

RESOLUTION 2002- 116

AUTHORIZING THE REIMBURSEMENT TO THE CITY OF NORTH OLMSTED FOR THE ACQUISITION OF PROPERTIES BEARING CUYAHOGA COUNTY AUDITORS PERMANENT PARCEL NUMBERS 236-12-004 AND 236-11-017 (PART) LOCATED ALONG GREAT NORTHERN BOULEVARD AND I-480 IN NORTH OLMSTED, OHIO FOR THE FAIR MARKET VALUE AND ALL RELATED FEES FOR A TOTAL SUM NOT TO EXCEED \$287,000.00 BY THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY FOR A LEGAL INTEREST IN THE ROADWAY PROPERTIES FOR THE NORTH OLMSTED PARK-N-RIDE AS PROVIDED FOR IN AN AGREEMENT DATED APRIL 16, 2002 AUTHORIZED BY RESOLUTION NUMBER 2002-75 AND PAYABLE FROM THE RTA DEVELOPMENT FUND - PROJECT DEVELOPMENT AND ENGINEERING DEPARTMENT BUDGET.

WHEREAS, the Greater Cleveland Regional Transit Authority (Authority) and the City of North Olmsted (City) entered into a Public Transportation Operating Agreement approved by the RTA Board of Trustees on November 23, 1999, which at Section 42 outlines cooperation between RTA and the City for the development of the Park-n-Ride in North Olmsted; and

WHEREAS, plans for Authority's Park-n-Ride in the City of North Olmsted were approved by North Olmsted's Planning Commission and the City Council in March 2002; and

WHEREAS, the Authority's plans include a roadway into the Park-n-Ride, the acquisition of property for the roadway and the construction of the roadway; and

WHEREAS, the Authority's and the City have further defined their responsibilities in the development of the Park-n-Ride through an agreement that was approved by the Authority's Board of Trustees on April 16, 2002 under resolution # 2002-75 for the acquisition of properties and the construction of a roadway; and

WHEREAS, The City would appropriate the Fee Simple interests in Permanent Parcel Numbers 236-12-004 and 236-11-017(part) for use as a public roadway under the terms of the agreement dated April 16, 2002. The Public roadway will service the Authority's North Olmsted Park-n-Ride facility. The Authority would reimburse the City at the Fair Market value plus all related costs of the properties pursuant to the agreement at a total sum not to exceed \$287,000.00. The cost is comprised of the Probate court settlements for the two parcels of \$72,000.00 for Great Northern Properties property a.k.a. Biskind 236-11-017 (part) and \$190,000.00 for the North Olmsted Friends Evangelical Church property 236-12-004 plus related court costs to be determined by the court but are estimated at a cost not to exceed \$25,000.00.

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

Section 1. That this reimbursement is necessary to complete the activities required for the development of the North Olmsted Park-n-Ride as defined in the agreement between the Authority and the City in which the City will be reimbursed for Fair Market value plus all related costs incurred for the roadway properties as a result of the North Olmsted Park-n-Ride project.

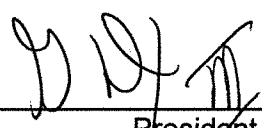
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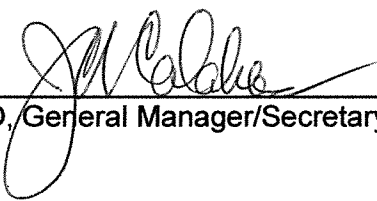
Section 2. That the General Manager / Secretary-Treasurer is hereby authorized to reimburse the City of North Olmsted under terms and conditions of the agreement as authorized by Resolution NO. 2002-75 approved by the Board of Trustees on April 16, 2002 for property interests in properties bearing Cuyahoga County Auditor's Permanent Parcel numbers 236-12-004 AND 236-11-017(part) at a total sum not to exceed \$287,000.00 payable from the RTA Development Fund, Project Development and Engineering department budget, including but not limited to 100% local funds.

Section 3. That this resolution shall become effective immediately upon its adoption.

