

RESOLUTION NO. 1995 - 148

AUTHORIZING THE GRANT OF A SUBSURFACE EASEMENT  
TO NORTHEAST OHIO REGIONAL SEWER DISTRICT IN THE  
LANDS OF THE GREATER CLEVELAND REGIONAL TRANSIT  
AUTHORITY IN THE VICINITY OF FAY STREET, CITY OF  
EAST CLEVELAND, OHIO

WHEREAS, Northeast Ohio Regional Sewer District has offered to purchase, on a voluntary basis, a subsurface easement within lands owned by this Authority and located in the vicinity of Fay Street, in East Cleveland, Ohio, for the purpose of constructing a portion of the Heights/Hilltop Interceptor; and

WHEREAS, the appraised fair market value of the requested easement is Four Hundred Dollars (\$400); and

WHEREAS, this Authority desires to enter into a voluntary sale of the requested subsurface easement so as to facilitate the Northeast Ohio Regional Sewer District's need.

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

Section 1: The offer of the Northeast Ohio Regional Sewer District for the acquisition of a subsurface easement in lands owned by the Authority and described at Attachment "A", which attachment is fully incorporated herein by reference and shall be affixed to the official record of this resolution, for a purchase price of \$400 be and the same is hereby accepted.

Section 2: The General Manager be and he is hereby directed to execute on behalf of the Authority all deeds and other documents necessary to effectuate this transaction.

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

Section 4: This action shall be effective immediately upon its adoption by the Board of Trustees.

Adopted: October 17, 1995.

Attachment "A" - Legal Description

Attested: Ronald J. Ide  
General Manager/Secretary-Treasurer

Richard P. Richard  
VICE President

Attachment "A" to Resolution No. 1995 - 148 Authorizing  
a Grant of Easement to Northeast Ohio Regional Sewer  
District in the Vicinity of Fay Street, East Cleveland,  
Ohio

LEGAL DESCRIPTION  
OF  
A PERMANENT SEWER EASEMENT  
IN THE PROPERTY OF  
GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

Situated in the City of East Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 382, forming a subsurface parcel of land lying below a horizontal plane whose elevation is 40 feet below the lowest point of the present surface of the within described lands and above a horizontal plane whose elevation is 60 feet below said point and bounded by vertical planes whose surface projection are described as follows:

Beginning at the intersection of the centerline of Fay Street (43.00 feet wide) with the centerline of Emily Street (varying from 45.00 feet to 55.00 feet wide), thence N 48°-53'-48" W along the centerline of Fay Street a distance of 143.69 feet to a point on the northwesterly right-of-way line of said Fay Street and also being known as the southeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority;

Thence S 41°-06'-12" W along said southeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority a distance of 4.5 feet to a point and the principal place of beginning;

Thence N 52°-39'-25" W a distance of 87.85 feet to a point on the northwesterly line of said land conveyed to the Greater Cleveland Regional Transit Authority;

Thence southwesterly a distance of 20.39 feet along the arc of a curve deflecting to the left whose radius is 5721.65 feet and whose chord bears S 34°-01'-37" W a distance of 20.39 feet to a point on the northwesterly line of said land conveyed to the Greater Cleveland Regional Transit Authority;

Thence S 52°-39'-25" E a distance of 75.65 feet to a point on the southeasterly line of said land;

Thence N 31°-48'-00" E a distance of 2.20 feet along the northwesterly line of Permanent Parcel No. 672-10-065 to a point and the northwest corner of said parcel;

Thence S 48°-53'-48" E a distance of 10.06 feet along the prolongation of the southwesterly right-of-way line of Fay Street to a point;

Thence northeast 41°-06'-12" a distance of 18.50 feet along the southeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority to a point and the principal place of beginning, containing 1714 square feet of land, be the same more or less.