; thence Westerly along the Northerly line of said land so conveyed to Helen M. Smith about 85 feet to the Easterly line of said East 37th Street; thence Northerly along the Easterly line of said East 37th Street, about 30 feet to the place of the beginning, 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. 103-22-092, as more fully described in Section 50 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 10 feet of Sublot No. 6 and the Southerly 15 feet of Sublot No. 7 in Taylor and Hoyt's Subdivision of part of Original Ten Acre Lot No. 66, as shown by the recorded plat of said Subdivision in Volume 2 of Maps, Page 34 of Cuyahoga County Records. Said parts of said Sublot Nos. 6 and 7 together from a parcel of land having a frontage of 25 feet on the Easterly side of East 37th Street (formerly Forest Street) and extending back between equal lines 73 feet 5 inches, 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 51. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-098, as more fully described in Section 52 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 12.50 feet from front to rear of Sublot No. 10, and the Southerly 13.75 feet from front to rear of Sublot No. 11, in the Taylor and Hoyt Allotment of part of Original Ten Acre Lot No. 66, as shown by the recorded plat in Volume 2 of Maps, Page 34 of Cuyahoga County Records, and together forming a parcel of land 26.25 feet front on the Easterly side of Wheat Street (now known as East 37th Street), and extending back of equal width 73 feet 5 inches deep, 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. 103-22-104, as more fully described in Section 54 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 24 feet of Sublot No. 15 in Taylor and Hoyt's Allotment of part of Original Ten Acre Lot No. 66 as shown by the recorded plat of said Allotment in Volume 2 of Maps, Page 34 of Cuyahoga County Records. Said part of said Sublot No. 15 has a frontage of 24 feet on the Easterly side of East 37th Street (formerly Forest Street) and extends back between parallel lines 73 feet 5 inches, 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 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. 103-22-109, as more fully described in Section 56 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly part of Sublot No. 18 in Taylor and Hoyt Subdivision of part of Original Ten Acre Lot No. 66 as shown by the recorded plat in Vol-

ume 2 of Maps, Page 34 of Cuyahoga County Records, and further described as follows:

Said Northerly part of Sublot No. 18 has a frontage of 26 feet on Easterly side of East 37th Street and extending back of equal width 73.50 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 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. 103-22-116, as more fully described in Section 58 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 6 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point of intersection of the Westerly line of East 38th Street (formerly Williams Street) with the Southerly line of said Sublot No. 6; thence Northerly, measured along the Westerly line of East 38th Street, 23 feet, 4 inches; thence Westerly on a line parallel with the Southerly line of said Sublot No. 6, 150.50 feet to the Westerly line of said Sublot No. 6; thence Southerly, along the Westerly line of said Sublot No. 6, 23 feet, 4 inches to the Southerly line of said Sublot No. 6; thence Easterly, along the Southerly line of said Sublot No. 6, 150.50 feet to the place of the beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 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. 103-22-121, as more fully described in Section 60 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 36-1/2 feet of Sublot No. 10 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68 and 69, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said part of said Sublot No. 10 has a frontage of 36-1/2 feet on the Westerly side of East 38th Street (formerly William Street) and extends back between parallel lines 150-1/2 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 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. 103-22-123, as more fully described in Section 62 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 11 and 12 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Westerly line of East 38th Street, at a point 23 feet Southerly from the Northeast corner of said Sublot No. 11; thence Southerly along the said Westerly line of East 38th Street, 44-1/100 feet to a point 17 feet Southerly from the North East corner of said Sublot No. 12; thence Westerly on a line parallel with the Northerly line of said Sublot No. 12, 150-1/2 feet to the Westerly line of said Sublot No. 12; thence Northerly along the Westerly line of said Sublot Nos. 12 and 11, 44-1/100 feet to a point 23 feet Southerly from the Northwest corner of said Sublot No. 11; thence Easterly on a line parallel with the Northerly line of said Sublot No. 11, 150-1/2 feet the place of beginning, be the same more or less, but subject to all legal highways.

Restrictions of record and 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. 103-22-124, as more fully described in Section 64 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-124

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 12 and 13 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 38th Street, at the Southeast corner of a parcel of land conveyed to Kellie M. Walker by Deed dated October 17, 1927, and recorded in Volume 3726, Page 247 of Cuyahoga County Records; thence Southerly, along the Westerly line of East 38th Street, 36 feet to a point; thence Westerly parallel to the Southerly line of Sublot No. 12, 88 feet 6 inches to a point; thence Northerly, parallel to the Westerly line of East 38th Street, 36 feet to

the Southerly line of land conveyed to Kellie M. Walker as aforesaid; thence Easterly, along the Southerly line of land so conveyed, 88 feet 6 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Easement recorded in Volume 10106, Page 187 to Cuyahoga County Records.

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. 103-22-126, as more fully described in Section 66 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 27 feet of the Easterly 74.50 feet to Sublot No. 14 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 27 feet front on the Westerly side of East 39th Street, and extending back between parallel lines 74.50 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 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. 103-22-127, as more fully described in Section 68 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-127

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 20-1/100 feet of Sublot No. 14 and the Northerly 10 feet of Sublot No. 15 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67 to 70, both inclusive as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land 30-1/100 feet front on the Westerly side of East 38th Street (formerly Williams Street), and extending back of equal width 150.5 feet deep, be the same more or less, but subject to all legal highways.

Restrictions of record and 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. 103-22-130, as more fully described in Section 70 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-130

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as bounded and described as follows:

Beginning in the Westerly line of East 38th Street, at a point 63 feet Southerly therein from the Northerly line of Sublot No. 15 in said Allotment; thence Westerly 70 feet parallel with the Northerly line of said Sublot to a point 80 feet 6 inches Easterly from the Westerly line of said Sublot No. 16; thence Southerly 4 feet parallel with the Westerly line of East 38th Street; thence Westerly 68 feet 6 inches parallel with the Northerly line of said Sublot No. 15 to a point 12 feet Easterly from the Westerly line of said Sublot No. 16; thence Southerly 21.89 feet parallel with the Westerly line of said Sublot No. 16 to a point 11 feet 3 inches Northerly from the Southerly line thereof; thence Easterly 138 feet 6 inches parallel with the Southerly line of said Sublot No. 16 to the Westerly line of East 38th Street; thence Northerly 25.89 feet in the Westerly line of East 38th Street to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to 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. 103-22-132, as more fully described in Section 72 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-132

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the North end of Sublot No. 19 and 20 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning at the Northeast corner of Sublot No. 20 in said Allotment; thence Westerly along the North line of Sublot Nos. 20 and 19, 75-6/12 feet; thence south and parallel with East 38th Street (formerly Williams Street) 25-6/12 feet; thence East and parallel with the North line 25 feet; thence South 3 inches; thence East and parallel with North line 50-6/12 feet to the East line of Lot No. 20; thence North along said East line of said Lot No. 20, being also the West line of East 38th Street (formerly Williams Street) 25-9/12 feet to the place of beginning be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 73. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-134, as more fully described in Section 74 below, to Burten, Bell and Carr

Development Corporation or its 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. 103-22-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 17 feet in width from front to rear of Sublot No. 56 and the Northerly 13 feet in width from front to rear of Sublot No. 57 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 30 feet front on the Westerly side of East 39th Street, S.E., (formerly Grant Street) and having a depth of equal width of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 33 feet in width from front to rear of Sublot No. 56 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland and being 33 feet front on the Westerly side of East 39th Street S.E., (formerly Grant Street) and having a depth of equal width 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 15 feet in width from front to rear of Sublot No. 27, and all of Sublot No. 26 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 65 feet front on the Easterly side of East 38th Street (formerly Williams Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet in width from front to rear of Sublot No. 27 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland and being 35 feet front on the Easterly side of East 38th Street (formerly Williams Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 38 feet from front to rear of Sublot No. 25 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 38 feet front on the Easterly side of East 38th Street (formerly Williams Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 22 feet in width from front to rear of Sublot No. 58 and the Northerly 13 feet in width from

front to rear of Sublot No. 59 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 35 feet front on the Westerly side of East 39th Street S.E., (formerly Grant Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 7 feet in width from front to rear of Sublot No. 57 and the Northerly 28 feet in width from front to rear of Sublot No. 58 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 35 feet front on the Westerly side of East 39th Street, S.E., (formerly Grant Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet in width from front to rear of the Southerly 37 feet in width from front to rear of Sublot No. 57 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in the City of Cleveland, and being 30 feet front on the Westerly side of East 39th Street S.E., (formerly Grant Street) and having a depth of 151 7/12 feet, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

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. 103-22-135, as more fully described in Section 76 below, to Burten, Bell and Carr Development Corporation or its 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. 103-22-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68 and 69, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 38th Street (formerly Williams Street), and extending back between parallel lines, 151 feet, 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 77. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-136, as more fully described in Section 78 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 38th Street (formerly Williams Street), and extending back of equal width 151-7/12 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.

Also subject to zoning ordinances, if any.

Section 79. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-137, as more fully described in Section 80 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in said City, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records;

Beginning at a point 29 feet measured Northerly along the Easterly side of East 38th Street from the Southwest corner of said Sublot No. 30; thence Easterly 84 feet to a point; thence Southerly and parallel with the Easterly line of East 38th Street, 29 feet to a point on the Southerly line of Sublot No. 30; thence Easterly along the Southerly line of Sublot No. 30, 67.7 feet to the Southeast corner of Sublot No. 30; thence Northerly along the rear line of Sublot Nos. 30 and 31, 60 feet to a point measured 10 feet from the Southeast corner of Sublot No. 31; thence Westerly and parallel with Northerly line of Sublot No. 30, 67.7 feet to a point measured 84 feet Easterly from the Easterly line of East 38th Street; thence Southerly and parallel with the Easterly line of Sublot Nos. 30 and 31, 29 feet to a point; thence Westerly 84 feet to a point on the Easterly line of East 38th Street; thence Southerly along the Easterly line of East 38th Street 2 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 81. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-141, as more fully described in Section 82 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet from front to rear of Sublot No. 33 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 25 feet front on the Easterly side William Street (now known as East 38th Street) and extending back of equal width 151 feet, 7 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 83. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-147, as more fully described in Section 84 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-147

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 11 feet from front to rear of Sublot No. 37 and the Northerly 17 feet of Sublot No. 36 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said parts of Sublot Nos. 36 and 37 together from a parcel of land having a frontage of 28 feet on the Easterly side of East 38th Street (formerly William Street), and extending back between parallel lines 151-7/12 feet as appears by said plat. Said premises are conveyed subject to and with the right of way in common 6 feet wide and 151-7/12 feet long, extending Easterly from said Easterly line of East 38th Street to the Easterly line of said Sublot No. 36, the center of said right of way being the Southerly line of the above described premises and the side lines of said right of way in common being parallel with the Southerly line and 3 feet distant North and South therefrom, said right of way in common to be kept open and unobstructed and to be used for ingress and egress to and from the premises abutting thereon on the North and South side lines.

Subject to Zoning Ordinances, if any.

Section 85. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-149, as more fully described in Section 86 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-149

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 21 feet on Sublot No. 38 and the Northerly 8 feet 6 inches of Sublot No. 37 in William Williams'

Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Said parts of Sublot Nos. 37 and 38 together form a parcel of land having frontage of the Easterly side of East 38th Street, of 29 feet 6 inches and depth of about 151 feet, as appears by said plat. Together with the right to permanent easement over the Southerly 3-1/2 feet of the property lying to the North of the within described premises, to be used in common and subject to an easement over the Northerly 3-1/2 feet of the above described premises.

Also subject to zoning ordinances, if any.

Section 87. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-153, as more fully described in Section 88 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-153

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 59 feet of the Northerly 23 feet of Sublot No. 92 in Horace P. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 64, 65 and 66, as shown by the recorded plat in Volume 2 Maps, Page 30 of Cuyahoga County Records, and being 23 feet front on the Westerly side East 37th Street, and extending back of equal width 59 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 89. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-154, as more fully described in Section 90 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-154

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 3 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows:

Beginning in the Westerly line of East 38th Street, (formerly Williams Street), 60 feet wide, at the Southeast corner of said Sublot No. 3; thence Northerly along said Westerly line of East 38th Street, about 23.50 feet to a point distant Southerly (measured along said Westerly line of East 38th Street), 126.50 feet from the Southerly line of Cedar Avenue, S.E., (66 feet wide); thence Westerly along a line parallel with said Southerly line of Cedar Avenue, S.E., 40 feet; thence Southerly along

a line parallel with said Westerly line of East 38th Street, 2.80 feet; thence Westerly along a line parallel with said Southerly line of Cedar Avenue, S.E., about 10.50 feet to the Westerly line of said Sublot No. 3, thence Southerly along said Westerly line of Sublot No. 3, about 20.70 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said Sublot No. 3, 50.50 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 91. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-156, as more fully described in Section 92 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-156

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 59 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 39th Street at a point distant Southerly 13 feet from the North-easterly corner of said Sublot No. 59; thence Westerly 76 feet parallel with the Northerly line of said Sublot No. 59 to a point for the principal place of beginning; thence Southerly 35 feet parallel with the said Westerly line of East 39th Street to a point; thence Westerly 75.58 feet parallel with the Northerly line of said Sublot No. 59 to a point in the Westerly line thereof; thence Northerly 35 feet along the Westerly line of said Sublot No. 59 to a point; thence Easterly 75.58 feet parallel with the Northerly line of said Sublot No. 59 to the principal place of beginning, be the same more or less, but subject to all legal highways.

Section 93. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-22-159, as more fully described in Section 94 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-22-159

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part Sublot No. 24 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, recorded in Volume 3 on Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Easterly line of East 38th Street, 60 feet wide, at the Southwesterly corner of Sublot No. 24; thence Easterly 76.50 feet along the Southerly line of said Sublot No.

24 to a point; thence Northerly 36.00 feet parallel with said Easterly line of East 38th Street to a point; thence Westerly 76.50 feet parallel with said Southerly line of Sublot No. 24 to a point in said Easterly line of East 38th Street; thence Southerly 36.00 feet along said Easterly line of East 38th Street to the place beginning, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, September 28 and 29, 1949; be the same more or less, but subject to all legal highways.

Section 95. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-23-004, as more fully described in Section 96 below, to Burten, Bell and Carr Development Corporation or its designee.

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

P.P. No. 103-23-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet from front to rear to Sublot No. 86 in William Williams' Re-Subdivision of William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68 and 69 as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Section 97. 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. 103-23-010, as more fully described in Section 98 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 98. That the real property to be sold pursuant to Section 97 of this Ordinance is more fully described as follows:

P.P. No. 103-23-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat of said Allotment in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Livingston Street), and extending back 60.20 feet on the Northerly line, 60.21 feet on the Southerly 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 99. 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. 103-23-011, as more fully described in Section 100 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 100. That the real property to be sold pursuant to Section 99 of this Ordinance is more fully described as follows:

P.P. No. 103-23-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 48 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No.

71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Arlington Court) and extending back 60.21 feet on the Northerly line, 60.22 feet on the Southerly 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.

Section 101. 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. 103-23-012, as more fully described in Section 102 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 102. That the real property to be sold pursuant to Section 101 of this Ordinance is more fully described as follows:

P.P. No. 103-23-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street, and extending back 60.22 feet on the Northerly line, 60.23 feet on the Southerly 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.

