

RESOLUTION NO. 1996 - 163

AUTHORIZING THE GRANT TO THE STATE OF OHIO OF A PERMANENT EASEMENT FOR HIGHWAY PURPOSES IN THE LANDS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY IN THE VICINITY OF CARNEGIE AND ONTARIO AVENUES NEAR I-90 IN THE CITY OF CLEVELAND TO ENABLE THE STATE TO REMEDY A WATER DRAINAGE PROBLEM.

WHEREAS, in 1989 the Greater Cleveland Regional Transit Authority ("Authority") requested the State of Ohio, through the Department of Transportation ("ODOT"), to remedy a water drainage problem which it had created which was adversely affecting GCRTA's transit tracks near Carnegie and Ontario Avenues near I-90, in the City of Cleveland, Ohio; and

WHEREAS, ODOT at the time of such request partly alleviated the problem, and recently has proposed that the Authority grant to the State of Ohio a permanent easement for highway purposes in a GCRTA-owned parcel of land, consisting of a slope in the vicinity of the water drainage problem, in order to allow ODOT to remedy the problem; and

WHEREAS, the fair market value of the parcel in which ODOT proposes GCRTA grant to it a permanent easement is approximately Five Thousand Dollars (\$5,000), based upon the contributory value figure provided by ODOT; and

WHEREAS, this Authority will benefit from the remedying of the water drainage problem, and upon this basis the Authority desires to grant a permanent easement to the State of Ohio in order to facilitate its remedying of the water drainage problem.

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

Section 1: The proposal of the State of Ohio, through the Ohio Department of Transportation, for the Greater Cleveland Regional Transit Authority to grant to it a permanent easement in GCRTA-owned Parcel 2-SL containing 0.113 acres (4,933 sq. ft.) of land, is hereby granted.


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

Section 3: This resolution shall become effective immediately upon

its adoption by the Board of Trustees.


Adopted: November 19, 1996.

Attachments: A - GCRTA letter dated 7-7-89
B - Copy of Right-of-way print
C - Legal description of Parcel
D - Easement for Highway Purposes.



President

Attest:



General Manager/Secretary-Treasurer

REGIONAL TRANSIT AUTHORITY
815 Superior Avenue, N.W.
Cleveland, Ohio 44113
Phone (216) 566-5100



July 7, 1989

Mr. Martin A. Gillito, P.E.
District Deputy Director, District 12
Ohio Department of Transportation
P. O. Box 258003
Garfield Heights, Ohio 44125-8003

Attention: Mr. George Maki, P.E.

Subject: Storm Wash-Out Along the Rapid Transit System

Dear Mr. Maki:

On February 7, 1989, we sent a letter to ODOT, Attention: Fred Amir, regarding drainage problems created by your modifications of drainage system to the east approach of Interstate 90 over the RTA tracks. We indicated that your proposed solution which would lead to conveyance of storm water away from the bridge piers, but foul RTA ballasts, was not acceptable. We directed that you eliminate all surface drainage which could lead to fouling of track ballasts. It was later found that your contractor proceeded with work without further contact with this office.

On May 25 and May 30, 1989, two (2) rain events occurred. The resulting floods very adversely affected the rapid tracks. Run-off water from your recent installations at the east approach fouled the track ballast on the eastbound tracks. Severe washout occurred on the west approach abutments. Water discharged from your drainage installation is primarily responsible for the inundation of RTA access road and ballast contamination in these areas.

You are requested to review these drainage problems and take necessary action to prevent future recurrences.

