

RESOLUTION NO. 1989 - 68

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE ZAPIS CONSTRUCTION CORPORATION FOR APPROXIMATELY 3.85 ACRES AT THE BROOKPARK RAPID STATION PARKING LOT FOR HOTEL CONSTRUCTION AND USE

WHEREAS, the Greater Cleveland Regional Transit Authority entered negotiations to renegotiate a lease agreement with the Zapis Construction Corporation for land at the Brookpark Rapid Station which had previously been granted by the Transit Board of the City of Cleveland via Resolution No. 235-75 April 28, 1972; and

WHEREAS, such negotiations have been concluded, resulting in such lease agreement; and

WHEREAS, the lease agreement provides for an annual minimum rental payment to GCRTA of \$20,500 for an approximately 3.85 acre parcel of land; and

WHEREAS, under this lease agreement Zapis Construction Corporation releases its air rights above the Brookpark Station to GCRTA; and

WHEREAS, the term of such lease is for fifty-five (55) years, with four options for renewal of eleven (11) years each; and

WHEREAS, under the lease agreement Zapis Construction Corporation agrees to construct a hotel on the leased premises which should serve to increase ridership on the Red Line rapid and enhance the image of the Brookpark Station.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager is hereby authorized to execute a lease with Zapis Construction Corporation for the premises as described in Article I(a) and Article I(b) of the lease agreement, for a firm annual rental of \$20,500 the first thirty-three (33) years of the lease, with renegotiation at each of the next eleven (11) year periods of the fifty-five (55) year term, such annual rental never to be less than \$20,500, subject to all covenants and conditions set forth therein.

Section 2. That the General Manager is authorized to execute and sign any and all instruments necessary to execution of this lease.

Section 3. That this resolution become effective immediately upon its adoption.

Adopted: May 16, 1989

Attest: Ronald J. Lee
Secretary-Treasurer

Ed Hay
President