Section 103. 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. 103-23-013, as more fully described in Section 104 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 104. That the real property to be sold pursuant to Section 103 of this Ordinance is more fully described as follows:

P.P. No. 103-23-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street, and extending back 60.24 feet on the Southerly line, 60.23 feet on the Northerly 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.

Section 105. 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. 103-23-014, as more fully described in Section 106 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 106. That the real property to be sold pursuant to Section 105 of this Ordinance is more fully described as follows:

P.P. No. 103-23-014

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

sion 45 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Arlington Court) and extending back of equal width 60.24 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in W.J. Gordon's Allotment of part of Original One Hundred Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Arlington Court) and extending back of equal width 60.24 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 107. 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. 103-23-015, as more fully described in Section 108 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 108. That the real property to be sold pursuant to Section 107 of this Ordinance is more fully described as follows:

P.P. No. 103-23-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 43 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Arlington Court) and extending back 60.25 feet on the Northerly line, 60.26 feet on the Southerly 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.

Section 109. 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. 103-23-016, as more fully described in Section 110 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 110. That the real property to be sold pursuant to Section 109 of this Ordinance is more fully described as follows:

P.P. No. 103-23-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 42 in W.J. Gordon's Allotment of part of Original Ten Acre Lot No. 71, as shown by the recorded plat in Volume 11 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 43rd Street (formerly Arlington Court) and extending back 60.26 feet on the Northerly line, 60.27 feet on the Southerly 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.

Section 111. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-23-023, as more fully described in Section 112 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 112. That the real property to be sold pursuant to Section 111 of this Ordinance is more fully described as follows:

P.P. No. 103-23-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Lindus Cody's Subdivision of part of Original Ten Acre Lot No. 71 as shown by the recorded plat in Volume 13 of Maps, Page 38 of Cuyahoga County Records, and being 28 feet front on the Westerly line of East 43rd Street and extends back between parallel lines 60.47 feet deep on the Northerly line, 60.48 feet deep on the Southerly line and 28 feet wide in the rear as shown by the recorded plat, be the same more or less, but subject to all legal highways.

Section 113. 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. 103-23-029, as more fully described in Section 114 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 114. That the real property to be sold pursuant to Section 113 of this Ordinance is more fully described as follows:

P.P. No. 103-23-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 104 and parts of Sublot Nos. 102, 103 and 105 in William Williams Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and follows:

Beginning in the Northerly line of Central Avenue, N.E., 63 feet wide, at the Southwesterly corner of Sublot No. 104; thence South 67 degrees 51' 40" East along the Northerly line of Central Avenue, S.E., about 126.10 feet to the Southwesterly corner of a parcel of land conveyed to Standard Oil Company by deed in Volume 3471, Page 555 recorded in Cuyahoga County Records; thence North 6 degrees 18' 20" East along the Westerly line of said land conveyed to Standard Oil Company, 47.65 de to an angle point therein; thence North 3 degrees 41' 40" West along the Westerly line of said land conveyed to Standard Oil Company and along the Westerly line of a parcel of land conveyed to the Standard oil Company by deed recorded in Volume 4705, Page 83, and along the Westerly line of land conveyed to Frank N. Missarra by deed recorded in Volume 8298, Page 467, and along the Westerly line of a parcel of land conveyed to John Bennett by deed recorded in Volume 6432, Page 467 of Cuyahoga County Records, 95.49 feet to the Northwesterly corner of said land conveyed to John Bennett; thence North 89 degrees 50' 40" West parallel with the Southerly line of said Sublot No. 102, being the Southerly line of a parcel of land conveyed to

Guisepppe Sanfilippo by deed recorded in Volume 3140, Page 427 of Cuyahoga County Records, 0.58 feet to the Southwesterly corner of said land; thence due North parallel with the Westerly line of East 40th Street and along the Westerly line of a parcel of land conveyed to Sidney J. Miller and Sanford Gerard by deed recorded in Volume 11826, Page 825 of Cuyahoga County Records, 43 feet to the Northwesterly corner of said line, said point being 100 feet West of the Westerly line of East 40th Street and 11 feet North of the Southerly line of said Sublot No. 102; thence North 89 degrees 50' 40" West parallel with the Southerly line of said Sublot No. 102, 14 feet to a point; thence due South parallel with the Westerly line of East 40th Street, 11 feet to a point in the Southerly line of said Sublot No. 102; thence North 89 degrees 50' 40" West along the Southerly line of said Sublot No. 102; said point being also the Northwesterly corner of Sublot No. 104 in said William Williams Allotment; thence Southerly, along the Westerly line of said Sublot No. 104, in a direct line to the place of beginning, be the same more or less, but subject to all legal highways.

Section 115. 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. 103-23-037, as more fully described in Section 116 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 116. That the real property to be sold pursuant to Section 115 of this Ordinance is more fully described as follows:

P.P. No. 103-23-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Northerly 45 feet of the Southerly 49.33 feet of Sublot No. 69 in William Williams Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said part of Sublot No. 69 has a frontage of 45 feet on the Easterly side of East 39th Street, and extends back between parallel lines 151 feet and 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 117. 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. 103-23-039, as more fully described in Section 118 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 118. That the real property to be sold pursuant to Section 117 of this Ordinance is more fully described as follows:

P.P. No. 103-23-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 15 feet 8 inches of Sublot No. 70, all of Sublot No. 71 and the Southerly 4 feet 6 inches of Sublot No. 72 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County

Records, and together forming a parcel of land having a frontage of 70 feet 2 inches on the Easterly side of East 39th Street, (formerly Grant Street) and extending back of equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 119. 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. 103-23-040, as more fully described in Section 120 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 120. That the real property to be sold pursuant to Section 119 of this Ordinance is more fully described as follows:

P.P. No. 103-23-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 of William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and part of 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Easterly line of East 39th Street (formerly Grant Street), at the Southwest corner of said Sublot No. 72; thence Northerly along said Easterly line of said East 39th Street, 4 feet 6 inches to the principal place of beginning; thence continuing Northerly along said Easterly line of said East 39th Street, 42 feet to a point 3 feet 6 inches Southerly from the Northwest corner of said Sublot; thence Easterly parallel with the Northerly line of said Sublot, 151 feet 7 inches to a point in the rear line of said Sublot located 3 feet 6 inches Southerly from the Northeastly corner of said Sublot; thence Southerly along the rear line of said Sublot, 42 feet to a point 4 feet 6 inches Northerly from the Southeastly corner of said Sublot; thence Westerly parallel with the Southerly line of said Sublot, 151 feet 7 inches to the principal place of beginning as appears by said plat.

Section 121. 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. 103-23-043, as more fully described in Section 122 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 122. That the real property to be sold pursuant to Section 121 of this Ordinance is more fully described as follows:

P.P. No. 103-23-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 74 in the William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 31.75 feet front on the Easterly side of East 39th Street (formerly Grant Street), and extending back 151.58 feet of equal width of parallel lines, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 123. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-23-044, as more fully described in Section 124 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 124. That the real property to be sold pursuant to Section 123 of this Ordinance is more fully described as follows:

P.P. No. 103-23-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 75 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, bounded as follows:

Beginning at a point in the Northeastly line of East 39th Street, distant North 8 degrees, 30 minutes 00 seconds West, 25-00/100 feet from the Southeastly corner of said Sublot No. 75, thence North 81 degrees, 31 minutes and 10 seconds East, parallel with the Southeastly line of said Sublot 100-00/100 feet, thence South 73 degrees 38 minutes 20 seconds East 16-07/100 feet, thence North 81 degrees 31 minutes 10 second east parallel with the Southwestly line of said Sublot 37-00/100 feet to the Northeastly line of said Sublot No. 75, thence North 8 degrees 30 minutes 00 seconds West along the Northeastly line of said Sublot 31-75/100 feet to the Northeastly corner thereof; thence South 81 degrees 31 minutes 10 seconds West along the Northwestly line of said Sublot No. 75, 151-58/100 feet to the Northeastly line of East 39th Street, thence South 8 degrees 30 minutes 00 seconds East along the Northeastly line of East 39th Street, 25-00/100 feet to the place of beginning according to the survey of Charles W. Root, Registered Professional Engineer and Surveyor.

Together with and subject to an easement over the following described parcel of land: Situated in the City of Cleveland, Cuyahoga County and State of Ohio and known as being part of Sublot No. 75 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded follows:

Beginning at a point in the Northeastly line of East 39th Street at a point distant North 8 degrees 30 minutes 00 seconds West 21-00/100 feet from the Southwestly corner of said Sublot No. 75, thence North 8 degrees 30 minutes 00 seconds West along Northeastly line of East 39th Street, 7-25/100 feet, thence North 81 degrees, 31 minutes 10 seconds East parallel with the Southeastly line of said Sublot No. 75, 92-98/100 feet, thence South 73 degrees 38 minutes 30 seconds East, 17-26/100 feet, thence South 81 degrees 31 minutes 10 seconds West parallel with the Southeastly line of said Sublot No. 75, 103-64/100 feet to the place of beginning to be used by the grantor and grantee and their respective heirs and assigned forever as a means of ingress and egress to their lands

Easement recorded in Volume 15401, Page 757 of Cuyahoga County Records for ingress and egress, described above.

Section 125. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-23-046, as more fully described in Section 126 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 126. That the real property to be sold pursuant to Section 125 of this Ordinance is more fully described as follows:

P.P. No. 103-23-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 77 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 39th Street (formerly Grant Street), and extending back of equal width 151 feet 7 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 127. 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. 103-23-047, as more fully described in Section 128 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 128. That the real property to be sold pursuant to Section 127 of this Ordinance is more fully described as follows:

P.P. No. 103-23-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 78 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 according to the plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, said Sublot No. 78 has a frontage of 50 feet on the Easterly side of East 39th Street (formerly Grant Street) and extends back between parallel lines 151 feet and 7 inches, be the same more or less, but subject to all legal highways.

Section 129. 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. 103-23-050, as more fully described in Section 130 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 130. That the real property to be sold pursuant to Section 129 of this Ordinance is more fully described as follows:

P.P. No. 103-23-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet from front to rear of Sublot No. 82 in William Williams' Re-Subdivision of part of William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69, as shown by the recorded plat of said resubdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being a parcel of land 30 feet front on the Easterly side of Grant Street (now known as East 39th Street), and extending back of equal width 151 feet 7 inches deep as appears by said plat, be

the same more or less, but subject to all legal highways, and further subject to restrictions of record, reservations, easement and conditions of record, if any.

Section 131. 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. 103-23-051, as more fully described in Section 132 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 132. That the real property to be sold pursuant to Section 131 of this Ordinance is more fully described as follows:

P.P. No. 103-23-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 20 feet of Sublot No. 82 and the Southerly 10 feet of Sublot No. 83 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 30 feet front the Easterly side of East 39th Street and extending back between parallel lines 151-7/12 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 133. 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. 103-23-052, as more fully described in Section 134 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 134. That the real property to be sold pursuant to Section 133 of this Ordinance is more fully described as follows:

P.P. No. 103-23-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 30 feet 6 inches of the Southwestly 61 feet of Sublot No. 83 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being 30 feet 6 inches front on the Northeastly side of East 39th Street and extending back between parallel lines 61 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement recorded in Volume 7218, Page 470 of Cuyahoga County Records, and easement recorded in Volume 7218, Page 472 of Cuyahoga County Records, and easement recorded in Volume 7218, Page 474 of Cuyahoga County Records. Zoning Ordinances, if any.

Section 135. 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. 103-23-060, as more fully described in Section 136 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 136. That the real property to be sold pursuant to Section 135 of this Ordinance is more fully described as follows:

P.P. No. 103-23-060

Situated in the City of Cleveland,

County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 93 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 40 Street, (formerly Case Avenue), 16 feet Northerly (measured along said Westerly line), from the Southeastly corner of said Sublot No. 93; thence Northerly along said Westerly line, 33 feet; thence Westerly parallel to the Southerly line of said Sublot, about 207 feet to the Westerly line thereof; thence Southerly along the Westerly line of said Sublot No. 33 feet; thence Easterly about 207 feet to place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 137. 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. 103-23-061, as more fully described in Section 138 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 138. That the real property to be sold pursuant to Section 137 of this Ordinance is more fully described as follows:

P.P. No. 103-23-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Ten Acre Lot No. 69 and known as being the Northerly 29 feet of Sublot No. 94 and the Southerly 16 feet of Sublot No. 93 in William Williams Subdivision, recorded in Volume 3, Page 6 of Cuyahoga County Map Records, being 45 feet front on the Westerly side of East 40th Street. Together with and subject to driveway easements as shown of record in Warranty Deed recorded in Volume 262, Page 458, and quitclaim deed recorded in Volume 282, Page 610 of Cuyahoga County, Ohio Records.

Section 139. 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. 103-23-062, as more fully described in Section 140 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 140. That the real property to be sold pursuant to Section 139 of this Ordinance is more fully described as follows:

P.P. No. 103-23-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 37 feet of Sublot No. 94 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in said City, and forming a parcel of land 37 feet front on the Westerly side of Case Avenue, now known as East 40th Street, and about 209 feet deep, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 6 of Cuyahoga County Records.

Also the right of way in common with the owners of the premises adjoining the above land on its Northerly side over 4 feet of land north of and adjoining the above

premises, also subject to the right of way in common by the same parties over the Northerly 4 feet of the above described premises so as to form one common driveway 8 feet in width, one-half of same on above premises, one-half from the premises north of same, be the same more or less, but subject to all legal highways.