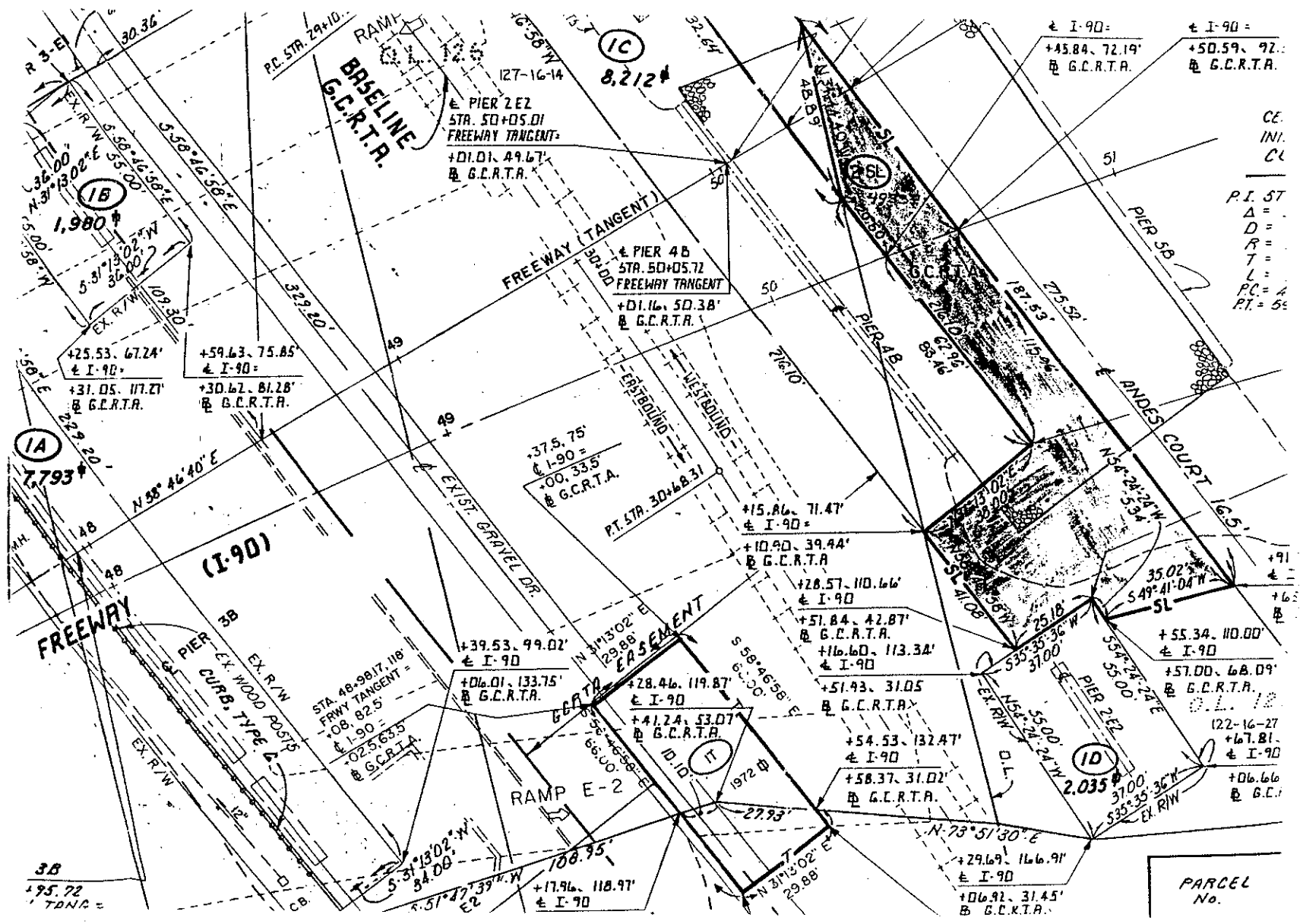
Contact me at 566-5210 if you have any questions regarding this matter.

Very truly yours,

Bestman G. Elee
Bestman G. Elee, P.E.
Supervisor of Construction Management
Construction Management & Engineering

