

RESOLUTION NO. 1989 - 121

DECLARING THE INTENT OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO APPROPRIATE THE FEE SIMPLE INTEREST FREE AND CLEAR OF ALL LEASEHOLDS, RESERVATIONS, EASEMENTS AND ENCUMBRANCES OF THE LAND COMMONLY KNOWN AS 2345 LORAIN AVENUE, BEARING CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBER 007-11-019

WHEREAS, it is necessary and proper to acquire the land located at 2345 Lorain Avenue, Cleveland, Ohio, bearing permanent parcel number 007-11-019 and owned by John P. Papouras and Popie Papouras for the purpose of constructing a new rapid transit station; and

WHEREAS, the Cleveland Union Terminals Company has reserved an interest in the land for the continued use and occupation of a portion of the land for existing billboards, together with the right to all rentals, considerations or fees therefor; and

WHEREAS, Patrick Media Group, Inc., Prime Outdoor Advertising, the DeNitsa, Inc. Company, and others doing business as Sundance Motors, may have leasehold interests in said lands; and

WHEREAS, the Greater Cleveland Regional Transit Authority and the owners of the fee and the reserved interests have been unable to reach an agreement concerning the purchase of said land by the Authority, and it will therefore be necessary to commence legal proceedings to appropriate said land by eminent domain pursuant to R.C. 306.36 and R.C. Chapter 163.

NOW, THEREFORE, BE IT RESOLVED by the Greater Cleveland Regional Transit Authority's Board of Trustees:

Section 1. That this Board finds that the construction of a new rapid transit station at 2345 Lorain Avenue, Cleveland, Ohio, is a necessary and proper improvement to the rapid transit system and will further the objectives of providing transit services to the community.

Section 2. That this Board finds that in order to implement and carry out the construction and development of this station, it is necessary and proper to acquire the land located at 2345 Lorain Avenue, bearing Cuyahoga County Auditor's permanent parcel number 007-11-019 free of all interests, reservations, easements, leaseholds and encumbrances.

Section 3. That this Board finds that the value of the land free of all interests, reservations, easements, leaseholds and encumbrances is fifty four thousand five hundred dollars (\$54,500).

Section 4. That this Board finds that the Authority and the owners have been unable to reach an agreement concerning the purchase and sale of said property.

Section 5. That this Board hereby deems it necessary and proper and declares its intent to appropriate said land and interests for the purposes of constructing the new West 25th Street rapid transit station.

Section 6. That this Board hereby authorizes the General Manager to cause written notice of the adoption of this resolution to be transmitted to the owner or owners, persons in possession of and persons having real or possible interest of record in the above described premises, and said notice shall be served by the appropriate legal officer of the Authority, and he shall make return of said service of notice in the manner provided by law.

Section 7. That this Board hereby authorizes and directs the General Manager to institute legal proceedings to appropriate the required property interests in the manner provided in Section 306.36 and Chapter 163 of the Ohio Revised Code.

Section 8. That this resolution shall become effective immediately upon its adoption.

Adopted: August 15, 1989



President

Attest: 

General Manager-Secretary/Treas.