Section 141. 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. 103-23-063, as more fully described in Section 142 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 142. That the real property to be sold pursuant to Section 141 of this Ordinance is more fully described as follows:

P.P. No. 103-23-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 and the Northerly 44 feet front and rear of Sublot No. 96 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land 110 feet front on the Westerly side of Case Avenue (now known as East 40th Street), and being 209 feet, 8-1/4 inches deep on the Northerly line, 212 feet and 1/2 inches deep on the Southerly line and 110 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 143. 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. 103-23-064, as more fully described in Section 144 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 144. That the real property to be sold pursuant to Section 143 of this Ordinance is more fully described as follows:

P.P. No. 103-23-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 22 feet front and rear of Sublot No. 96, and the Northerly 22 feet front to rear of Sublot No. 97 in William William's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land 44 feet front on the Westerly side of East 40 feet (formerly Case Avenue) and extending back about 212 feet 6 inches on the Northerly line, about 212 feet 8 inches on the Southerly line, and having rear line of 44 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 145. 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. 103-23-067, as more fully described in Section 146 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 146. That the real property to be sold pursuant to Section 145

of this Ordinance is more fully described as follows:

P.P. No. 103-23-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 26 feet from front to rear of Sublot No. 98 and the Northerly 16 feet from front to rear of Sublot No. 99 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in said Allotment in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said parts of Sublot Nos. 98 and 99 together form a parcel of land having a frontage of 42 feet on the Westerly side of East 40th Street, (formerly Case Avenue), and extends back about 214 feet 6 inches on the Northerly line, about 215 feet 8 inches on the Southerly line, and has a rear line of 42 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 147. 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. 103-23-071, as more fully described in Section 148 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 148. That the real property to be sold pursuant to Section 147 of this Ordinance is more fully described as follows:

P.P. No. 103-23-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 102 and 103 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning in the Westerly line of East 40th Street (formerly Case Avenue), at a point 11 feet Northerly, measured along said Westerly line, from the Southeastly corner of said Sublot No. 102; thence Southerly along the Westerly line of East 40th Street, 43 feet; thence Westerly parallel with the Southerly line of said Sublot No. 102, 100 feet, thence Northerly parallel with the Westerly line of East 40th Street, 43 feet; thence Easterly parallel with the Southerly line of said Sublot No. 102, 100 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 149. 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. 103-23-072, as more fully described in Section 150 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 150. That the real property to be sold pursuant to Section 149 of this Ordinance is more fully described as follows:

P.P. No. 103-23-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being of Sublot No. 105 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70 in said

City, and bounded and described as follows:

Beginning on the Westerly line of Case Avenue (now East 40th Street) at a point distant 32 feet Southerly from the Northerly corner of said Sublot; thence Westerly at right angles with Case Avenue (now East 40th Street), about 100 feet to a private alley; thence Southerly along said private alley, 31 feet to the Northwesterly corner of land conveyed to Frank Musarra by deed recorded in Volume 5431, Page 80 of Cuyahoga County Records; thence Easterly and parallel with the first described line and along the Northerly line of land so conveyed about 100 feet to the Westerly line of Case Avenue (now East 40th Street); thence Northerly along the Westerly line of Case Avenue (now East 40th Street), 31 feet to the place of beginning, as per plat of said Subdivision recorded in Volume 3 of Maps, Page 6 of Cuyahoga County Records. Said alley in the rear of said premises is a private alley running from Central Avenue, Northerly to the North line of the premises herein described, be the same more or less, but subject to all legal highways.

Section 151. 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. 103-23-073, as more fully described in Section 152 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 152. That the real property to be sold pursuant to Section 151 of this Ordinance is more fully described as follows:

P.P. No. 103-23-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 103 and 105 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and being further described as follows:

Beginning in the Westerly line of East 40 Street, 99 feet wide, at a point distant due North, measured along said Westerly line 103.59 feet from its intersection with the Northerly line of Central Avenue, S.E., 63 feet wide, said point being the Southeastly corner of a parcel of land conveyed to Frank N. Musarra by deed recorded in Volume 8298, Page 467, Parcel No. 1 of Cuyahoga County Records; thence due North along the Westerly line of East 40th Street, 31.00 feet to the Northeastly corner of said land; thence due West along the Northerly line of said land conveyed to Frank N. Musarra, 97.41 feet to a point the Easterly line of a private alley; thence South 3 degrees 41 minutes 40 seconds East along the Easterly line of said private alley, 31.06 feet to the Southwestly corner of said land conveyed to Frank N. Musarra; thence due East along the Southerly line of said land, 95.41 feet to the place of the beginning, according to the survey of Warren J. Root and Associates, Civil Engineers and Surveyors.

Section 153. 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. 103-23-081, as

more fully described in Section 154 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 154. That the real property to be sold pursuant to Section 153 of this Ordinance is more fully described as follows:

P.P. No. 103-23-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 113 in William Williams' Subdivision of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 40th Street (formerly Case Avenue) at the Northwesterly corner of Sublot No. 113; thence Southerly along the Easterly line of East 40th Street, 33 feet to the Northwesterly corner of land conveyed to the Board of Education of the City School District of the City of Cleveland by deed dated March 28, 1939 and recorded in Volume 4933, Page 116 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed, 190 feet to the Northeastly corner thereof; thence Southerly along the Easterly line of land so conveyed, 33 feet to the Southerly line of said Sublot No. 113; thence Easterly along the Southerly line of said Sublot No. 113, about 107.83 feet to the Southeastly corner thereof; thence Northerly along the Easterly line of said Sublot, 66 feet to the Northeastly corner thereof; thence Westerly along the Northerly line of said Sublot No. 113, 299.25 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 155. 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. 103-23-082, as more fully described in Section 156 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 156. That the real property to be sold pursuant to Section 155 of this Ordinance is more fully described as follows:

P.P. No. 103-23-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 60 feet of Sublot No. 112 in William Williams' Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 60 feet front on the Easterly side of East 40th Street, and extending back 299.25 feet deep on the Southerly line, about 300.00 feet deep on the Northerly line, and having a rear line of 60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 157. 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. 103-23-083, as more fully described in Section 157 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 158. That the real proper-

ty to be sold pursuant to Section 157 of this Ordinance is more fully described as follows:

P.P. No. 103-23-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 33 feet of Sublot No. 111 in William Williams Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and being 33 feet front on the Easterly side of East 40th Street, and extending back of equal width about 300 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 159. 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. 103-23-084, as more fully described in Section 160 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 160. That the real property to be sold pursuant to Section 159 of this Ordinance is more fully described as follows:

P.P. No. 103-23-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 107 and the Westerly 10 feet front to rear of Sublot No. 108 in William Williams's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 40th Street (formerly Case Avenue) at the Southwesterly corner of Sublot No. 107; thence Northerly, along the Easterly line of East 40th Street, 66 feet to the Northwesterly corner of said Sublot No. 107; thence Easterly along the Northerly line of Sublot No. 107, 150 feet to the Westerly line of Sublot No. 108; thence Northerly along the Westerly line of Sublot No. 108, 99 feet to the Southerly line of Cedar Avenue, S.E., thence Easterly along said Southerly line of Cedar Avenue, S.E., 10 feet; thence Southerly and parallel with the Easterly line of Sublot No. 108, 165 feet to the Southerly line of Sublot No. 108; thence Westerly along the Southerly lines of Sublot No. 108 and 107, to place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 161. 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. 103-23-089, as more fully described in Section 162 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 162. That the real property to be sold pursuant to Section 161 of this Ordinance is more fully described as follows:

P.P. No. 103-23-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 73 in William Williams's Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Vol-

ume 3 of Maps, Page 6 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Easterly line of East 39th Street (formerly Grant Street) at a point distant 2.50 feet Northerly, measured along said Easterly line, from the Southwesterly corner of said Sublot No. 73; thence Easterly and parallel with Westerly line of said Sublot No. 73, 81.70 feet; thence Northerly, parallel with the Easterly line of East 39th Street 34 feet; thence Westerly and parallel with the Southerly line of said Sublot No. 73, 81.70 feet to the Easterly line of East 39th Street; thence Southerly, along the Easterly line of East 39th Street, 34 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 163. 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. 103-23-090, as more fully described in Section 164 below, to Burten, Bell and Carr Development Corporation or its designee.

Section 164. That the real property to be sold pursuant to Section 163 of this Ordinance is more fully described as follows:

P.P. No. 103-23-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 6 feet of Sublot No. 112 and the Southerly 33 feet of Sublot No. 111 in William Williams Allotment of part of Original Ten Acre Lot Nos. 67, 68, 69 and 70, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records, and together forming a parcel of land having frontage of 39 feet on the Easterly side of East 40th Street, and extending back about 300 feet deep on the Southerly line, and having a rear line of 39 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 165. 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 166. 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 167. 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 168. 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1026-96.

By Councilmen Lewis, Patmon, Britt, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant and Urban Enterprise Grant funds for administration of the Empowerment Zone Program, as amended; and to enter into all contract and related documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for implementation of the Empowerment Zone Program, as amended.

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 and execute all contracts and all necessary documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for the purpose of implementing the Empowerment Zone Program, as amended.

Section 2. That the Director of Economic Development is hereby authorized to expend Economic Development Initiative Grant and Urban Enterprise Community Grant funds for administration of the Program.

Section 3. That the aggregate costs of expenditures authorized by this ordinance shall not exceed Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00), and shall be paid from Fund Nos. 18 SF 005, 18 SF 006, and 18 SF 008, Request No. 22256.

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1027-96.

By Councilmen Lewis, Patmon, Britt, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant funds to enter into all contracts and related documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax

Renaissance Development Corporation, and Midtown Corridor, Inc., or their designees, to allow these Community Based Development Organizations to contract with Vocational Guidance Services to provide a job training, matching, and placement service for Empowerment Zone residents, all in accordance with the City's Empowerment Zone Strategic Plan.

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 and execute all contracts and all necessary documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for the purpose of allowing these Empowerment Zone Community Based Development Organizations to enter into contracts with Vocational Guidance Services to provide a job training, matching, and placement service for Empowerment Zone residents.

Section 2. That the Director of Economic Development is hereby authorized to expend Economic Development Initiative Grant funds for the needed contracts.

Section 3. That the aggregate costs of expenditures authorized by this ordinance shall not exceed Nine Hundred Forty Six Thousand Seven Hundred Dollars (\$946,700), and shall be paid from Fund Nos. 18 SF 007 Request No. 22257.

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1028-96.

By Councilmen Miller, McGuirk, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Emerald Research Park, Ltd., or its designee, to provide economic development assistance to partially finance the construction of infrastructure, an access road and other site improvements to facilitate the development of the Emerald Research Park, located in 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 Emerald Research Park, Ltd., or its designee, to provide economic development assistance to partially finance the construction of infrastructure, an access road and other site improvements to facilitate the

development of the Emerald Research Park, located in the vicinity of Grayton Road.

Section 2. That the terms of said financial assistance shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1028-96-A.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund No. 10 SF 501.

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. 10 SF 502.

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1029-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to execute de-icing collection services, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to execute de-icing collection services in the estimated sum of \$1,000,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port

Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 20853)

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.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance, Law.

Ord. No. 1030-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Ohio Avenue and 15209 Lincoln Avenue to Amistad Development Corporation.

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). 142-26-015 and 142-27-098 and 142-27-099, as more fully described in Section 2 below, to Amistad Development Corporation.

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. 142-26-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West-erly 43 feet front and rear of Sub-

lot No. 29 in the Seaboyne Realty Company's Subdivision No. 2 of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 115 of Maps, Page 11 of Cuyahoga County Records.

Subject to all legal highways.

P.P. No. 142-27-098 and 142-27-099
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 269 and 270 in Bella Villa Allotment of a part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records. Each of said Sublots 269 and 270 has a frontage of 30 feet on (Cleveland Avenue), now known as Lincoln Avenue, S.E., and extends back of equal width 100 feet, according to the recorded 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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1031-96.
By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to maintain combination sewer and catch basin cleaners, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified

Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to repair and maintain combination sewer and catch basin cleaners in the estimated sum of \$70,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 11013)

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1032-96.
By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide video inspection services of the City's sewers.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more video inspection consultants or one or more firms of video inspection 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 perform all operations required to execute the internal inspection of the City's sewers, including but not limited to providing all labor, materials, accessories, equipment, tools, transportation, services and technical competence.

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

The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 001, Request No. 11011.

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1033-96.
By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to rehabilitate one catch basin cleaning machine, including but not limited to replacing the body and other improvements, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to rehabilitate one catch basin cleaning machine, including but not limited to replacing the body and other improvements, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11012.

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.

Referred to Directors of Public Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1034-96.
By Councilmen Polensek, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 17633 Dorchester Drive to East Shore Park Club Company.

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. 114-01-006, as more fully described in Section 2 below, to East Shore Park Club Company.

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. 114-01-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 9 in The Kangesser Company's East Shore Park Subdivision, of part of Original Euclid Township Tract No. 15, as shown by the recorded plat in Volume 93 of Maps, Page 6 of Cuyahoga County Records.

Subject to all legal highways, and also subject to the same restrictions, covenants and conditions as contained in the deed from The Kangesser Company to Anna M. Greening, same being Land Title Registration Document No. 31202 as shown on Certificate of Title No. 12706.

This property is registered under Section 5309.02 et. seq. of the Revised Code and is known as Certificate of Title Number 14131 and is subject to restrictions, covenants, limitations and conditions and to easements and right-of-way if any, contained therein.

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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1035-96.
By Councilmen Polensek, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with MALCO Incorporated, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and computer equipment, located at 14200 Darley Avenue, Cleveland, Ohio.

Whereas, MALCO, Incorporated, or its designee, will be applying to the Department of Personnel and Human Resources for financial assistance to train its employees in the use of the new equipment and software; 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 enter into a contract with MALCO Incorporated, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and computer equipment, located at 14200 Darley Avenue, Cleveland, Ohio, 44110.

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. 1035-96-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. 12 SF 954, Request No. 22417.

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. 12 SF 958.

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1036-96.
By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 135.54 thereof, relating to obtaining access to computerized law enforcement information through the Law Enforcement Automated Data System (LEADS), for the Department of Public Safety, Division of Police.

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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 135.34 thereof, to read as follows:

Section 135.54 Law Enforcement Automated Data System (LEADS)

This Council finds that access to the Law Enforcement Automated Data System (LEADS) cannot be secured from any source other than the State of Ohio. Therefore, the Director of Public Safety is hereby authorized to enter into agreements with the State of Ohio to obtain access to LEADS, for the Division of Police.

Section 2. That the cost of the agreements authorized by this ordinance shall be paid from Fund 01-60-02-032 or from such other funding sources as may be provided through annual appropriation. (RL 20098).

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 1037-96.
By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the State of Ohio, Office of the Governor's Highway Safety Representative for the Selective Traffic Enforcement Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$60,374.21, from the

State of Ohio, Office of the Governor's Highway Safety Representative, to conduct the Selective Traffic Enforcement Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1037-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 1038-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with Environmental Careers Organization, Inc. for professional services to recruit, select and place summer interns, for the Division of Environment, Department of Public Health.

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 Health is hereby authorized and directed to enter into contract with Environmental Careers Organization, Inc. for professional services necessary to recruit, select and place not to exceed (3) summer interns in temporary positions in the Division of Environment for a period not to exceed twelve (12) weeks, including payment of the interns' salaries and payroll taxes, on the basis of its proposal dated February 23, 1996, in the total sum of \$21,303.00, payable from Fund No. 01-50-06-0380, Request No. 21804, for the Division of Environment, Department of Public Health.

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.

Referred to Directors of Public Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1039-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase or lease by contract of a Medical

Mobile Unit for the Department of Public Health, Division of Health, for the Healthy Family Healthy Start Project.

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 Health is hereby authorized to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: a mobile medical primary care unit and necessary components to provide limited medical services, including pregnancy tests, diabetes and blood pressure screening, first trimester prenatal visits and pediatric care, to residents of neighborhoods in the Healthy Family Healthy Start Project area, to be purchased, leased, or leased with an option to purchase by the Commissioner of Purchases and Supplies for a gross rental or unit price for the Division of Health. Bids shall be taken in such a 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.

Section 2. That the Director of Public Health is hereby authorized to enter into a written requirements contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a time period to be determined, for the necessary items of medical equipment and components for a mobile medical primary care unit to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Health, Department of Health, for the Healthy Family Healthy Start Project. Bids shall be taken in such a 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.

Section 3. That the Director of Public Health is hereby authorized to enter into a contract with an individual, firm or entity 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 a mobile medical primary care unit meeting the specific program needs of the Healthy Family Healthy Start Project by providing the medical services described in Section 1 of this Ordinance.

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

Section 4. The costs of the contracts authorized by Sections 1 and

3 of this ordinance shall be paid from Fund No. 13 SF 426, Request No. 21806.