BGE/ec

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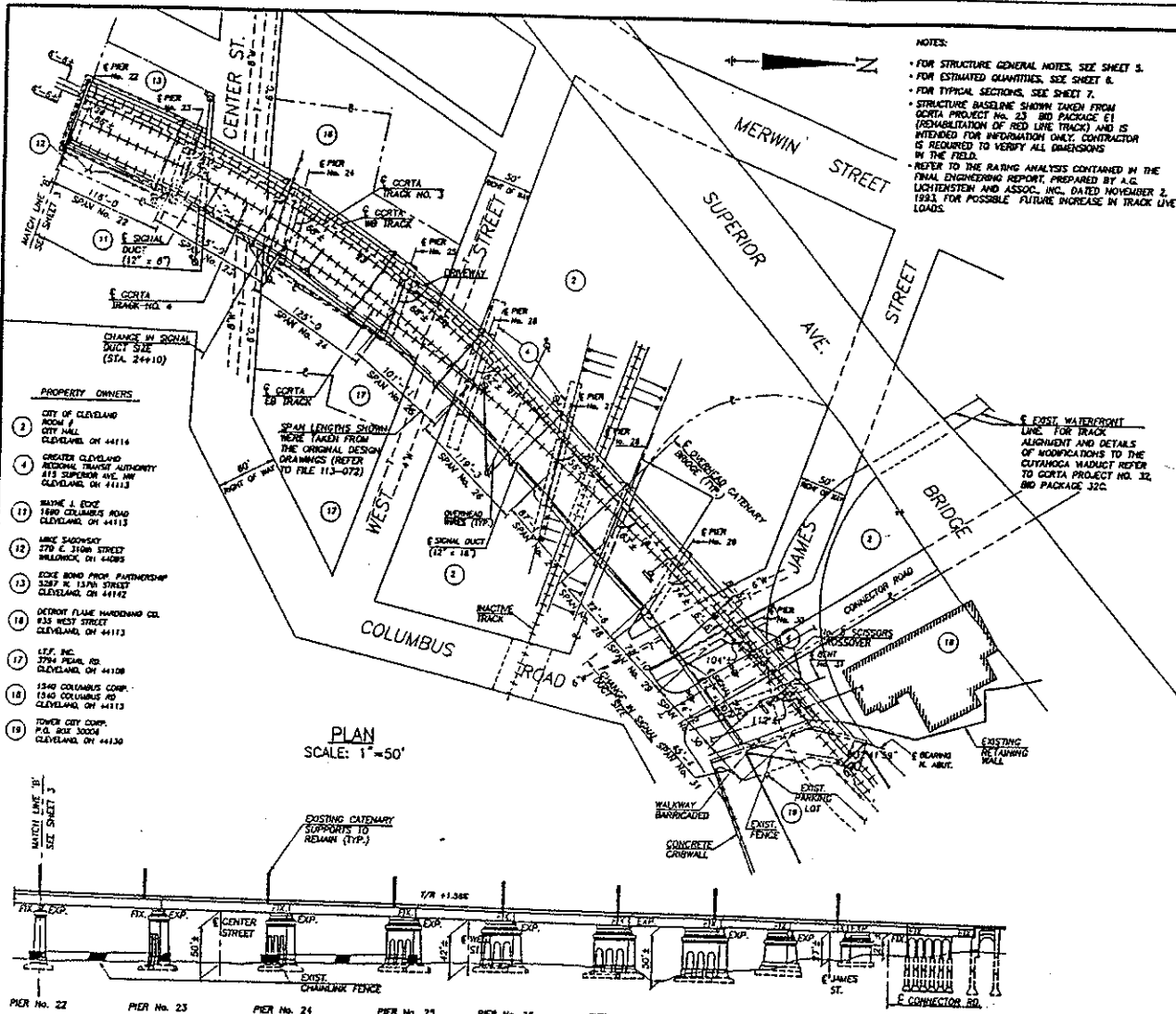
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PARCEL
No.



NOTES:

- FOR STRUCTURE GENERAL NOTES, SEE SHEET 3.
- FOR ESTIMATED QUANTITIES, SEE SHEET 6.
- FOR TYPICAL SECTIONS, SEE SHEET 7.
- STRUCTURE BASELINE SHOWN TAKEN FROM GORTA PROJECT NO. 23 BID PACKAGE E1 (REHABILITATION OF RED LINE TRACK) AND IS INTENDED FOR INFORMATION ONLY. CONTRACTOR IS REQUIRED TO VERIFY ALL DIMENSIONS IN THE FIELD.
- REFER TO THE RAILING ANALYSIS CONTAINED IN THE FINAL ENGINEERING REPORT, PREPARED BY A.G. LICHTENSTEIN AND ASSOC., INC., DATED NOVEMBER 2, 1993, FOR POSSIBLE FUTURE INCREASE IN TRACK LINE LOADS.

