

COUNTY OF CUYAHOGA
CLEVELAND, OHIO

FROM Felix A. Spittler DATE October 7, 1974
TO Albert S. Porter, County Engineer SUBJECT Lorain-Carnegie Bridge Project
(Carnegie Avenue Grade Separation).

In the initiated Ordinance No. 47814 authorizing the Mayor to enter into a contract with the Cleveland Union Terminals Company passed January 6, 1919, by a vote of 30,731 FOR to 19,859 AGAINST, effective January 8th, 1919, the Cleveland Terminals Company, in Sec. 29, agreed to build the Grade Separation (carry Central Avenue and Central Viaduct over the tracks of said Terminals Company). In Sec. 85 of the same ordinance the Terminals Company agreed to construct, maintain, repair and rebuild the structures mentioned in this ordinance as they became necessary, by and at the expense of the Terminals Company.

Ordinance No. 8552 passed January 28, 1929, effective March 10, 1929, amended section 30 of Ordinance No. 47814, and provided for the construction of a bridge carrying Central Avenue S.E. and Central Viaduct over the tracks of said Terminals Company, 15 ft. southerly from the center line of Ontario Street S.E. measured along the center line of said avenue and a point 185 feet southerly from the center line of Ontario Street S.E. measured along the center line of said avenue (Carnegie Avenue Grade Separation).

Ordinance No. 93109 passed December 8, 1930, mentioned the extension to the Cleveland Union Terminal Bridge in section 1(d) in connection with the Lorain-Central Bridge project.

Probate Court Case No. 200388 (Lorain-Carnegie Bridge Project) Parcels C, D, and H obligated the County to maintain the southwesterly and northeasterly walls of the Cleveland Union Terminals Company which were to be used as and for piers and/or abutments to support said bridge or bridges and/or approaches thereto and the extension to the Terminals Company bridge.

It appears that the County is responsible for the extension added to the northwest of the original bridge and the southwesterly and northeasterly walls affected, but that the Terminals Company is responsible for the original bridge. To completely follow through on this matter would seem to be a legal matter requiring considerable research by the Prosecutor's Office.