Section 5. The costs of the contracts authorized by Section 2 of this ordinance 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 21806)

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.

Referred to Directors of Public Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1040-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contract with Cleveland Housing Network for the implementation of the Lead-based Paint Abatement on Low and Moderate Income Private Housing Program.

Whereas, pursuant to Ordinance No. 909-93, Council authorized the Director of Public Health to apply for and accept a grant from the U.S. Department of Housing and Urban Development ("HUD") to conduct the Lead-based Paint Abatement on Low and Moderate Income Private Housing Program; 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 Health is hereby authorized to enter into contract with Cleveland Housing Network for professional services necessary to implement said program by managing the provision of intensive lead abatement services in residences where lead-poisoned children reside, on a city-wide, scattered site basis, in accordance with the terms of the HUD grant. Said contract shall be prepared by the Director of Law and shall provide for compensation in an amount not to exceed \$495,670, payable from Fund No. 13 SF 360, for the Division of Environment, Department of Public Health.

Section 2. That the Director of Public Health is hereby authorized and directed to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: intensive lead hazard abatement services, in not to exceed eighty (80) residences in the City where lead-poisoned children reside, to be purchased by the Commissioner of Purchases and Supplies for the Division of Environment, Department of Public Health. Notwithstanding and as an exception to Chapter 181 of the Codified Ordinances of the City of Cleveland,

the Commissioner of Purchases and Supplies is hereby authorized to procure the lead hazard abatements to be purchased hereunder using competitive procedures alternative to formal competitive bidding, but in all cases for the best price obtainable in the market, provided that the cost of such abatements shall not exceed \$10,000 each, and further provided that the approval of the Director of Finance is first obtained.

Section 3. That the cost of the lead hazard abatement contracts authorized under Section 2 hereof shall be paid from Fund No. 13 SF 360.

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.

Referred to Directors of Public Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1041-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of a 1997 criminal and civil filing system, including but not limited to accessories, and labor if necessary, for the Cleveland Municipal Court.

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 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 a 1997 criminal and civil filing system, including but not limited to file folders, labels, tabs, envelopes, labeling equipment, shelving, supplies, and other items necessary for the acquisition of a system to file, track, catalog and retrieve court cases, including labor 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 on behalf of the Cleveland Municipal Court. 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.

by the Director of Finance. (RL 22639)

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.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1042-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of computer supplies, for the Division of Information Systems Services, Department of Finance.

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 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 computer supplies 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 Information Systems Services, 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 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 21600)

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.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1043-96.

By Councilmen Rokakis and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Memphis Fulton Associates, or its designee, to provide economic development assistance to partially

finance the completion of the rehabilitation of the real property known as the Memphis Fulton Shopping Center located in 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 Memphis Fulton Associates, or its designee, to provide economic development assistance to finance the completion of the rehabilitation of the real property known as the Memphis Fulton Shopping Center located at 4215-17 Fulton Road, Cleveland, Ohio 44144, excluding any retirement of existing debt.

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. 1043-96-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000), and shall be paid from Fund No. 17 SF 008, Request No. 22412.

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1044-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Charter One Bank, or its designee, to provide for a ten (10) year abatement for certain real and tangible personal property taxes as an incentive

to construct an operations center at 4103 Memphis Avenue located in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Charter One Bank (the "Enterprise") has proposed to construct an operations center in the former Memphis School, in the City of Cleveland and located within the Zone; and

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

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

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

Section 1. That this Council hereby approves the application of Charter One Bank, or its designee(s), for enterprise zone incentives on the basis that Charter One Bank is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Charter One Bank, or its designee(s), to provide for a ten (10) year abatement for certain certain real and tangible personal property taxes as an incentive to construct an operations center in the former Memphis School at 4103 Memphis Avenue in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. 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 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.

Referred to Directors of Econom-

ic Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1045-96.
By Councilman Smith (by request).

An emergency ordinance designating the Brooks-Figueroa House as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Brooks-Figueroa House as a landmark; and

Whereas, the owner of the Brooks-Figueroa House has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Brooks-Figueroa House as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Brooks-Figueroa House, whose street address in the City of Cleveland is 4721 Franklin Boulevard, N.W., also known as Cuyahoga County Auditor's permanent parcel number 002-36-023 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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.

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

Ord. No. 1046-96.
By Councilmen Willis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12109 Wade Park Avenue to Robert C. and Carrie L. Jones.

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. 120-14-036, as more fully described in Section 2 below, to Robert C. and Carrie L. Jones.

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. 120-14-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 38 in H. C. Ford's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat of said allotment in Volume 14 of Maps, Page 40 of Cuyahoga County Records, said Sublot No. 38 is a triangular parcel of land having a frontage of 65 feet on the Northerly side of Wade Park Avenue N.E. formerly Hazel Avenue N.E. and extending back 83-44/100 feet on the Westerly line 106-74/100 feet on the Northeasterly line, said Northeasterly line being also the Southwesterly line of East 122nd Street (formerly Elmdale Avenue) be the same more or less, but subject to all legal highways.

Also 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.

Referred to Directors of Community Development, City Planning, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**FIRST READING
ORDINANCES REFERRED**

Ord. No. 1047-96.

By Councilman Britt.

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

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows, Beginning at the intersection of the westerly extension of a line located one hundred (100) feet north of the northerly line of Quincy Avenue, S.E. and the center line of East 88 Street; thence northerly along said center line of East 88 Street to its intersection with the westerly extension of the northerly line of Sublot No. 29 in the W.H. Cleminshaw Subdivision as recorded in Volume 18, Page 18 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 29 and continuing easterly along the northerly line of Sublot No. 2 in said W.H. Cleminshaw Subdivision and along its easterly extension to the center line of East 89 Street; thence southerly along said center line of East 89 Street to its intersection with the easterly extension of said line located one hundred (100) feet north of said northerly line of Quincy Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred (100) feet north of said northerly line of Quincy Avenue, S.E. and along its westerly extension to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Business District, a 'C' Area District, and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1907, Sheet No. 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

Ord. No. 1048-96.

By Councilman Polensek.

An ordinance to change the Use District of lands on both sides of Grovewood Avenue, N.E. between E. 167 Street and E. 172 Street. (Map Change No. 1908, Sheet No. 7)

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

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

Beginning at the intersection of the westerly extension of a line located one hundred thirty (130) feet south of the southerly line of Grovewood Avenue, N.E. and the center line of East 162 Street; thence northerly along said center line of East 162 Street to its intersection with the westerly extension of a line located

ninety (90) feet north of the northerly line of Grovewood Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and ninety (90) feet north of said northerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred thirty two (132) feet west of the westerly line of East 168 Street; thence northerly along said line which is parallel to and one hundred thirty two (132) feet west of said westerly line of East 168 Street to its intersection with a line located one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E.; thence easterly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E. and along its easterly prolongation to the center line of East 172 Street; thence southerly along said center line of East 172 Street to the center line of Grovewood Avenue, N.E.; thence westerly along said center line of Grovewood Avenue, N.E. to the center line of East 172 Street; thence southerly along said center line of East 172 Street to its intersection with the easterly extension of a line located fifty (50) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said easterly extension and along said line which is parallel to and fifty (50) feet south of said southerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred nine and sixty five hundredths (109.65) feet east of the easterly line of East 170 Street; thence southerly along said line which is parallel to and one hundred nine and sixty five hundredths (109.65) feet east of said easterly line of East 170 Street to its intersection with a line located one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E. and along its westerly prolongation to the place of beginning, and as outlined in red on the map hereto attached be and the same is hereby changed to a Local Retail Business District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1908, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY
RESOLUTIONS REFERRED**

Res. No. 1049-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of Columbus Road N.W. and a portion of Gould Court N.W.

Whereas, this Council is satisfied that there is good cause for vacating a portion of The First Unnamed Alley East of Columbus Road N.W. and a portion of Gould Court N.W., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of THE FIRST UNNAMED ALLEY EAST OF COLUMBUS ROAD N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66.00 feet wide) to that portion of the Unnamed Alley vacated by Ordinance No. 491-93, passed by the Council of the City of Cleveland on May 3, 1993.

AND

a portion of GOULD COURT N.W. (16.5 feet wide) extending Easterly from the Easterly line of The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot Number 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 of Cuyahoga County Records.

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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Res. No. 1050-96.

By Councilman Coats.

An emergency resolution urging the Director of Public Safety and other city and county officials to establish a 24-Hour Drug Hotline for anonymous persons to report the locations of drug trafficking activity, and individuals involved in the illegal distribution of drugs, and to offer counseling to persons addicted to drugs.

Whereas, the increase of drug-related crime is a national problem being experienced throughout the United States, as well as a local problem exploding right here in Cuyahoga County; and

Whereas, the illegal distribution and use of drugs within the City of Cleveland and all of Cuyahoga County poses a threat to the safety of the citizens of Cleveland and all of Cuyahoga County, young and old; and

Whereas, neighborhoods in the City of Cleveland and other municipalities through Cuyahoga County continue to experience drug-related crimes often connected to aggravated assaults, drive-by shootings, and homicides; and

Whereas, a successful Drug Hot line involves the participation and cooperation of citizens, the business community, community organizations, and the public officials and

police departments of the City of Cleveland, the County, and the other municipalities throughout Cuyahoga County; 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 this Council hereby urges the Director of Public Safety and the officials of the County and the other municipalities throughout Cuyahoga County to establish a 24-Hour drug hotline, manned by volunteers from the community, to accept anonymous tips reporting the locations of drug houses, drug trafficking activity, and individuals involved in the illegal distribution of drugs, and to offer counseling for persons addicted to drugs.

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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Finance.

**FIRST READING EMERGENCY
ORDINANCES READ IN
FULL AND PASSED**

Ord. No. 1051-96.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Frank Kidd — 3000-008 Cedar Avenue).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5 at the locations specified: Frank Kidd at 3000-08 Cedar Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1052-96.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Elaine Parker).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5 at the locations specified: Elaine Parker.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1053-96.

By Councilmen Britt and Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Grand Prix Committee to stretch banners on the Cleveland Clinic Walkway on Carnegie Avenue near East 90th Street and across East 4th Street and Euclid Avenue for the period from June 10, 1996 to July 1, 1996, inclusive, publicizing the Grand Prix Parade.

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 Cleveland Grand Prix Committee to install, maintain and remove banners on the Cleveland Clinic Walkway on Carnegie Avenue near East 90th Street and across East 4th Street and Euclid Avenue for the period from June 10, 1996 to July 1, 1996, inclusive. 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 banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1054-96.

By Councilman O'Malley.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel Church to stretch banners on Pearl Road, between 4427 and 4432 Pearl Road, and on State Road, between 4370 and 4373 State Road, for the period from June 4, 1996 to June 24, 1996, inclusive; publicizing its Annual 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 Our Lady of Good Counsel Church to install, maintain and remove banners on Pearl Road, between 4427 and 4432 Pearl Road, and on State Road, between 4370 and 4373 State Road, for the period from June 4, 1996 to June 24, 1996, inclusive. 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 banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1055-96.

By Councilman Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Sir-Rah House and McDonald's to stretch a banner at Lee Road and Judson Drive for the period from July 8, 1996 to July 31, 1996, inclusive, publicizing its Rib Burn-Off.

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 Sir-Rah House and McDonald's to install, maintain and remove a banner at Lee Road and Judson Drive for the period from July 8, 1996 to July 31, 1996, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1056-96.

By Councilman Paulenske.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 493-96 relating to the issuance of a permit for a Walk, sponsored by the American Heart Association.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 493-96, passed March 18, 1996, be and the same are hereby amended to read as follows:

"An emergency ordinance consenting and approving the issuance of a permit for a Walk on October 6, 1996, sponsored by the American Heart Association.

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 Walk, sponsored by the American Heart Association, on October 6, 1996, beginning at Huron and Ontario, Huron to W. 9th St., W. 9th St. to St. Clair, St. Clair to W. 3rd St., W. 3rd St. to Erieside, Erieside to E. 9th St., turn around and return along the same route, 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 the Title and Section 1 of Ordinance No. 493-96, passed March 18, 1996, be and the same are hereby repealed.

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

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1057-96.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Salvation Army of Greater Cleveland to stretch a banner across Euclid Avenue, between East 10th and East 12th Streets, for the period from July 1, 1996 to August 1, 1996, inclusive, publicizing its Christmas in July.

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 Salvation Army of Greater Cleveland to install, maintain and remove a banner across Euclid Avenue, between East 10th and East 12th Streets, for the period from July 1, 1996 to August 1, 1996, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1059-96.

By Councilman Smith.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch a banner on Fulton Road at Trowbridge Avenue for the period from June 4, 1996 to June 30, 1996, inclusive, publicizing its 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 Blessed Sacrament Church to install, maintain and remove a banner on Fulton Road at Trowbridge Avenue for the period from June 4, 1996 to June 30, 1996, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**FIRST READING EMERGENCY
RESOLUTIONS READ IN
FULL AND ADOPTED**

Res. No. 1058-96.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 6952551, P Jeb Inc., Sol Tushman RCVR, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, to Permit No. 8142979, Signovic Inc., dba Quinn's, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119; 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 D1, D2, D3 and D3A Liquor Permit from Permit No. 6952551, P Jeb Inc., Sol Tushman RCVR, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, to Permit No. 8142979, Signovic Inc., dba Quinn's, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1060-96.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3226 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 0142124, Margaret F. Almaliki, dba L & Y Deli, 3226 East 93rd Street, Cleveland, Ohio 44104; 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 C1 Liquor Permit to Permit No. 0142124, Margaret F. Almaliki, dba L & Y Deli, 3226 East 93rd Street, Cleveland, Ohio 44104, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1061-96.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3363 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 6857735, Petrobarrels Inc., dba East 93rd Sunoco, 3363 East 93rd Street, Cleveland, Ohio 44104; 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 C1 Liquor Permit to Permit No. 6857735, Petrobarrels Inc., dba East 93rd Sunoco, 3363 East 93rd Street, Cleveland, Ohio 44104, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1062-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9621 Mt. Auburn Road, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 8801158, Tarmekh Inc., 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, to Permit No. 9725521, Woddi II Inc., dba Cousins Superette, 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104; 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. 8801158, Tarmekh Inc., 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, to Permit No. 9725521, Woddi II Inc., dba Cousins Superette, 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1063-96.

By Councilman White.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 12401 Corlett Avenue, first floor only.

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. 64143750030, Nile Star Inc., dba Blue Nile Mart, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105, to Permit No. 6479128, Yuri Co., dba Corlett Mini Stop, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105; 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. 64143750030, Nile Star Inc., dba Blue Nile Mart, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105, to Permit No. 6479128, Yuri Co., dba Corlett Mini Stop, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1064-96.

By Councilman Patmon.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10813 St. Clair 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. 3528985, Thomas L. and Lillian L. Hall, dba Tom's Economy Foods, 10813 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 6550490, 10813 St. Clair Corp., dba Sunlight Market, 10813 St. Clair Avenue, Cleveland, Ohio 44108; 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. 3528985, Thomas L. and Lillian L. Hall, dba Tom's Economy Foods, 10813 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 6550490, 10813 St. Clair Corp., dba Sunlight Market, 10813 St. Clair Avenue, Cleveland, Ohio 44108, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 146-96.

By Councilman Miller.