EXISTING STRUCTURE

TYPE: THIRTY-ONE SPAN VIADUCT WITH A TOTAL LENGTH OF 3393 FEET. VIADUCT COMPRISED OF 28 SPANS OF RIVETED STEEL MULTI-GIRDERS, ONE SPAN OF RIVETED STEEL DECK TRUSS, ONE SPAN OF RIVETED STEEL TRUSS WITH ALL SPANS SUPPORTING A REINFORCED CONCRETE BALLASTED DECK. DECK WATERPROOFING WITH 5 PLY MEGAMEM & SHALE BRICK PROTECTION. THE STRUCTURE IS SUPPORTED ON REINFORCED CONCRETE PIER BENTS. A CONCRETE UNGRADED STEEL BEAM, A CATHYLEDERED ABUTMENT & A CELLULAR ABUTMENT.

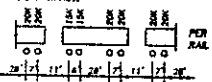
STRUCTURAL STEEL:
 CARBON STEEL. AVERAGE YIELD STRESS 33,000 PSI. FIELD WELDING OF EXISTING STEEL SHALL NOT BE PERMITTED EXCEPT WHERE NOTED.

SPANS: THIRTY-ONE, LENGTH VARIES

SKIEW: VARIES

DESIGN LOADS: TRACTION LOAD (WEST HALF OF STRUCTURE), MULTIPLE UNITS OF 70 TON CARS WITH TRACTION IMPACT.

STEAM LOAD (EAST HALF OF STRUCTURE)
 COOPER E70 WITH STEAM IMPACT.



PROPOSED STRUCTURE

PROPOSED WORK:

1. REMOVE LOOSE DETERIORATED CONCRETE FROM THE UNDERSIDE OF THE DECK AT THE EXPANSION JOINTS AND THE SIDEWAYS, FROM THE PIERS AND ABUTMENTS AND REMOVE THE EXISTING DOWNSPOUT SYSTEM. INSTALL SAFETY NETTING AND DEBRIS SHIELDS AS DIRECTED.
2. REPAIR OR SPALLS OF DELAMINATED SUBSTRUCTURE CONCRETE WITH REINFORCED CONCRETE REPAIR METHODS (EXCLUDING PIERS 4 & 5).
3. REPLACE PORTIONS OF ALL GIRDER EXPANSION BEARINGS THROUGHOUT THE STRUCTURE. REMOVE EXISTING ROLLER NESTS AND INSTALL NEW PIPE BEARINGS. CLEAN AND PAINT FIXED BEARINGS WHERE INDICATED. REPLACE SHEARED OR LOOSE BEARING CONNECTION BOLTS.
4. INSTALL NEW DOWNSPOUT SYSTEM THROUGHOUT THE STRUCTURE.
5. APPLY AN EPOXY SEALANT AND URETHANE TOP COAT TO ALL EXPOSED SURFACES OF THE SUBSTRUCTURE. ONCE REHABILITATION IS COMPLETE (EXCLUDING PIERS 4 & 5).
6. REMOVE THE TIMBER UTILITY DUCTS AND CONDUIT SPLICING CHAMBERS FROM THE STRUCTURE.
7. REPLACE THE CRACKED CONNECTION ANGLES AT PIER 1 WITH NEW STIFFENED ANGLES.
8. DRILL DRAINAGE HOLES IN THE BOTTOM LATERAL BRACING STRUTS OF SPAN 4.
9. STRENGTHEN THE HORIZONTAL STRUTS OF THE CATHYLEDERED SUPPORT BRACKETS. REPLACE EXISTING CATHYLEDERED CONNECTION BOLTS WITH NEW H.S. BOLTS.
10. EPOXY INJECTION OF CRACKED CONCRETE UNITS.
11. CLEAN AND PAINT A PORTION OF THE EXISTING BRIDGE SUPERSTRUCTURE UTILIZING THE ODOT STANDARD OZEU SYSTEM. (ALTERNATE BID 1 OR 2).
12. CAULK AREAS OF IMPACTED RUST GREATER THAN 1/4" WIDE.

