

RESOLUTION NO. 1994 - 64

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 GCRTA KNOWN AS PERMANENT PARCEL NO. 002-24-023, LOCATED APPROXIMATELY 262 FEET EAST OF WEST 74TH STREET IN CLEVELAND, OHIO.

WHEREAS, the Ohio Bell Telephone Company, whose address is 1020 Bolivar Road, Cleveland, Ohio 44115, is relocating their telecommunications cables due to the rehabilitation of the West 74th Street Bridge; and

WHEREAS, in order to relocate their cables the 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 One Thousand Five Hundred Fifty Dollars (\$1,550.00), the sum of the fair market value for the occupancy rights sought plus the 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: \_\_\_\_\_ April 19 \_\_\_\_\_, 1994.

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

Attest:

  
\_\_\_\_\_  
General Manager and Secretary-Treasurer

  
\_\_\_\_\_  
President

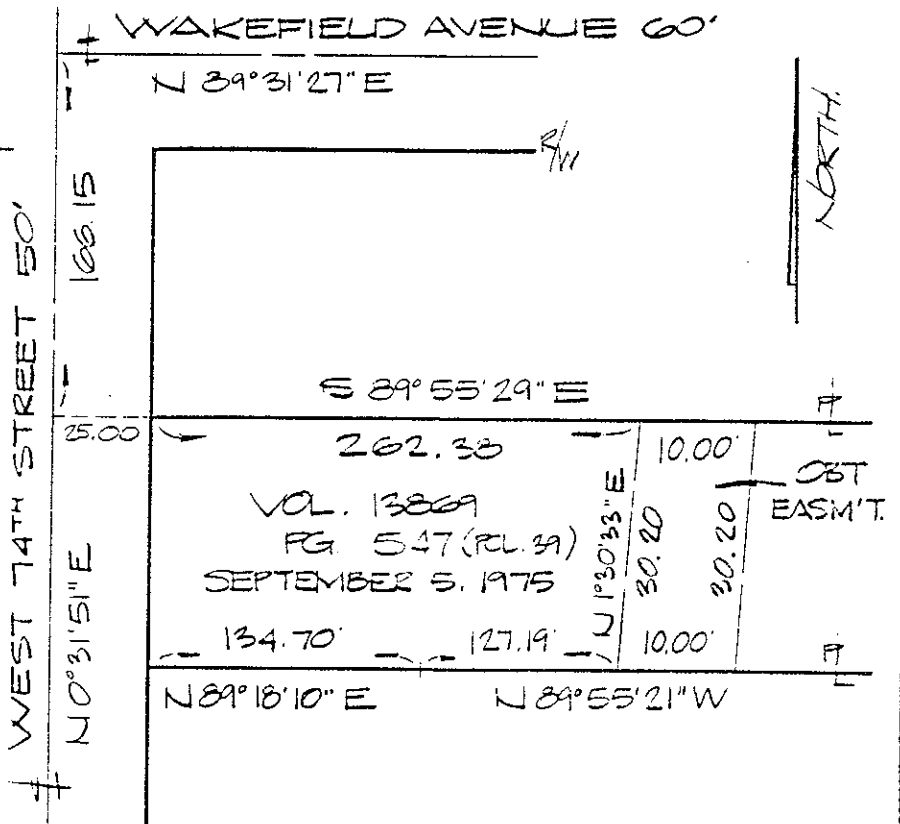
# EXHIBIT "A"

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

PREPARED BY:  
R.M. KOLE & ASSOCIATES

*R.M. Kole*

JANUARY, 1994 NO SCALE



Situated in the City of Cleveland, Cuyahoga County, Ohio and known as being part of Original Brooklyn Township Lot No. 32.

Starting at the intersection of the centerlines of West 74th Street, 50.00 feet wide, and Wakefield Avenue, 60.00 feet wide; thence South  $0^{\circ}31'51''$  West along the centerline of West 74th Street, 166.15 feet to a point; thence South  $89^{\circ}55'29''$  East, 25.00 feet to a point in the Easterly line of West 74th Street at the Northwesterly corner of Parcel No. 39 of land conveyed to the Greater Cleveland Regional Transit Authority by deed dated September 5, 1975 and recorded in Volume 13869, Page 547 of Cuyahoga County Deed Records; thence continuing South  $89^{\circ}55'29''$  East along the Northerly line of said land so conveyed, 262.38 feet to the Principal Place of Beginning of the easement herein intended to be described;

thence continuing South  $89^{\circ}55'29''$  East along the said Northerly line, 10.00 feet to a point;

thence South  $1^{\circ}30'33''$  West, 30.20 feet to a point in a Southerly line of said land;

thence North  $89^{\circ}55'21''$  West along the said Southerly line, 10.00 feet to a point;

thence North  $1^{\circ}30'33''$  East, 30.20 feet to the Principal Place of Beginning and containing 0.0069 acres of land as described on January 6, 1994 by R.M. Kole & Assoc., Inc., Professional Land Surveyors.

CDC NO 923276

FILE # 92-8-113