An emergency ordinance to amend Section 345.04 of the Codified Ordinances of the City of Cleveland, Ohio, 1976 as amended by Ordinance No. 1447-94, passed September 19,

1994, relating to prohibited uses in General Industry Districts.

Approved by Directors of City Planning Commission, Finance, Law; Recommended by Committees on City Planning, Legislation, Finance.

Ord. No. 368-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland-Cuyahoga County Port Authority, or their designee, to provide economic development assistance for the acquisition and relocation of J.C. Hub located at East 36th Street and Chester Avenue, Cleveland, Ohio.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the terms of said loan shall be in accordance with the terms set forth in the summary contained in File No. 368-96-A and shall include a requirement that the borrower use its best efforts to employ twenty-two percent (22%) minorities and ten percent (10%) females in on-site demolition and site development jobs."

2. Strike Section 4 in its entirety and insert in lieu thereof:

"Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the 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."

Amendments agreed to.

Ord. No. 370-96.

By Councilmen Polensek, McGuirk and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 135.47 thereof, relating to reimbursement by Cuyahoga County of the costs of a police officer to participate in the Jail Population Reduction Project.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Legislation, Finance; when amended as follows:

1. In Section 1, line 7 after "police officer" insert **"or former Cleveland police officer"**.

Amendment agreed to.

Ord. No. 539-96.

By Councilmen Patmon, Johnson and Rokakis (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, relating to the deposit and expenditure of rent payments for the East Side Market.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Properties and Recreation, Finance.

Ord. No. 704-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program and the CHORE Program. CDBG Year XXII.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

Ord. No. 705-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs. CDBG Year XXII.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

Ord. No. 706-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds for the operation of programs administered by the Department of Community Development. CDBG Years, XX, XXI, XXII.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

Ord. No. 716-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with North American Morpho Systems, Inc. for the lease of an Automated Fingerprint System (AFIS) for the Division of Police, Department of Public Safety.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance; when amended as follows:

1. Insert a new Section 2 to read as follows:

"Section 2. That the Safety Director is hereby encouraged to consult with local and regional law enforcement officials, including but not limited to the Sheriff of Cuyahoga County, the Cuyahoga County Police Chiefs' Association, and appropriate representatives of neighboring counties, to explore sharing the resources and costs of this program."

2. Renumber existing Sections 2 and 3, respectively, to new **"Section 3"** and **"Section 4"**.

Amendments agreed to.

Ord. No. 756-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 757-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to East 131st Street, Cleveland, Ohio.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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. 757-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

Amendments agreed to.

Ord. No. 758-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., Cleveland, Ohio.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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. 758-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

Amendments agreed to.

Ord. No. 759-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various electrical supplies, materials, and equipment, including installation, if necessary, at various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Properties, Finance.

Ord. No. 760-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Properties, Finance.

Ord. No. 761-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of graffiti removal services, including but not limited to city buildings, monuments, parks and playground equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Properties, Finance.

Ord. No. 812-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 814-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Nolasco Housing Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the construction of a new housing development.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

Ord. No. 830-96.

By Councilman Rokakis.

An emergency ordinance authorizing and directing the Director of Finance to enter into a requirement contract or contracts without com-

petitive bidding with Ameritech Ohio for the purchase of Centrex service for the various departments of the City.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 831-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 155-96, passed March 4, 1996, relating to a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information Systems Services, Department of Finance.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 870-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for the 1996 NatureWorks - Round 3 Grant; and to enter into contract with the Cleveland Bicentennial Commission to implement the program.

Approved by Directors of Public Parks, Property and Recreation, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 873-96.

By Councilmen Paulenske and Rokakis (by departmental request).

An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 874-96.

By Councilmen Paulenske and Rokakis (by departmental request).

An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street in the City of Cleveland.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.

Ord. No. 936-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a contract without competitive bidding with International Business Machines Corporation for maintenance and

usage of an IBM Model 3835 IBM non-impact printer, for the Division of Information Systems Services, Department of Finance.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**SECOND READING
EMERGENCY RESOLUTION**

Res. No. 652-96.

By Councilman Rokakis.

An emergency resolution memorializing the Director of Public Service to change the name of Brookside Park Drive to "Wildlife Way."

Approved by Directors of Public Service, Law; Recommended by Committee on Public Service.

LAID ON THE TABLE

Ord. No. 1461-95.

By Councilmen Pianka and Rokakis (by departmental request). An emergency ordinance to amend Section 1 of Ordinance No. 808-94, passed June 6, 1994, relating to authorizing the Directors of Community Development and Community Relations to expend Community Development Block Grant funds. CDBG Year XX.

Without objection, Ordinance No. 1461-95 was Laid on the Table pursuant to the Rules of Council.

Ord. No. 811-96.

By Councilmen Coats, Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed four medium duty ambulances, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Without objection, Ordinance No. 811-96 was Laid on the Table pursuant to the Rules of Council.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Timothy J. Melena, be and is hereby authorized.

The Council adjourned at 9:00 p.m. to meet on Monday, June 10, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 146-96.

By Councilman Miller.

An emergency ordinance to amend Section 345.04 of the Codified Ordinances of the City of Cleveland, Ohio, 1976 as amended by Ordinance No. 1447-94, passed September 19, 1994, relating to prohibited uses in General Industry Districts.

Ord. No. 368-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland-Cuyahoga County Port Authority, or their designee, to provide economic development assistance for the acquisition and relocation of J.C. Hub located at East 36th Street and Chester 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 the Cleveland-Cuyahoga County Port Authority, or their designee, to provide economic development assistance for the acquisition and relocation of J.C. Hub, located at East 36th Street and Chester Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms set forth in the summary contained in File No. 368-96-A and shall include a requirement that the borrower use its best efforts to employ twenty-two percent (22%) minorities and ten percent (10%) females in on-site demolition and site development jobs.

Section 3. That the costs of said contract shall not exceed Nine Hundred Thousand Dollars (\$900,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 22405.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the 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. 15 SF 503.

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.

Ord. No. 370-96.

By Councilmen Polensek, McGuirk and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 135.47 thereof, relating to reimbursement by Cuyahoga County of the costs of a police officer to participate in the Jail Population Reduction Project.

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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 135.47 thereof, to read as follows:

Section 135.47 Jail Population Reduction Project

The Director of Public Safety is authorized to enter into contract with the Board of Commissioners of Cuyahoga County for reimbursement of the costs of a Cleveland police officer or former Cleveland police officer to participate in the Jail Population Reduction Project.

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.

Ord. No. 539-96.

By Councilmen Patmon, Johnson and Rokakis (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, relating to the deposit and expenditure of rent payments for the East Side Market.

Ord. No. 704-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program and the CHORE Program. CDBG Year XXII.

Ord. No. 705-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs. CDBG Year XXII.

Ord. No. 706-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds for the operation of programs administered by the Department of Community Development. CDBG Years, XX, XXI, XXII.

Ord. No. 716-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with North American Morpho Systems, Inc. for the lease of an Automated Fingerprint System (AFIS) for the Division of Police, Department of Public Safety.

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

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

Section 1. That it is hereby determined that the within goods and services are non-competitive and cannot be secured from any source other than North American Morpho Systems, Inc. Therefore, the Director of Public Safety is hereby authorized to make a written contract with North American Morpho Systems, Inc. for the lease and maintenance of an Automated Fingerprint System ("AFIS") for a period not exceeding five years, with the option to purchase the system at any time during the term. The lease shall be prepared by the Director of Law on the general basis of the proposal of the vendor dated November 13, 1996, and shall contain such provisions as are necessary, in the opinion of the Directors of Public Safety and Law, to protect the interests of the City.

Section 2. That the Safety Director is hereby encouraged to consult with local and regional law enforcement officials, including but not limited to the Sheriff of Cuyahoga County, the Cuyahoga County Police Chiefs' Association, and appropriate representatives of neighboring counties, to explore sharing the resources and costs of this program.

Section 3. The cost of said contract shall be charged against Fund 10 SF 006. (RL 20033)

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.

Ord. No. 756-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by

requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 757-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to East 131st Street, 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 Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to 300 East 131st Street from 3939 Payne 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. 757-96-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Thousand Dollars Dollars (\$200,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22411.

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.

Ord. No. 758-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., 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 Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., located at 4640 State Road, 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. 758-96-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Five Thousand Dollars (\$205,000.00), and shall be paid from Fund Nos. 12 SF 954 and 17 SF 008, Request No. 22410.

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. 12 SF 958 and 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 maybe 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.

Ord. No. 759-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of various electrical supplies, materials, and equipment, including installation, if necessary, at various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Ord. No. 760-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.

Ord. No. 761-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of graffiti removal services, including but not limited to city buildings, monuments, parks and playground equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Ord. No. 812-96.

By Councilmen Coats and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

Ord. No. 814-96.

By Councilmen Jackson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into contract with Nolasco Housing Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the construction of a new housing development.

Ord. No. 830-96.

By Councilman Rokakis.
An emergency ordinance authorizing and directing the Director of Finance to enter into a requirement contract or contracts without competitive bidding with Ameritech Ohio for the purchase of Centrex service for the various departments of the City.

Ord. No. 831-96.

By Councilman Rokakis (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 155-96, passed March 4, 1996, relating to a license agreement without competitive bidding with International Business Machines Corporation for

computer software, for the Division of Information Systems Services, Department of Finance.

Ord. No. 870-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for the 1996 NatureWorks - Round 3 Grant; and to enter into contract with the Cleveland Bicentennial Commission to implement the program.

Ord. No. 873-96.

By Councilmen Paulenske and Rokakis (by departmental request).
An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland.

Ord. No. 874-96.

By Councilmen Paulenske and Rokakis (by departmental request).
An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street in the City of Cleveland.

Ord. No. 936-96.

By Councilman Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Finance to enter into a contract without competitive bidding with International Business Machines Corporation for maintenance and usage of an IBM Model 3835 IBM non-impact printer, for the Division of Information Systems Services, Department of Finance.

RESOLUTION

Res. No. 652-96.

By Councilman Rokakis.
An emergency resolution memorializing the Director of Public Service to change the name of Brookside Park Drive to "Wildlife Way."

BOARD OF CONTROL

May 29, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 29, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies, Alvin Fore, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 351-96.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of F.M.E. Corporation dba Neopost for the following: one (1) production mailing, folding and inserting system (all items) for the Division of Water, Department of Public Utilities, received on the 10th day of April 1996, pursuant to the authority of Ordinance No. 1226-95, passed October 23, 1995, which on the basis of the order quantities would amount to Twenty Thousand Eight Hundred Nineteen Dollars (\$20,819.00), (net 30 days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

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

Nays: None.

Absent:None.

Resolution No. 352-96.

By Director Denihan.
Whereas by Resolution No. 308-96, adopted May 15, 1996, pursuant to the authority of Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of Graffiti, Inc. as the lowest and best for the purchase of Uniform Clothing, item numbers 55 & 56, for the Division of Fire, Department of Public Safety; and

Whereas, in said Resolution No. 308-96, the base requisition number was incorrectly identified; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 308-96 adopted May 15, 1996 affirming and approving the bid of Graffiti, Inc. as the lowest and best for the purchase of Uniform Clothing, Item numbers 55 & 56, hereby is amended by changing "Requisition No. 80818" to "Requisition No. 88018", where appearing.

Be it further resolved that all other provisions of said Resolution No. 308-96 not expressly amended hereby shall remain unchanged and in full force and effect.

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

Nays: None.

Absent:None.

Resolution No. 353-96.

By Director Denihan.
Whereas by Resolution No. 309-96, adopted May 15, 1996, pursuant to the authority of Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of Stonewall Uniform Corporation as the lowest and best for the purchase of Uniform

Clothing, item number 62, for the Division of Fire, Department of Public Safety; and

Whereas, in said Resolution No. 308-96, the base requisition number was incorrectly identified; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 309-96 adopted May 15, 1996, affirming and approving the bid of Stonewall Uniform Corporation as the lowest and best for the purchase of Uniform Clothing, Item numbers 62, hereby is amended by changing "Requisition No. 80819" to "Requisition No. 88019", where appearing.

Be it further resolved that all other provisions of said Resolution No. 308-96 not expressly amended hereby shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: None.

Resolution No. 354-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that all bids received on May 2, 1996, for installation of one emergency back up generator for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 46-95, passed by Council of the City of Cleveland on June 5, 1995, are hereby rejected.

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

Nays: None.

Absent: None.

Resolution No. 355-96.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on February 29, 1996, for the public improvement of the Police Headquarters Justice Center elevator renovations, for the Division of Police for the Departments of Public Safety, pursuant to the authority of Ordinance No. 1578-90, passed by the Council of the City of Cleveland on February 24, 1992, be and the same are hereby rejected.

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

Nays: None.

Absent: None.

Resolution No. 356-96.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that in accordance with the provisions of Section 133.14 (a) of the Codified

Ordinances of Cleveland, Ohio 1976, ("C.O.") the following schedule of rental rates is hereby established by the Commissioner of Convention Center and Stadium (the "Commissioner") for the Cleveland Public Auditorium and Convention Center, its various rooms and halls and portions thereof, effective February 1, 1996:

SCHEDULES FOR CONVENTION CENTER/PUBLIC AUDITORIUM SCHEDULE I: TRADE SHOWS AND CONVENTIONS WITH EXHIBITS

HALL A \$.60 per net square foot per show or \$4,000 per day whichever is greater
 HALL B \$.60 per net square foot per show or \$3,000 per day whichever is greater
 HALL C \$.60 per net square foot per show or \$2,500 per day whichever is greater
 HALL D \$.60 per net square foot per show or \$3,500 per day whichever is greater
 ARENA \$.60 per net square foot per show or \$3,500 per day whichever is greater

SCHEDULE II: PUBLIC EXPOSITIONS AND CONSUMER SHOWS

HALL A \$.60 per net square foot per show or \$4,000 per day whichever is greater
 HALL B \$.60 per net square foot per show or \$3,000 per day whichever is greater
 HALL C \$.60 per net square foot per show or \$2,500 per day whichever is greater
 HALL D \$.60 per net square foot per show or \$3,500 per day whichever is greater
 ARENA \$.60 per net square foot per show or \$3,500 per day whichever is greater

Note: Events using all available exhibition space (Halls A, B, C, D, and Arena) and have a minimum of ten (10) show days will be charged \$105,000 for the first ten (10) show days, and \$10,000 per show day thereafter.

SCHEDULE III: THEATRICAL AND MEETING ROOMS (per performance)

ARENA - \$3,500 or 8% of gross, whichever is greater
 ARENA - (extended run three or more performances) \$1,750 or 8% of gross, whichever is greater
 MUSIC HALL - \$1,500 or 8% of gross, whichever is greater
 MUSIC HALL - (extended run three to five performances) \$1,000 or 6% of gross, whichever is greater

MUSIC HALL - (extended run over five performances) \$1,000 or 4% of gross, whichever is greater

LITTLE THEATRE - \$500

Room #	Daily Rate
HALL A	\$4,000
HALL B	\$3,000
HALL C	\$2,500
HALL D	\$3,500
201	\$200
202	\$300
203	\$200
204	\$200
205A	\$300
205B	\$300
205C	\$300
205AB	\$425
205BC	\$400
205ABC	\$600
206	\$200
207	\$200
208	\$200
209	\$200
210	\$300
211	\$300
212A	\$300
212B	\$425
212AB	\$600
East Side Rooms	
201-212	up to \$3,500
230A	\$300
230B	\$300
230AB	\$600
All other rooms	\$175

MEETING ROOMS INCLUDE:

- Integral theatre set-up
- Integral lighting
- H.V.A.C.
- Screen
- Sound Podium
- One (1) microphone
- One (1) head table for 3
- Water service

NOTE: Meeting rooms can be provided without charge to the extent the Commissioner determines they are needed for use in conjunction with rental of Exhibition Hall areas.

