

RESOLUTION NO. 1993 - 27

AUTHORIZING THE GRANT OF A SUBSURFACE EASEMENT TO OHIO BELL TELEPHONE COMPANY FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF CONDUITS AND CABLES ACROSS LANDS OWNED BY THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY KNOWN AS PERMANENT PARCEL NO. 003-23-023 LOCATED NORTH OF THE WEST 25TH STREET RAPID STATION IN CLEVELAND, OHIO.

Whereas, the Ohio Bell Telephone Company, whose address is 1020 Bolivar Road, Cleveland, Ohio 44115 is constructing an improvement to its telecommunications system; and

Whereas, in order to complete this improvement Ohio Bell Telephone Company needs subsurface occupancy rights across lands owned by this Authority as described in Exhibit "A" attached hereto; and

Whereas, Ohio Bell Telephone Company has offered to acquire said occupancy rights from the Authority for \$3,650.00, the sum of the fair market value for the occupancy rights sought plus this Authority's administrative costs associated with this transaction; and

Whereas, the requested occupancy will not interfere with any current or future use of the Authority's lands.

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

Section 1: The offer of the Ohio Bell Telephone Company to occupy the subsurface of lands described in Exhibit "A" is hereby accepted.

Section 2: The General Manager is authorized to execute on behalf of the Authority all documents necessary to effect a grant of subsurface easement rights to the Ohio Bell Telephone Company for the purpose of the installation, operation and maintenance of subsurface conduits and telecommunications cables together with necessary ancillary rights and privileges.

Section 3: The proceeds of this transaction shall be deposited into the General Fund.

Section 4: This resolution shall take effect immediately upon its adoption and execution by the President of the Board of Trustees.

Adopted: February 16, 1993.

Attachments: Exhibit "A" is a legal description of the proposed easement area.

Attest: Ronald J. Lee  
General Manager and Secretary-Treasurer

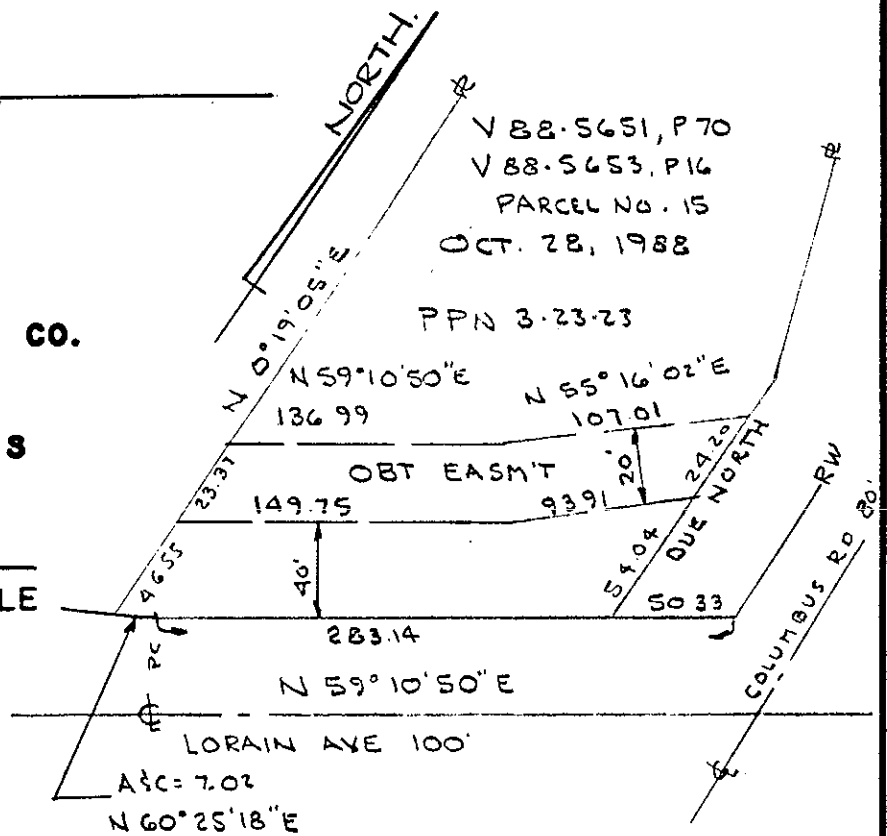
[Signature]  
President

# EXHIBIT "A"

TO AN EASEMENT DATED \_\_\_\_\_  
FROM \_\_\_\_\_  
GREATER CLEVELAND  
TRANSIT AUTHORITY  
TO  
THE OHIO BELL TELEPHONE CO.

PREPARED BY:  
**R. M. KOLE & ASSOCIATES**

*Richard M. Kole*  
OCT, 1991 NO SCALE



Situated in the City of Cleveland, Cuyahoga County, Ohio and known as being part of Sublots No. 158, 159, 169, 244, 245 and 246 and part of West 22nd Street, vacated, in the Willeyville Allotment of part of Original Brooklyn Township Lots No. 69 and 70 as shown by the Plat recorded in Volume 2, Page 16 of Cuyahoga County Map Records.

Starting at the point of intersection of the Westerly line of Columbus Road, 80.00 feet wide, and the Northwesternly line of Lorain Avenue, 100.00 feet wide as widened, as appears by said Plat; thence South 59°10'50" West along the Northwesternly line of Lorain Avenue, 50.33 feet to a point at the Southeast corner of land conveyed to Greater Cleveland Transit Authority by deed dated October 28, 1988 and recorded in Volume 88-5651, Page 70 of Cuyahoga County Deed Records; thence Due North along the Easterly line of said land so conveyed, 54.04 feet to the Principal Place of Beginning;

thence South 55°16'02" West, 93.91 feet to a point;

thence South 59°10'50" West, 149.75 feet to a point in the Westerly line of said land so conveyed;

thence North 0°19'05" East along the Westerly line of said land, 23.37 feet to a point;

thence North 59°10'50" East, 136.99 feet to a point;

thence North 55°16'02" East, 107.01 feet to a point in the Easterly line of said land;

thence Due South along the Easterly line of said land, 24.20 feet to the Principal Place of Beginning and containing 0.1123 acres of land as described on October 7, 1991 by R.M. Kole & Assoc., Inc., Professional Land Surveyors.