SPANS: VARIES (SEE PLAN)
SKIEW: VARIES (SEE PLAN)
LOADING: COOPER E70, FULL IMPACT WITHOUT HAMMER BLOW (EAST HALF)
 COOPER E70, FULL IMPACT WITHOUT HAMMER BLOW (WEST HALF)

- PROPERTY OWNERS**
- 1 CITY OF CLEVELAND
 ROOM 9
 CITY HALL
 CLEVELAND, OH 44116
 - 4 GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
 813 SUPERIOR AVE., NW
 CLEVELAND, OH 44113
 - 11 WAYNE J. EDGE
 1680 COLUMBUS ROAD
 CLEVELAND, OH 44113
 - 12 MIKE SODORSKI
 270 E. 3100 STREET
 WILLOWICK, OH 44095
 - 13 EDGE BOND PROP. PARTNERSHIP
 5207 N. 137th STREET
 CLEVELAND, OH 44132
 - 14 DETROIT FLAME HARDWARE CO.
 835 WEST STREET
 CLEVELAND, OH 44113
 - 17 L.F. INC.
 2794 PEARL RD.
 CLEVELAND, OH 44108
 - 18 1240 COLUMBUS COMP.
 1240 COLUMBUS RD
 CLEVELAND, OH 44113
 - 19 TOWER CITY COMP.
 P.O. BOX 3000
 CLEVELAND, OH 44130

PLAN
 SCALE: 1"=50'

DEVELOPED ELEVATION
 SCALE: 1"=50'

NOTE: BRIDGE RAILING, UTILITY DUCTS, & SPLICING CHAMBERS NOT SHOWN FOR CLARITY.

A.G. LICHTENSTEIN & ASSOC., INC. 5850 SWANALL ROAD, SUITE 400 N.W.C.		ENGINEERING & CONSTRUCTION DIVISION
		GENERAL PLAN & ELEVATION - 3 CUYAHOGA VIADUCT BRIDGE REHABILITATION
SHEET 20 A(1) 4/25		

PARCEL NO. 2SL

Being a parcel of land lying on the left and right sides of the centerline of a survey, made by the Department of Transportation, and recorded in Book _____, Page _____, of the records of Cuyahoga County.

Beginning at a point at the intersection of the centerlines of Broadway (S.R. 14) and Carnegie Avenue;

thence South $58^{\circ} 46' 58''$ East, along the centerline of S.R. 14, a distance of 339.97 feet to a point at Station 52+78.17 on the freeway tangent of Interstate Route 90 (I-90);

thence South $38^{\circ} 46' 40''$ West, along the freeway tangent of I-90, a distance of 233.19 feet to a point at Station 50+44.98 on the freeway tangent, said point being known as the True Place of Beginning for the parcel herein described;

thence South $58^{\circ} 46' 58''$ East, a distance of 164.56 feet to a point;

thence South $49^{\circ} 41' 04''$ West, a distance to 35.02 feet to a point;

thence North $54^{\circ} 24' 24''$ West, a distance of 5.34 feet to a point;

thence South $35^{\circ} 35' 36''$ West, a distance of 25.18 feet to a point;

thence North $58^{\circ} 46' 58''$ West, a distance of 41.08 feet to a point;

thence North $31^{\circ} 13' 02''$ East, a distance of 38.00 feet to a point;

thence North $58^{\circ} 46' 58''$ West, a distance of 83.46 feet to a point;

thence North $34^{\circ} 44' 40''$ West, a distance of 48.89 feet to a point;

thence South $58^{\circ} 46' 58''$ East, a distance of 22.97 feet to the True Place of Beginning.

The above described area is part of auditor's parcel Nos. 122-16-27.

It is understood that the strip of land above described contains 0.113 acres, more or less.

