

RESOLUTION NO. 1997 -151

DECLARING THE INTENT OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO APPROPRIATE THE FEE SIMPLE INTEREST FREE AND CLEAR OF ALL LEASEHOLDS, RESERVATIONS, EASEMENTS AND ENCUMBRANCES, OF THE LAND COMMONLY KNOWN AS 14201 Euclid Avenue, CLEVELAND, OHIO, BEARING CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBER 672-12-017.

WHEREAS, it is necessary and proper to acquire the land located at 14201 Euclid Avenue, East Cleveland, Ohio, bearing permanent parcel number 672-12-017 owner was Kenneth Blumel and Shirley Crease, now deceased, for the purpose of constructing a transit facility and amenities thereto.

WHEREAS, the Greater Cleveland Regional Transit Authority (the "Authority") and the owner of the fee have been unable to reach an agreement concerning the purchase of said land by the Authority, it will therefore be necessary to commence legal proceedings to appropriate said land by eminent domain pursuant to Ohio Revised Code Chapters 306 and 163.

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

Section 1: That this Board finds that the construction of the transit facility requires the taking of 14201 Euclid Avenue, East Cleveland, Ohio, and that the taking of this property owned by Kenneth Blumel and Shirley Crease is both necessary and proper, and will further the objectives of the Authority.

Section 2: That this Board finds that in order to implement and complete the construction and development of the transit facilities, it is necessary and proper to acquire of the land located at 14201 Euclid Avenue, East Cleveland, Ohio, bearing Cuyahoga County Auditor's Permanent Parcel Number 672-12-017 free of all interests, reservations, easements, leaseholds and encumbrances, as set forth on the attached legal description and a drawing depicting the parcel owned by Kenneth Blumel and Shirley Crease, which are incorporated herein by reference.

The parcel shall hereinafter be referred to as the "Property."

Section 3: That this Board finds that the value of the Property, free of all interests, reservations, easements, leaseholds and encumbrances, is eighty-nine thousand dollars (\$89,000.00).

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Section 4: That this Board finds that the Authority and the owners have been unable to reach an agreement concerning the purchase and sale of the Property.

Section 5: That this Board hereby deems it necessary and proper and declares its intent to appropriate the Property for the purposes of constructing a transit facility and amenities thereto.

Section 6: That this Board hereby authorizes the General Manager to cause written notice of the adoption of this Resolution to be transmitted to the owner or owners, persons in possession of and persons having an interest of record in the Property, and said notice shall be served by the appropriate legal officer of the Authority, and he shall make return of said service of notice in the manner provided by law.

Section 7: That this Board hereby authorizes and directs the General Manager to institute legal proceedings to appropriate the Property in the manner provided in Ohio Revised Code Chapters 306 and 163, and authorizes payment of the value herein determined from Capital Grant OH-03-0150.

Section 8: That this Resolution shall become effective immediately upon its adoption.

Attachments: A. Legal Description
B. Drawing depicting taking

Adopted: August 19, 1997



President

Attest:



General Manager and Secretary/Treasurer

EXHIBIT A

LEGAL DESCRIPTION

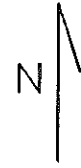
File Number 131876

Situated in the City of East Cleveland, County of Cuyahoga and State of Ohio: and known as being the Westerly 5 feet from front to rear of Sublot No. 1 and all of Sub Lots Nos. 2 and 3 in W. J. Crawford's Allotment of part of Original Euclid Township Lot No. 5 and Original One Hundred Acre Lot No. 382, as shown by the recorded plat in Volume 23 of Maps, Page 20 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows: Beginning on the Northwestern line of Euclid Avenue, at its point of intersection with the Northeasterly line of Amherst Street (formerly Andrews Street); thence Northwesternly along the Northeasterly line of Amherst Street, 135 feet to the most Westerly corner of Sub Lot No. 3; thence Northeasterly along the Northeasterly line of said Sub Lot No. 3, 93 feet to the most Northerly corner thereof; thence Southeasterly along the Northeasterly line of Sub Lot No. 3, 29.83 feet to the most Easterly corner thereof; thence Southwesterly along the Southeasterly line of Sub Lot No. 3, 45 feet to a point distant 5 feet Northeasterly from the most Westerly corner of said Sub Lot No. 1; thence Southeasterly about 100.47 feet to a point in the Northwestern line of Euclid Avenue, distant Northeasterly 5 feet from the most Southerly corner of Sub Lot No. 1; thence Southwesterly along the Northwestern line of Euclid Avenue, 48.25 feet to the place of beginning, as appears by said plat.