SCHEDULE IV: BANQUET RATES

Where banquet service is provided by a person or firm under contract with the City for the Convention Center, space rental for banquet areas shall be included in the meal price, and no other charges for space rental shall be imposed. However, where banquet food service is provided by a firm other than one under contract with the City for the Convention Center, space rental shall be charged in accordance with Schedule III. Services shall be charged at prevailing rates.

EXPLANATORY NOTES

Rental rates for theatrical events include the following: heating, lighting, and general cleaning. Air-conditioning is included on show dates, but not on installation and removal dates. Rates and percentages for an

"extended run" shall apply to theatrical events which are scheduled for a minimum of three (3) consecutive days.

Schedule I (Trade Shows and Conventions with Exhibits.) Rates shall apply to: associations, corporations, other society meetings, with exhibits, which are recorded and recognized by the International Association of Convention Bureaus, or other such rating authority as determined by the City Board of Control.

Schedule II (Public Expositions and Consumer Shows.) Rates shall apply to: expositions, fairs, and consumer-oriented shows which are open to the general public, with or without an admission charge, and do not offer any specific educational or business-related functions pertaining to a specific society or association recognized by the International Association of Convention Bureaus, or any such other rating authority as determined by the City Board of Control.

Schedule III (Theatrical Rental Schedule.) Rates shall apply to theatrical performances and to any assemblage of persons for the purpose of educating those in attendance. Sales, religious, governmental and graduation ceremony meetings shall be considered "educational" in nature.

Schedule I and Schedule II rates shall include up to three (3) days of installation and two (2) days of removal. Any additional installation or removal time may be provided at a rate of \$500 per hall per 24-hour period or any fraction thereof.

Any service not specifically stated as included in a rental schedule may be provided if available, by the Commissioner at the prevailing rate as determined by the Commissioner, unless otherwise provided by the City Board of Control.

SPACE DEFINITIONS

"Net square foot" as used in these schedules shall consist of all actual display area, but shall exclude the following:

1. Normal aisles and corridors which shall not be less than required by fire codes as established and approved by the Cleveland Fire Prevention Bureau.

2. All areas used for food functions which are exclusively reserved to the City's concessionaire.

Hall A: The area designated as Exhibition Hall A on the attached Exhibit A, and any show management offices and/or portion(s) of the registration lobby which in the opinion of the Commissioner are necessary for proper access to and management of the show.

Hall B: The area designated as Hall B on the attached Exhibit A, and any show management offices and/or portion(s) of the registration lobby which in the opinion of the Commissioner are necessary for proper access to and management of the show.

Hall C: The area designated as

Exhibition Hall C on the attached Exhibit A, and any show management offices and/or portion(s) of the registration lobby which in the opinion of the Commissioner are necessary for proper access to and management of the show.

Hall D: The area designated as Exhibition Hall D/Ballroom on the attached Exhibit A, and any show management offices and/or portions of the registration lobby which in the opinion of the Commissioner are necessary for proper access to and management of the show.

Registration Lobby: The area within the boundaries of the doorway to Room 230, including all show management offices designated as "Main Lobby" on Exhibit A, and continuing north down to the entrance to Hall D.

BOX OFFICE

The Convention Center operates a full-time professional Box Office. All employees are union ticket sellers bonded by the City. When any event in the Center requires the sale of tickets, the Box Office Manager is responsible for all sales and receipts. The Managers' duties also encompass the collection of the City Income Tax and withholding of the City Amusement Tax.

If Renter desires to sell tickets outside the Convention Center Box Office, he/she must first receive written permission from the Commissioner. All ticket printing must be authorized, ordered and received from the printer by the Box Office Manager.

Box Office Charges:

\$400.00 per week for Public Hall
Arena
\$300.00 per week for Music Hall
\$200.00 per week for Little Theatre
\$300.00 per week for Expositions

RENT ADJUSTMENT

Any rental rate stated in Schedules I - IV above may be adjusted by the Director of Parks, Recreation and Properties, ("The Director,") based upon the determination of the Commissioner for a particular event upon compliance with all of the following requirements:

(a) Adjustment Limits. No rental rate may be increased or decreased by a percentage greater than sixty percent (60%) of the rental rate stated in the applicable Schedule.

(b) Standards for Rent Increases or Decreases. In adopting this Rent Schedule Resolution, the Board of Control understands that a proposed Convention Center event will provide direct and indirect benefits to the City of Cleveland in addition to the rent collected for use of the facility. These benefits include revenues from food and beverage concessions, revenues from the transient occupancy tax assessed pursuant to Chapter 193 of the C.O., revenues from novelty sales, and revenues from event services provided

by City of Cleveland staff and outside contractors (collectively, "Additional Benefits"). The rates set forth in Schedule I - IV above assume the event will generate an average level of Additional Benefits. However, if the Commissioner determines, and the Director concurs, that an event will generate Additional Benefits substantially less than or substantially greater than the Additional Benefits generated by an average Convention Center event, the Director may adjust the event rental rate accordingly. For example, if by reducing the rental rate the Director is able to attract an event which would yield substantial Additional Benefits, the Director may reduce the rental rate within the range set forth in paragraph (a) above. By contrast, if a proposed event will yield minimal Additional Benefits, the Director may increase the rental rate within range set forth in paragraph (a) above.

(c) Required Approvals for Rent Increases or Decreases. Rent adjustments shall require the additional approval of the Director of Law or his/her designee. These additional approvals may be evidenced by these parties' execution and/or approval of the event contract, as applicable, provided that a brief justification for the adjustments is set forth in an "Additional Provisions" section completed by the Commissioner at the end of the contract immediately above these parties' signature lines.

(d) Rent Adjustment Recordkeeping. The Commissioner shall keep detailed records of all rent adjustments. The Commissioner shall submit to the Office of the Mayor, the Director of Parks, Recreation and Properties, and the Director of Law, a written report summarizing all rent adjustments made during that calendar year, on or before January 15 of the following year.

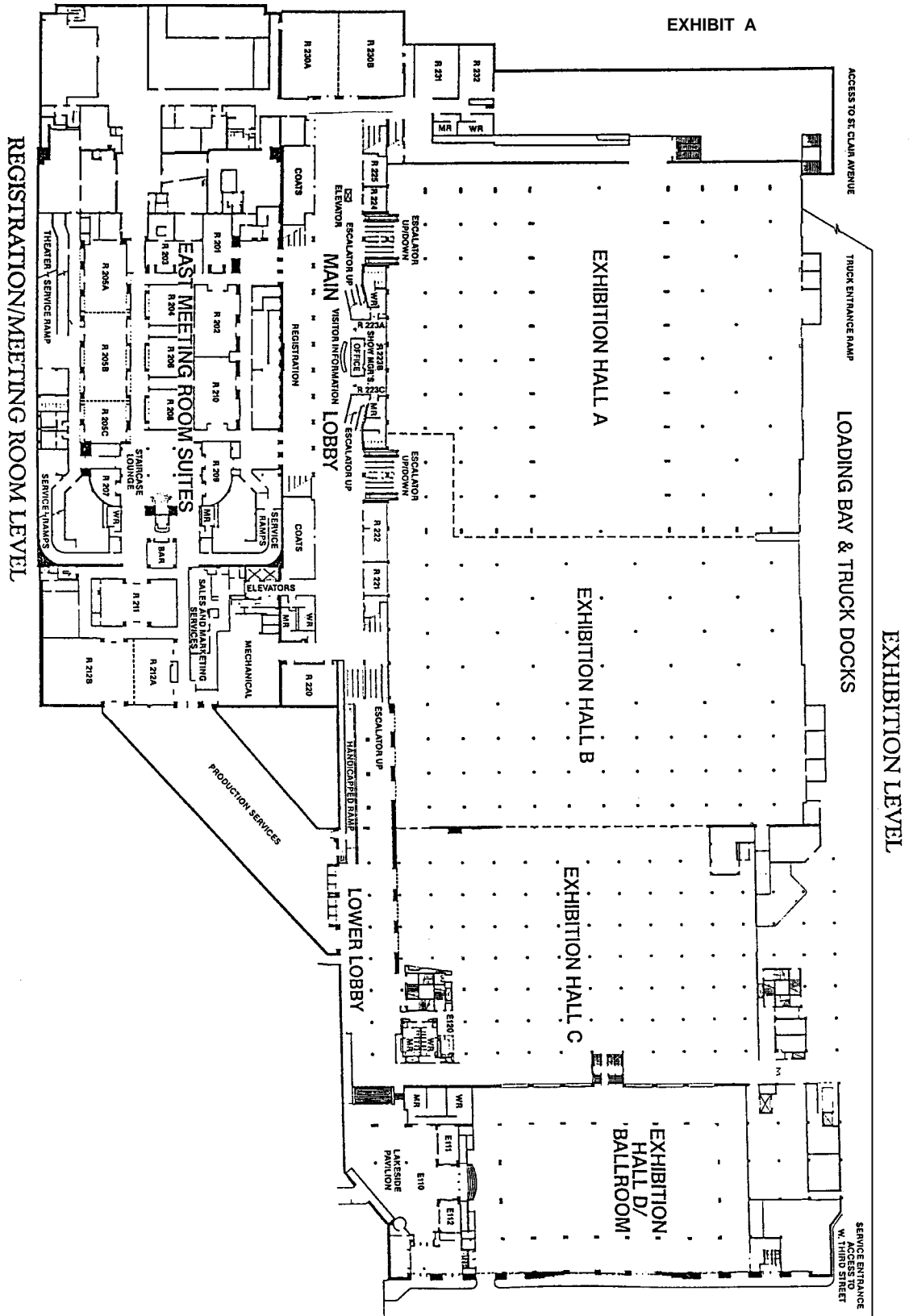
Be it further resolved that Resolution No. 92-94, adopted by the Board of Control on February 23, 1994, is hereby rescinded as of the effective date of the rental rates set forth herein.

Be it further resolved that notwithstanding any provisions of this or any prior Board of Control resolution, the rental rates, terms and conditions set forth in this resolution shall apply only to concession agreements executed and event rate quotations made in writing on or after the adoption date of this resolution, without regard to the effective date of rental rates, terms and conditions herein.

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

Nays: None.

Absent: None.



Resolution No. 357-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 124-03-069 located at 2512 East 59 Street in Ward 5; 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, Sylvia Foxworth, 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 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Sylvia Foxworth for the sale and development of Permanent Parcel No. 124-03-069 located at 2512 East 59 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 \$310.00, 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, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

Resolution No. 358-96.

By Director Hamilton.

Whereas, Ordinance No. 311-96, passed February 26, 1996, authorized the Commissioner of Purchases and Supplies to purchase the former Memphis School site located at 4103 Memphis Avenue, aka Permanent Parcel Number 014-13-014 (the "Property"), and to convey same to Charter One Bank, or its designee, (the "Developer"), for the rehabilitation and redevelopment of the Property into an Operations Center, and further authorized the Director of Community Development to execute on

behalf of the City of Cleveland all necessary documents to acquire and to convey such Property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such Property; and

Whereas, the Developer has submitted a proposal to the City of Cleveland which requires the Developer to rehabilitate and redevelop said Property into an Operations Center; now, therefore,

Be it resolved by the Council of the City of Cleveland that pursuant to the authority of Ordinance No. 311-96, passed February 26, 1996, the Commissioner of Purchases and Supplies is hereby directed to convey the Property to Charter One Bank, or its designee, at a price not less than fair market value taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance.

Be it further resolved that the consideration for the sale of said Property shall be One Dollar (\$1.00) plus the Developer's obligation to rehabilitate and redevelop the Property into an Operations Center on or before December 31, 1997, which consideration is hereby determined not to be less than the fair market value of the Property.

Be it further resolved that this method of disposition is hereby determined to be the appropriate method of making the Property available for private development and that the Developer possesses all of the qualifications and financial resources to acquire and redevelop the Property.

Be it further resolved that the Mayor is hereby requested to execute the Official Deed for and on behalf of the City of Cleveland, which deed shall be prepared by the Director of Law.

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

Nays: None.

Absent:None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the

examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 17, 1996

9:30 A.M.

Calendar No. 96-77: 15240 Triskett Rd., N.W.

Sun Company, Inc., owner, c/o Joseph W. Roberts, to rebuild existing gas station/grocery by erecting a 53' x 24' one story masonry grocery, pump islands, pump island canopy, etc. on the 117' x 112' irregular shaped corner lot located in a Local Retail District on the northwest corner of Triskett Rd. and Warren Rd. at 15240 Triskett Rd.; said gas station usage being contrary to the local retail use limitations of Section 343.01 and said premises not to conform to the service station buffer strip requirements of Section 343.15 nor the landscape requirements of Sections 352.08, 352.09 and 352.11 and said proposed pump island canopy to be located 50' from the center line of Triskett Rd. instead of 60' therefrom as required by Section 357.07 of the Codified Ordinances.

Calendar No. 96-80: 3741-43 W. 36 St.

Alexandru Badea, owner, to convert to a rooming house for 6 adults and manager's suite the 53' x 38' two story brick nonconforming 4 dwelling unit apartment building located in a B-Two-Family District at 3741-43 W. 36 St.; said use as a rooming house being contrary to the two family limitations of Section 337.03 and the north sideyard being 2' instead of 8' wide as required for a multi-family dwelling by Section 357.09 of the Codified Ordinances.

Calendar No. 96-81: 9915 Ramona Blvd., S.E.

Lawrence Brown, owner, to erect a 12' x 30' one story carport to the west side of the 31' x 39' two and one half story brick and frame one family dwelling house on a 50' x 150' lot located in a Two Family District at 9915 Ramona Blvd.; said proposed carport to be located within 2' of the dwelling to the west instead of 10' therefrom as required by Section 357.09 and the proposed carport to reduce the west sideyard to 0' and the aggregate sideyards to 8' instead of the 3' and 10' minimum requirements of Section 357.09 of the Codified Ordinances.

Calendar No. 96-82: 724 Prospect Ave., S.E.

Jerome H. Schmelzer, trustee, owner, and Harris & Hill, Ltd., tenant, c/o Gregg S. Levy, to use as a brewery, with wholesale and retail sales, a portion of the lower level and first floor of the 35' x 138' two

story masonry building on a 35' x 138' (ave.) through lot located in a General Retail District at 724 Prospect Ave. and extending through to Huron Rd.; said use as a brewery being contrary to the retail limitations of Section 343.11 of the Codified Ordinances.

Calendar No. 96-83: 4208 Newark Ave., S.W.