RECORDED C

EASEMENT FOR HIGHWAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

That The Greater Cleveland Regional Transit Authority the Grantor for and in consideration of the sum of One (Donation) Dollars (\$ 1.00) and for other good and valuable considerations to be paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do es hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns, an easement for the construction and maintenance of slopes in, upon and over the lands hereinafter described, until such time as the owner desires to remove said slopes or build thereon, provided, however, in the removal of said slopes the proper preservation of the highway be not impaired, to-wit: situated in Cuyahoga County, Ohio, _____ Township, Section _____, Town _____, Range _____, and bounded and described as follows:

PARCEL NO. 2SL

Being a parcel of land lying on the left and right sides of the centerline of a survey, made by the Department of Transportation, and recorded in Book _____, Page _____, of the records of Cuyahoga County.

Beginning at a point at the intersection of the centerlines of Broadway (S.R. 14) and Carnegie Avenue;

thence South 58° 46' 58" East, along the centerline of S.R. 14, a distance of 339.97 feet to a point at Station 52+78.17 on the freeway tangent of Interstate Route 90 (I-90);

thence South 38° 46' 40" West, along the freeway tangent of I-90, a distance of 233.19 feet to a point at Station 50+44.98 on the freeway tangent, said point being known as the True Place of Beginning for the parcel herein described;

thence South 58° 46' 58" East, a distance of 164.56 feet to a point;

thence South 49° 41' 04" West, a distance to 35.02 feet to a point;

thence North 54° 24' 24" West, a distance of 5.34 feet to a point;

thence South 35° 35' 36" West, a distance of 25.18 feet to a point;

thence North 58° 46' 58" West, a distance of 41.08 feet to a point;

thence North 31° 13' 02" East, a distance of 38.00 feet to a point;

thence North 58° 46' 58" West, a distance of 83.46 feet to a point;

thence North 34° 44' 40" West, a distance of 48.89 feet to a point;

thence South 58° 46' 58" East, a distance of 22.97 feet to the True Place of Beginning.

The above described area is part of auditor's parcel Nos. 122-16-27.

It is understood that the strip of land above described contains 0.113 acres, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Transportation, Columbus, Ohio.

Expert D

ACKNOWLEDGEMENT

(Corporation)

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

And the said Grantor, for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner of said premises, and is lawfully seized on the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, and that it will warrant and defend the same against all claims of all persons whomsoever.

IN WITNESS WHEREOF said The Greater Cleveland Regional Transit Authority has caused its corporate name to be subscribed and its corporate seal to be affixed by its _____ secretary this _____ day of _____ in the the year of our Lord one thousand nine hundred and ninety six

In presence of:

The Greater Cleveland Regional Transit Authority

By :

(SEAL)

STATE OF OHIO, COUNTY _____, ss.

Before me the subscriber, a Notary Public, in and for said county, personally appeared _____ secretary of _____, the corporation which executed the foregoing instrument, who acknowledged that the seal affixed to said instrument is the corporate seal of said corporation; that they did sign and seal said instrument as such _____ president and _____ secretary in behalf of said corporation and by authority of its board of directors; and that said instrument is their free act and deed individually and as such _____ president and _____ secretary and the free and corporate act and deed of said _____

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at _____ this _____ day of _____, 19 _____

Notary Public

My commission expires _____, 19 _____

This instrument prepared by Department of Transportation for the State of Ohio, Department of Transportation.

<p>EASEMENT FOR HIGHWAY PURPOSES FROM</p> <p><u>The Greater Cleveland Regional Transit Authority</u></p> <p>Address <u>615 Superior Avenue, N.W. Cleveland, Ohio 44113</u></p>	<p>TO THE STATE OF OHIO</p> <p>S.R. <u>90</u> County <u>CUY</u></p> <p>Section <u>15.99</u></p> <p>Parcel No. <u>2-SL</u></p>	<p>_____, 19 _____</p> <p>Auditor _____</p> <p>Received _____, 19 _____</p> <p>At _____ o'clock _____ M.</p> <p>Recorded _____, 19 _____</p> <p>In _____ County _____</p> <p>Record of Deeds, Vol. _____ Page _____</p> <p>Recorder's Fee \$ _____</p>	<p>Northeast Region Real Estate 3090 W. Market Street, Suite 205 Fairlawn, Ohio 44333</p>
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