

RESOLUTION NO. 1990 - 205

AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH THE CITY OF CLEVELAND (City) CONVEYING THE RIGHT TO CONSTRUCT AN AERIAL ELECTRIC TRANSMISSION LINE ACROSS TWO (2) RTA OWNED PARCELS.

WHEREAS, the Greater Cleveland Regional Transit Authority (RTA) has entered into negotiations for an agreement whereby RTA will convey to the City the right to construct an aerial electric transmission line across two (2) RTA parcels of land located at or near East 92nd Street and Holton Avenue, in the City of Cleveland to the City; and

WHEREAS, such negotiations have resulted in a proposed License Agreement and Easement Purchase Offer; and

WHEREAS, under the agreement RTA will convey the right to construct an aerial electric transmission line across two (2) RTA parcels of land located at or near East 92nd and Holton Avenue, whose permanent parcel numbers are 126-24-07 and 126-23-21, to the City, reserving unto RTA the right to continue to use the subject parcels for transit purposes; and

WHEREAS, in consideration of the aforementioned conveyance the City will pay to RTA Twenty-Six Thousand Dollars (\$26,000); and

WHEREAS, under the agreement, the City will indemnify and hold harmless the Authority from any acts or omissions which would result in harm to any party or parties; and

WHEREAS, the City is presently undergoing a city-wide expansion of Cleveland Public Power (CPP) electrical transmission system and it has become necessary for CPP to construct a right-of-way corridor for electrical transmission lines some of which will traverse, cross and run adjacent to the RTA rail right-of-way; and

WHEREAS, the subject agreement would allow for continued expansion of the CPP system and inflict no detrimental impact upon RTA; and

WHEREAS, the interest being conveyed to the City will not prevent the continued use of the parcels by RTA for transit purposes.

WHEREAS, this agreement with the City is consistent with and pursuant to Ohio Revised Code section 306.51; and

WHEREAS, this agreement is subject to UMTA approval.


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 an agreement with the City of Cleveland, conveying the right to construct an aerial electric transmission line across two (2) RTA owned parcels located at or near East 92nd and Holton Avenue, in consideration of the payment of Twenty-Six Thousand Dollars (\$26,000).

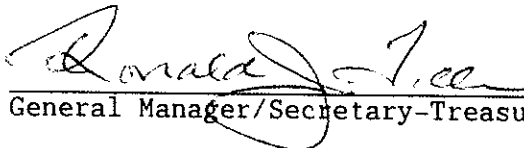
Section 2: That the General Manager is authorized to execute and sign any and all instruments necessary to the execution of the agreement.

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

Adopted: November 27, 1990.



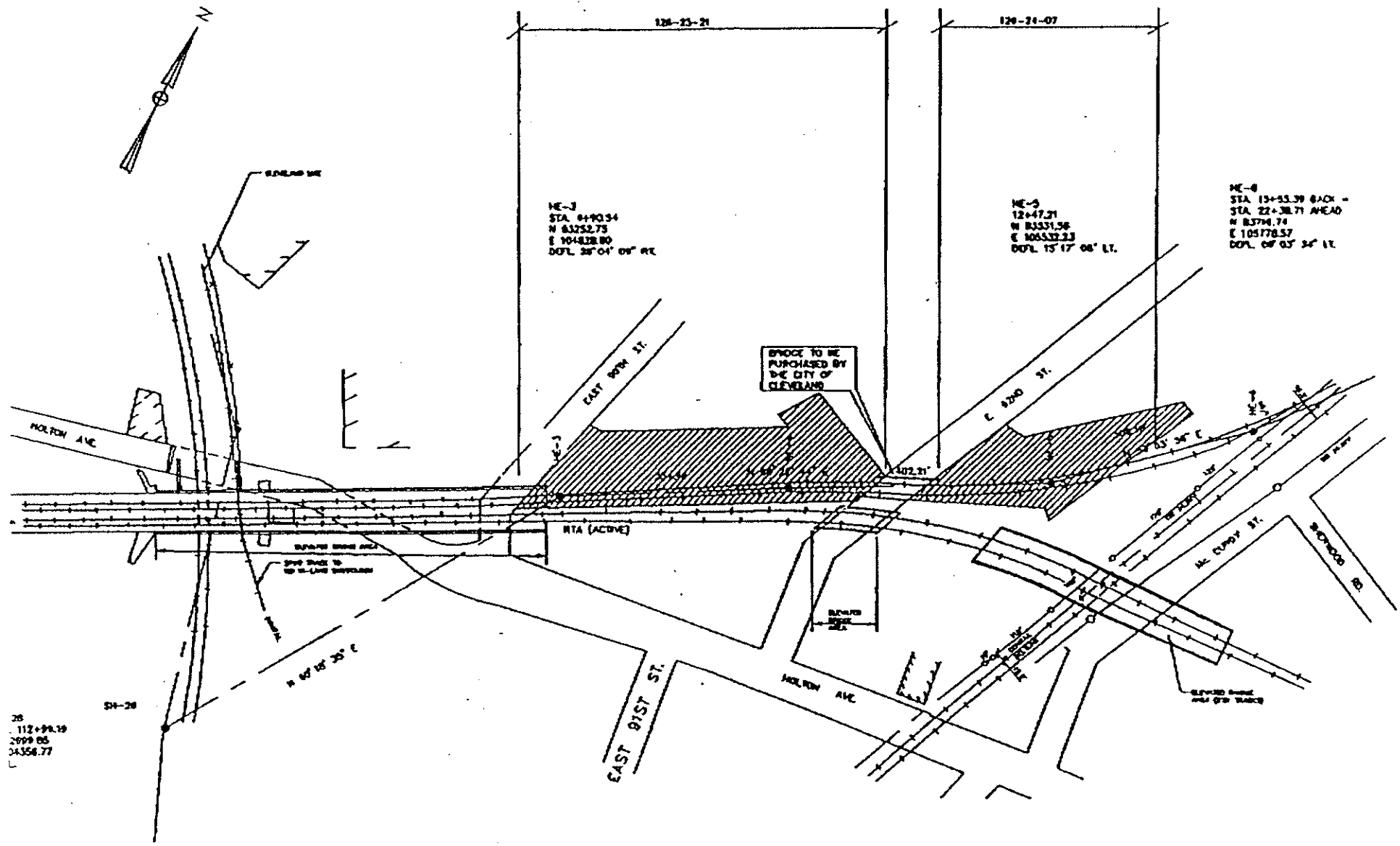
President

Attest: 

General Manager/Secretary-Treasurer

Parcel No. 126-23-21

Parcel No. 126-23-07



ME-3
 STA. 94+90.54
 N 83°52.73
 E 1048.28.80
 DFL. 28° 04' 04" RC

ME-5
 12+47.21
 W 83°31.56
 E 1055.32.23
 DFL. 15° 17' 08" LT.

ME-8
 STA. 13+53.39 BACK -
 STA. 22+38.71 AHEAD
 W 83°34.74
 E 1051.78.57
 DFL. 09° 03' 34" LT.

SPACE TO BE
 PURCHASED BY
 THE CITY OF
 CLEVELAND

28
 112+96.19
 2099.85
 34356.77

*SHADED AREA REPRESENTS PARCELS TO BE PURCHASED BY CITY