Alexandru Badea, owner, to convert to a boarding house for 7 adults the nonconforming 22' x 83' two story frame 4 family apartment building on a 40.4' x 135' lot located in a Two Family District at 4208 Newark Ave.; said use as a boarding house being in excess of the two family use limitations of Section 337.03 and the west sideyard being 4' in width instead of 8' wide as required by Section 357.09 of the Codified Ordinances.

Calendar No. 96-84: 7400 Dudley Ave., N.W.

Marianna Mercado and Nieves Mercado, owners, to convert to 3 dwelling units the 25' x 39' two story frame two family dwelling house on a 35' x 126' lot located in a B-Two-Family District at 7400 Dudley Ave.; said use for 3 families being contrary to the use limitations of Section 337.03 and there not being 3 parking spaces on the lot contrary to the car-per-suite requirement of Sections 349.03 and 349.04 and the lot being 4410 sq. ft. instead of the 7200 sq. ft. required for 3 families by Section 355.04 and the west sideyard being less than 2' instead of the 3' minimum of Section 357.09 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 3, 1996

At the Meeting of the Board of Zoning Appeals, on, Tuesday, May 28, 1996, the following appeals were heard by the Board, and decided on Monday, June 3, 1996.

The following appeals were **Granted:**

Calendar No. 96-64: 704 E. 127 Street Allen Callahan, owner, to enclose the 25' x 7' second floor open front of the 25' x 7' second floor open front porch of the 25' x 38' two story frame two family dwelling house.

Calendar No. 96-66: 9008 Edmunds Ave., N.E.

Mattie Harris, owner, to erect 60' of 4' high board-on-board fence to partially enclose the 166' x 96' irregular shaped corner lot.

The following appeals were **Refused:**

Calendar No. 96-65: 2323 Denison Ave., S.W.

Savra One Limited Liability Co., owner, c/o Sol Savransky, and Gregory Moore dba B & A Garage, tenant, to convert to an auto repair garage.

Calendar No. 96-69: 4801 W. 139th St. Michael Opperman, owner, to erect

a 78' x 50' masonry addition to the rear of the 30' x 40' one story masonry machine shop building.

The following appeal was **Postponed:**

Calendar No. 96-70: 3531 E. 142nd St to June 17 1996.

The following appeals were **Postponed** to July 1, 1996.

Calendar No. 96-58: 12502 Kinsman Rd., S.E.

Calendar No. 96-72: 18307 Invermere Ave., S.E.

The following appeal was **Dismissed:**

Calendar No. 96-91: 6308 Fleet Ave.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
May 29, 1996

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

* * *

Docket A-173-95.

RE: Continuance of Appeal of Isabella Basile, Owner of the Property located on the premises known as 1078 Old River Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated November 1, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).
No action.

* * *

Docket A-185-95.

RE: Continuance of Appeal of Arto Green, Owner of the Residential Property located on the premises known as 9112 Harvard Avenue from a LIMITATION OF THE PERMIT of the Commissioner of the Division of Building and Housing dated December 18, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 9112 Harvard Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket L-2-96.

RE: Appeal of Joseph B. Golubitsky, from an ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments and Licenses dated April 11,

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

No action; rescheduled for June 12, 1996.

* * *

Docket L-3-96.

RE: Appeal of Jeffrey J. Kraig, from an ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated May 3, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Kraig to renew his ELECTRICAL CONTRACTOR LIMITED PREMISE LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-29-96.

RE: Appeal of GMS Management Co., Inc., Owner of the Property located on the premises known as 1118 Clifton Boulevard from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated February 6, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-29-96 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-54-96.

RE: Appeal of Johnnie I. Robinson, Owner of the Residential Property located on the premises known as 9620 Lamontier Avenue from a LIMITATION OF THE PERMIT of the Commissioner of the Division of Building and Housing dated April 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two months (2 mos.) in which to make arrangements for financing in which to abate the violations, or to sell the property, and to require that the property be boarded and secured and the grounds debris free during that period of time; and to REMAND the property at 9620 Lamontier Avenue to the Commissioner of the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-57-96.

RE: Continuance of Appeal of Nolasco Housing Corp., Owner of the property located on the premises known as 6903 Fr. Carusco Drive from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated April

11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and waive the requirement for fire dampers between floors, provided that a fire damper is put on the main trunk of the furnace and that all ductwork will be built as indicated on Bulletin #1 (Detail 1 and 2). Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-67-96.

RE: Appeal of City of Cleveland, Owner of the Property located on the premises known as 701 Lakeside Avenue from a TEMPORARY CERTIFICATE OF OCCUPANCY of the Commissioner of the Division of Building and Housing dated May 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; rescheduled for June 13, 1996.

* * *

Docket A-69-96.

RE: Appeal of Perry Payne, Ltd., Owner of the Property located on the premises known as 740 Superior Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated April 12, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and accept the structural slab as the top surface of the vault of the Perry Payne, Ltd. Building, in lieu of the 4-1/2" topping as required by the Code. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-76-96.

RE: Appeal of Raymond and Deborah Zeleny, Owners of the Residential Property and Proposed Swimming Pool located on the premises known as 4429 West 11th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated May 20, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-76-96 has been WITHDRAWN at the request of the Appellant.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Williams and seconded by Mr. Saunders 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-27-96—Charles Pearson.
- A-55-96—Robert Oulds, Sr.
- A-64-96—John and Dorothy Flanagan.

A-66-96—YMCA Greater Cleveland.
A-70-96—Cleveland Center for Structural Biology.

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Williams 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:

May 15, 1996

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

* * *

JOSEPH F. DENK,
CHAIRMAN

NOTICE OF HEARING

Notice of Hearing before the Board of Building Standards and Building Appeals

At the Meeting of the Board of Building Standards and Building Appeals on Wednesday, June 12, 1996, 9:30 a.m., Room 517 City Hall, the following appeal from an order of the Commissioner of Environment will be heard:

BBSBA Docket No. A-88-96.

Appellant: North East Chemical Corporation
Address: 3301 Monroe Avenue
Cleveland, Ohio 44113
Agent: Phillip Stapf, President

Appeal of the Sealing Order of Commissioner of Environment Carolyn M. Wallace, Department of Public Health, dated May 23, 1996, to North East Chemical Corporation.

Notice given pursuant to Section 255.03(g) Cleveland Codified Ordinances.

June 5, 1996

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.

PUBLIC NOTICE

LOT CLEANING AND MAINTENANCE PROGRAM 1996

Notice to owner, agent, lessee or person in possession or control of any lot or land within the City of Cleveland who fails to maintain such lot or land.

Under Section 209.05 of the Codified Ordinances of the City of Cleveland, the City will bill each lot they clean and cut on a square foot basis.

The cost per-square foot for the City's 1996 Lot Cleaning program services:

Services Description	Rate
Materials, Labor, Equipment and Other Charges	\$0.04 Sq. Ft.

CITY OF CLEVELAND
KATHRYN B. HYER,
Director of Finance

June 5, 1996

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Commissioner of
Environment, Department of
Public Health**

**In Room 217
City Hall, Cleveland, Ohio
On Friday, June 28, 1996
11:00 A.M.**

Notice is hereby given that a public hearing will be held in Room 217, City Hall, Cleveland, Ohio, on Friday, June 28, 1996 at 11:00 A.M., before the Commissioner of Environment, Department of Public Health, City of Cleveland, to consider the following ordinance to amend Section 241.05 of the Codified Ordinances.

Ord. No. 932-96.

An ordinance to amend Section 241.05 of the Codified Ordinances to reduce the temporary food service license fee (maximum 5 days) from \$48.90 per day to \$20.00 per event for both commercial and noncommercial (i.e. nonprofit) organizations and businesses.

All interested persons are encouraged to attend or be represented at the public hearing in order to be heard and present their views.

Carolyn Wallace,
Commissioner
Division of Environment
Department of Public Health

May 29 and June 5, 1996

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee on
Community and
Economic Development**

**In Room 217
City Council Committee Room
601 Lakeside Avenue
Tuesday, June 11, 1996
10:00 a.m.**

Notice is hereby given in accordance with Chapter 324 of the Codified Ordinances of Cleveland, Ohio that the Council Committee on Community and Economic Development will hold a Public Hearing on Tuesday, June 11, 1996 at 10:00 a.m., in Room 217, City Council Committee Room, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio to consider Ordinances Nos. 144-96, 312-96 and 632-96 relating to the existence of blight at the following

properties and the necessity of acquiring said properties to eliminate the blight and prevent its recurrence: 2654 Lisbon Road, 9813-15 North Boulevard and 9817-19 North Boulevard. All interested persons are encouraged to attend or be represented at the Public Hearing in order to be heard and present their views.

Frank G. Jackson,
Chairman
Committee on Community and
Economic Development

May 29 and June 5, 1996

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JUNE 19, 1996

Asphalt Concrete and Tack Coat and including Labor to Repair Roadways, Runaways, and Taxiways, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 818-96.

May 29 and June 5, 1996

THURSDAY, JUNE 20, 1996

Personal Computer System, for the Department of Finance, on behalf of the Office of the Clerk of Courts, as authorized by Ordinance No. 647-96, passed by the Council of the City of Cleveland, April 29, 1996.

Exterminating Services, for the Division of Recreation, Depart-

ment of Parks, Recreation and Properties, as authorized by Ordinance No. 31-96, passed by the Council of the City of Cleveland, February 12, 1996.

Rental of Large Capacity Trucks and Operators, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 239-96, passed by the Council of the City of Cleveland, April 1, 1996.

May 29 and June 5, 1996

FRIDAY, JUNE 21, 1996

Ford Tractor Mower Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 479-96, passed by the Council of the City of Cleveland, April 29, 1996.

Cushman Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 478-96, passed by the Council of the City of Cleveland, April 29, 1996.

Four (4) Utility Service Vans, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

Four (4) Step Vans, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

Nine (9) Intermediate Size Station Wagons, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

May 29 and June 5, 1996

THURSDAY, JUNE 27, 1996

Capacitor Banks, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

12 and 2.4 kV Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

June 5 and June 12, 1996

FRIDAY, JUNE 28, 1996

Two (2) Cab and Chassis with 55 ft. Hydraulic Articulating Tree Aerial Device, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by

Ordinance No. 202-96, passed by the Council of the City of Cleveland, February 26, 1996.

June 5 and June 12, 1996

WEDNESDAY, JULY 3, 1996

One Emergency Back-up Generator, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 46-95, passed by the Council of the City of Cleveland, June 5, 1995.

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. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 20, 1996, AT 10:00 A.M. AT THE FIRE ALARM OFFICE, 310 CARNEGIE AVENUE - EAST DOOR.

June 5 and June 12, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday, June 3, 1996

Public Health Committee: 9:30 A.M. — Present: Robinson, Chrm.; Miller, V-Chrm.; Britt, Jackson, O'Malley, Zone. Excused: Melena.

Public Service Committee: 11:00 A.M. — Present: Coats, Chrm.; O'Malley, V-Chrm.; Britt, Johnson, McGuirk, Smith, Westbrook. Excused: Melena, White.

Finance Committee: 2:00 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Tuesday, June 4, 1996

Community and Economic Development Committee: 10:00 A.M. — Present: Jackson, Chrm.; Paulenske, V-Chrm.; Britt, Coats, Lewis, Patton, Smith, Willis. Excused: Melena.

Wednesday, June 5, 1996

Aviation and Transportation Committee: 10:00 A.M. — Present: Miller, Chrm.; Paulenske, V-Chrm.; McGuirk, Patmon, White, Willis. Excused: Rokakis.

City Planning Committee (Zoning): 1:30 P.M. — Present: Rybka, Chrm.; Britt, V-Chrm.; O'Malley, Paulenske, Rokakis, White, Zone.

City Planning Committee: 1:30 P.M. — Present: Rybka, Chrm.; Britt, V-Chrm.; O'Malley, Paulenske, Rokakis, White, Zone.

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Aging Department

Block Grant Funds — Senior Homeowners Assistance (O 704-96).....1069-1071

City Planning Commission

Amend Section 345.04 — prohibited in general industry Districts (O 146-96)1069-1071
 Change the Use Area and Height Districts — north of Quincy Avenue (O 1047-96).....1064
 Change the Use District — Grovewood Avenue — E. 167th Street and E. 172 Street
 (O 1048-96).....1064
 Declaring the intention to vacate — First Unnamed Alley East of Columbus Road
 (R 1049-96)1064
 Designating — Brooks-Figueroa House — Cleveland Landmark (O 1045-96).....1063
 Land Reutilization Program — located at 12109 Wade Park Avenue (O 1046-96)1063
 Land Reutilization Program — located at 17633 Dorchester Drive — East Shore Park Club
 (O 1034-96).....1059
 Land Reutilization Program — located at 2220 East 82nd — Fairfax Renaissance Development
 (O 1010-96).....1032
 Land Reutilization Program — located at 3605 East 65th Street (O 1022-96)1037
 Land Reutilization Program — located at East side of East 37th street through East 43rd
 Street (O 1025-96)1044
 Land Reutilization Program — located on East 69th Street — Bell and Carr Development
 (O 1020-96).....1036

Codified Ordinances

Amend Section 1 of Ordinance No. 155-96 — passed March 4, 1996 — Bidding with
 International Business Machines (O 831-96).....1070-1073
 Amend Section 345.04 — prohibited in general industry Districts (O 146-96)1069-1071
 Amend title and Section 1 of Ordinance No. 493-96 — issuance permit American Heart
 Association (O 1056-96)1066
 Enact Section 451.34 — Codified Ordinances — establishing zones for — bus parking,
 permits and violations (O 1011-96)1033
 Supplement the codified ordinances — enacting new section 135.47 — relating
 to reimbursement by Cuyahoga County costs of police officer — jail population
 reduction project (O 370-96)1069-1071

Communications

1996 Budget — report of all hirings (F 977-96).....1031
 East 21 Street, north of Payne — Sale request No. 90147 (F 975-96)1031
 GO Bonds for 1996 (F 978-96)1031
 Kinsman Road, 12502 — transfer of ownership — Kinsman Food Deal (F 986-96).....1031
 Monthly requirement Contract report — May 1996 (F 976-96).....1031

Community Development

Accept money — Board of Commissioners of Cuyahoga County — cost of asbestos abatement
 and demolition (O 1021-96).....1037
 Amend Section 1 of Ordinance No. 808-94, passed June 6, 1994 — expend Community
 Development Block Grant funds — CDBG Year XX (O 1461-95)**1071-T**
 Amend memorandums with City of Cleveland — City development program — expend funds —
 administered by Community Development (O 706-96).....1069-1072
 Block Grant Funds — Senior Homeowners Assistance (O 704-96).....1069-1071
 Cleveland Action Support Housing — new housing construction and commercial redevelopment
 — loan program (O 705-96).....1069-1071
 Land Reutilization Program — located at 12109 Wade Park Avenue (O 1046-96)1063
 Land Reutilization Program — located at 17633 Dorchester Drive — East Shore Park Club
 (O 1034-96).....1059
 Land Reutilization Program — located at 2220 East 82nd — Fairfax Renaissance Development
 (O 1010-96).....1032
 Land Reutilization Program — located at 3605 East 65th Street (O 1022-96)1037
 Land Reutilization Program — located at East side of East 37th street through East 43rd
 Street (O 1025-96)1044
 Land Reutilization Program — located on East 69th Street — Bell and Carr Development
 (O 1020-96).....1036
 Nolasco Housing Corporation — designee to provide financial assistance — Community
 Development Float Loan (O 814-96)1070-1073