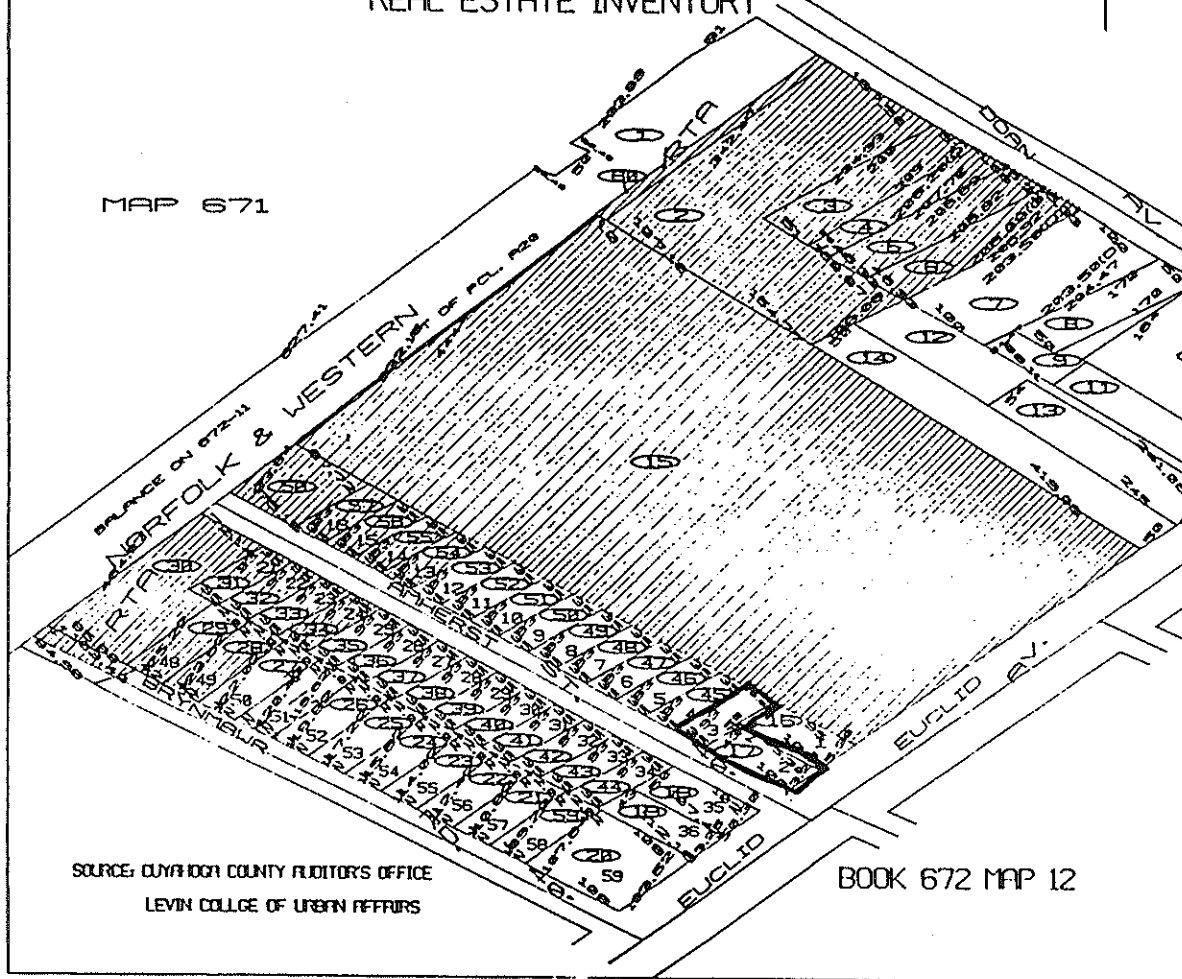
END OF LEGAL DESCRIPTION

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

REAL ESTATE INVENTORY



MAP 671



SOURCE: CUYAHOGA COUNTY AUDITORS OFFICE
LEVIN COLLEGE OF URBAN AFFAIRS

BOOK 672 MAP 12

ATTACHMENT B



PROPERTY TO BE TAKEN