Condolences

Hopwood, Henry (R 1068-96)1032
 Moore, Lewis E. (R 1069-96)1032
 Robinson, William E. (R 1067-96)1032
 Stewart, Aaron D. (R 1066-96).....1032

Congratulations

Chapmon, H. Louis (R 1074-96).....1032
 Davis, Ella M. (R 1081-96)1032
 Dr. William and Mrs. Carol Foley and the Cleveland BoyChoir (R 1072-96)1032
 East High School 30th Reunion (R 1071-96).....1032
 Hubbard, Rosemary (R 1079-96)1032
 Maracz, Gayle (R 1080-96)1032
 Mrs. Prevost, Clarice (R 1077-96)1032
 Officer Edward O'Donnell (R 1076-96)1032

Previte, Nick (R 1073-96)	1032
Rev. Trimble, Julius (R 1070-96)	1032
Tillie, Charles L. (R 1075-96).....	1032
Whitney, Frances (R 1078-96).....	1032

Economic Development Department

Authorizing the Director of Economic Development — enter into contract — Cleveland Cuyahoga County Port Authority — provide economic development assistance — acquisition and relocation of J.C. Hub — located East 36th Street & Chester (O 368-96)	1069-1071
Cleveland Recycling Center — provide economic development assistance — machinery and equipment — relocate facility — East 131st (O 757-96).....	1070-1072
Contract — Castle Precision Industries — provide economic development assistance to partially finance (O 1012-96)	1034
Contract Emerald Research Park, Ltd. — provide economic development assistance to partially finance (O 1028-96).....	1058
Contract with MALCO Incorporated — provide economic development assistance to partially (O 1035-96).....	1060
Contract with Memphis Fulton Associations — provide economic development assistance (O 1043-96).....	1062
Enterprise Zone Agreement with Charter One Bank — ten year abatement (O 1044-96)	1062
Expend Economic Development initiative Grant and Urban Enterprise — Grant funds administration — Empowerment Zone Program (O 1026-96).....	1057
Grant funds to enter into all contracts — Hough Area Partners in Progress — Glenville Development Corporation (O 1027-96).....	1057
Triad Partners Limited — assistance to partially finance — acquisition and construction — corporate headquarters — Federal Graphics (O 758-96).....	1070-1072

Finance Department

Accept money — Board of Commissioners of Cuyahoga County — cost of asbestos abatement and demolition (O 1021-96).....	1037
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96)	1070-1073
Amend Section 345.04 — prohibited in general industry Districts (O 146-96)	1069-1071
Amend Section 6 of Ordinance No. 200-88 — passed February 1, 1988 — amended by ordinance No. 1266-89 — passed May 1, 1989 (O 539-96).....	1069-1071
Amend memorandums with City of Cleveland — City development program — expend funds — administered by Community Development (O 706-96)	1069-1072
Authorizing the Director of Economic Development — enter into contract — Cleveland Cuyahoga County Port Authority — provide economic development assistance — acquisition and relocation of J.C. Hub — located East 36th Street & Chester (O 368-96)	1069-1071
Bidding with Ameritech Ohio — Centrex service (O 830-96)	1070-1073
Block Grant Funds — Senior Homeowners Assistance (O 704-96).....	1069-1071
Cleveland Action Support Housing — new housing construction and commercial redevelopment — loan program (O 705-96)	1069-1071
Cleveland Recycling Center — provide economic development assistance — machinery and equipment — relocate facility — East 131st (O 757-96).....	1070-1072
Contract — Castle Precision Industries — provide economic development assistance to partially finance (O 1012-96)	1034
Contract 1997 criminal and civil filing system (O 1041-96)	1062
Contract Emerald Research Park, Ltd. — provide economic development assistance to partially finance (O 1028-96).....	1058
Contract Environmental Careers Organization, Inc. (O 1038-96).....	1061
Contract labor and materials needed to repair rear loading packer bodies (O 1018-96).....	1035
Contract labor and materials to repair compactors, tire shredder and push pits (O 1019-96).....	1036
Contract of automobile and truck oils and lubricants (O 1017-96)	1035
Contract of cold mix material (O 812-96)	1070-1073
Contract of computer supplies (O 1042-96)	1062
Contract of labor and materials necessary to execute de-icing collection services (O 1029-96).....	1058
Contract with MALCO Incorporated — provide economic development assistance to partially (O 1035-96).....	1060
Contract with Memphis Fulton Associations — provide economic development assistance (O 1043-96).....	1062
Electrical supplies, materials and equipment — City facilities — Division of Property Management (O 759-96).....	1070-1073
Employ one or more professional consultants — provide video inspection services (O 1032-96).....	1059
Enacting new section 135.54 — obtaining access to computerized law enforcement information (O 1036-96).....	1060
Enterprise Zone Agreement with Charter One Bank — ten year abatement (O 1044-96)	1062
Expend Economic Development initiative Grant and Urban Enterprise — Grant funds administration — Empowerment Zone Program (O 1026-96).....	1057
Graffiti removal services — not limited to city buildings monuments, parks, and playground equipment (O 761-96)	1070-1073
Grant — Ohio Department of Natural Resources — 1996 NatureWorks — Round 3 Grant — Contract Cleveland Bicentennial Commission (O 870-96)	1070-1073
Grant — State of Ohio — Governor's Highway Safety Representative (O 1037-96).....	1060
Grant funds to enter into all contracts — Hough Area Partners in Progress — Glenville Development Corporation (O 1027-96).....	1057
Install rebuilt gasoline and diesel engines — Motor Vehicle Maintenance Division (O 1013-96).....	1034
International Business Machines Corporation — IBM Model 38385 IBM non-impact printer (O 936-96)	1070-1073

Issuance of Parking Facilities Refunding revenue Bonds — maximum aggregate \$85,000,000 (O 1023-96).....	1037
Land Reutilization Program — located on Ohio Avenue and 15209 Lincoln Avenue (O 1030-96).....	1058
Lease requirement contract golf carts at Seneca — Highland Golf Course (O 1024-96).....	1044
Meyer snow plow and spreader parts (O 1016-96).....	1035
Nolasco Housing Corporation — designee to provide financial assistance — Community Development Float Loan (O 814-96).....	1070-1073
North American Morpho Systems, Inc. — lease of automated fingerprint System (AFIS) (O 716-96).....	1069-1072
Purchase by requirement contract of tires (O 1014-96).....	1034
Purchases by requirement contract — automotive and truck parts (O 1015-96).....	1035
Rehabilitate one catch basin cleaning machine — including but not limited to replacing the body and other improvements (O 1033-96).....	1059
Triad Partners Limited — assistance to partially finance — acquisition and construction — corporate headquarters — Federal Graphics (O 758-96).....	1070-1072
Health Division	
Amend Section 241.05 — amend Ordinance No. 2015-95 passed December 18, 1995 — food shop licenses and fees (O 932-96).....	1079
Cleveland Housing Network — implementation of the Lead-based Paint Abatement (O 1040-96).....	1061
Contract Environmental Careers Organization, Inc. (O 1038-96).....	1061
Medical Mobile Unit (O 1039-96).....	1061
Law Department	
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96).....	1070-1073
Amend memorandums with City of Cleveland — City development program — expend funds — administered by Community Development (O 706-96).....	1069-1072
Cleveland Action Support Housing — new housing construction and commercial redevelopment — loan program (O 705-96).....	1069-1071
Urging the Director of Public Safety — Establish 24-Hour Drug Hotline for anonymous persons to report locations (R 1050-96).....	1064
Liquor Permits	
Brookpark Road, 16120 — transfer of ownership — Sounion (F 985-96).....	1031
Corlett Avenue, 12401 — objecting — transfer of ownership (R 1063-96).....	1068
E. 185th Street, 783 — Objecting — transfer of ownership (R 1058-96).....	1067
East 116th Street, 2976 — transfer of ownership (F 980-96).....	1031
East 93rd Street, 3226 — New Application — L & Y Deli (F 1065-96).....	1031
East 93rd Street, 3226 — objecting (R 1060-96).....	1067
East 93rd Street, 3363 — objecting (R 1061-96).....	1067
Kinsman Road, 6938 — transfer of ownership — Farmer Food Market (F 981-96).....	1031
Lorain Avenue, 17004 — transfer of ownership — JKH, Inc. (F 990-96).....	1032
Mayfield Road, 12117 — transfer of Location — Fai Con Club (F 987-96).....	1031
Mt. Auburn Road, 9621 — objecting — transfer of ownership (R 1062-96).....	1068
Mt. Auburn Road, 9621 — transfer of ownership (F 979-96).....	1031
Old River Road, 1204 — transfer of ownership — BNY Cleveland (F 983-96).....	1031
Scranton Road, 2626 — transfer of ownership — Janet Deli (F 984-96).....	1031
St. Clair Avenue, 10813 — objecting — transfer of ownership (R 1064-96).....	1068
St. Clair Avenue, 10813 — transfer of ownership — Sunlight Market (F 982-96).....	1031
West 25th Street, 2994 — transfer of ownership — Players Sports Bar & Grille (F 989-96).....	1032
West 3rd, Street, 1075 — Stock Application — Stadium Restaurant, Inc. (F 988-96).....	1031
Mayor's Appointments	
Clark, Dan — Cleveland-Cuyahoga Port Authority — term expire January 28, 2000 (F 1009-96).....	1032
Oath of Office	
Anderson, Jesse — Regional Transit Authority (F 993-96).....	1032
Bowen, David — City Planning Commission (F 1005-96).....	1032
Bumgarner, Earl — Board of Examiners of Plumbers (F 992-96).....	1032
Collier, Tverner — Police Review Board (F 1001-96).....	1032
Dixon, George — Regional Transit Authority (F 1000-96).....	1032
Gibans, James — Landmarks Commission (F 996-96).....	1032
Hall, Kathryn — Community Relations Board (F 1003-96).....	1032
Harris, Louise — Cuyahoga Metropolitan Housing Authority (F 1004-96).....	1032
Henderson, Bancroft — City Record Commission (F 991-96).....	1032
Judge Burke, Lillian — Landmarks Commission (F 997-96).....	1032
Liou, Larry — Community Relations Board (F 1002-96).....	1032
Saunders, Arthur — Board of Building Standards (F 994-96).....	1032
Schanfarber, Richard — Landmarks Commission (F 995-96).....	1032
Shorr, Randall — Landmarks Commission (F 998-96).....	1032
Volpe, Paul — Landmarks Commission (F 999-96).....	1032
Whitner, Jackie R. — Acting Director of Community Relations (F 1006-96).....	1032
Parks, Recreation and Properties Department	
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96).....	1070-1073
Amend Section 6 of Ordinance No. 200-88 — passed February 1, 1988 — amended by ordinance No. 1266-89 — passed May 1, 1989 (O 539-96).....	1069-1071
Electrical supplies, materials and equipment — City facilities — Division of Property Management (O 759-96).....	1070-1073
Graffiti removal services — not limited to city buildings monuments, parks, and playground equipment (O 761-96).....	1070-1073

Grant — Ohio Department of Natural Resources — 1996 NatureWorks — Round 3 Grant — Contract Cleveland Bicentennial Commission (O 870-96)	1070-1073
Issuance of Parking Facilities Refunding revenue Bonds — maximum aggregate \$85,000,000 (O 1023-96).....	1037
Lease requirement contract golf carts at Seneca — Highland Golf Course (O 1024-96).....	1044

Peddlers

Engage peddling Ward 5 — Elaine Parker (O 1052-96).....	1065
Engage peddling in Ward 5 — 3000 008 Cedar Avenue (O 1051-96).....	1065

Permits

Permit — Blessed Sacrament Church — June 4, to June 30, 1996 (O 1059-96)	1066
Permit — Cleveland Grand Prix — June 10, 1996 to July 1, 1996 (O 1053-96)	1065
Permit — Lady of Good Counsel Church — June 4, to June 24, 1996 (O 1054-96).....	1065
Permit — Salvation Army — July 1, to August 1, 1996 (O 1057-96).....	1066
Permit — Sir-Rah House and McDonald's — July 8, to July 31, 1996 (O 1055-96)	1066

Port Control Department

Contract of labor and materials necessary to execute de-icing collection services (O 1029-96).....	1058
---	------

Recognitions

Robert H. Jamison CompuTech Center (R 1082-96)	1032
--	------

Repealed Ordinances and Resolutions (Noncodified)

Amend Section 1 of Ordinance No. 808-94, passed June 6, 1994 — expend Community Development Block Grant funds — CDBG Year XX (O 1461-95)	1071-T
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Reports

Office of the Mayor — People's Budget 1996 (F 1007-96).....	1032
Ohio Rehabilitation Services — 1995 Annual Report (F 1008-96).....	1032

Safety Department

Enacting new section 135.54 — obtaining access to computerized law enforcement information (O 1036-96).....	1060
Grant — State of Ohio — Governor's Highway Safety Representative (O 1037-96).....	1060
North American Morpho Systems, Inc. — lease of automated fingerprint System (AFIS) (O 716-96)	1069-1072
Supplement the codified ordinances — enacting new section 135.47 — relating to reimbursement by Cuyahoga County costs of police officer — jail population reduction project (O 370-96)	1069-1071
Urging the Director of Public Safety — Establish 24-Hour Drug Hotline for anonymous persons to report locations (R 1050-96)	1064

Service Department

Contract labor and materials needed to repair rear loading packer bodies (O 1018-96).....	1035
Contract labor and materials to repair compactors, tire shredder and push pits (O 1019-96).....	1036
Contract not exceed — four medium duty ambulances — Division of Motor Vehicle Maintenance (O 811-96)	1071-T
Contract of automobile and truck oils and lubricants (O 1017-96)	1035
Contract of cold mix material (O 812-96)	1070-1073
Contract of labor and materials — combination sewer and catch basin cleaners (O 1031-96).....	1059
Declaring the intention to vacate — First Unnamed Alley East of Columbus Road (R 1049-96)	1064
Employ one or more professional consultants — provide video inspection services (O 1032-96).....	1059
Install rebuilt gasoline and diesel engines — Motor Vehicle Maintenance Division (O 1013-96).....	1034
Land Reutilization Program — located on Ohio Avenue and 15209 Lincoln Avenue (O 1030-96).....	1058
Levy assessments — encroaching Prospect Avenue — East 9th Street extending East 55th Street — East 4th Street (O 873-96)	1070-1073
Levy assessments — encroaching Prospect Avenue — Ontario Street extending East 9th Street — South side Prospect — East 4th Street and East 6th Street (O 874-96)	1070-1073
Memorializing — change the name of Brookside Park Drive to — Wildlife Way (R 652-96).....	1071-1073
Meyer snow plow and spreader parts (O 1016-96).....	1035
Purchase by requirement contract of tires (O 1014-96).....	1034
Purchases by requirement contract — automotive and truck parts (O 1015-96)	1035
Rehabilitate one catch basin cleaning machine — including but not limited to replacing the body and other improvements (O 1033-96).....	1059
Tire repair road service — Division of Motor Vehicle Maintenance (O 756-96).....	1070-1072