Attachments: None

Adopted: June 18, 2002

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> AUTHORIZING THE REIMBURSEMENT TO THE CITY OF NORTH OLMSTED FOR THE ACQUISITION OF PROPERTIES BEARING CUYAHOGA COUNTY AUDITORS PERMANENT PARCEL NUMBERS 236-12-004 AND 236-11-017 (PART) LOCATED ALONG GREAT NORTHERN BOULEVARD AND I-480 IN NORTH OLMSTED, OHIO FOR THE FAIR MARKET VALUE AND ALL RELATED FEES FOR A TOTAL SUM NOT TO EXCEED \$287,000.00 BY THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY FOR A LEGAL INTEREST IN THE ROADWAY PROPERTIES FOR THE NORTH OLMSTED PARK-N-RIDE AS PROVIDED FOR IN AN AGREEMENT DATED APRIL 16, 2002 AUTHORIZED BY RESOLUTION NO. 2002-75 AND PAYABLE FROM THE RTA DEVELOPMENT FUND - PROJECT DEVELOPMENT AND ENGINEERING DEPARTMENT BUDGET.	Resolution No.: 2002- 116
	Date: June 18, 2002
	Initiator: Property Management

**ACTION REQUEST:**  
 XX Approval  Review/Comment  Information Only  Other \_\_\_\_\_

**1.0 PURPOSE/SCOPE:** The Greater Cleveland Regional Transit Authority (Authority) has a transit related need to acquire legal interests in the real properties owned by The City of North Olmsted (City) and bearing the Cuyahoga County Auditor's Permanent Parcel Numbers 236-12-004 and 236-11-017(part) located along Great Northern Boulevard and I-480 in North Olmsted, Ohio ("Property") for a roadway into the North Olmsted Park-n-Ride. Pursuant to the agreement terms and conditions, the Authority will reimburse the City for the Fair market value and related costs for the properties as described in the agreement dated April 16, 2002 between the Authority and the City.

**2.0 DESCRIPTION/JUSTIFICATION:** A partnership was created between the Authority and the City through the Public Transportation Operating Agreement approved by the Board of Trustees on November 17, 2000, which at Section 42 outlines the cooperation between the Authority and the City for the development of the Park-n-Ride and by an agreement that defined the responsibilities of both parties and the reimbursement to the City as approved by the Board of Trustees on April 16, 2002. The City would appropriate the Fee Simple interests in Permanent Parcel Numbers 236-12-004 and 236-11-017(part) for use as a public roadway under the terms of the agreement dated April 16, 2002. The Public roadway will service the Authority's North Olmsted Park-n-Ride facility. The Authority would reimburse the City at the Fair Market value plus all related costs of the properties pursuant to the agreement at a total sum not to exceed \$287,000.00. The cost is comprised of the Probate court settlements for the two parcels of \$72,000.00 for Great Northern Properties property a.k.a. Biskind 236-11-017 (part) and \$190,000.00 for the North Olmsted Friends Evangelical Church property 236-12-004 plus related court costs to be determined by the court but are estimated at a cost not to exceed \$25,000.00.

**3.0 PROCUREMENT BACKGROUND:** Not applicable

**4.0 DBE / AFFIRMATIVE ACTION BACKGROUND:** Not Applicable

**5.0 POLICY IMPACT:** This action is consistent with the recently adopted Real Estate Policy approved by the Board of Trustees under Resolution No. 2002-98 on May 21, 2002.

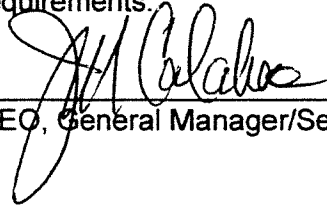
6.0 ECONOMIC IMPACT: It is necessary, critical, and proper to hereby authorize the reimbursement for the properties at Fair market value plus all related Probate court costs not to exceed \$287,000.00 which sums shall be payable out of the RTA Development Fund, Project Development and Engineering Department budget, including but not limited to 100% local funds.

7.0 ALTERNATIVES: There are two options. The first is to "do-nothing" and this would cause the Park-n-Ride project to cease due to the lack of an entrance roadway. The Authority would most likely lose the majority of its ridership in the area because its leased Park-n-Ride space expires in October of 2002 without a renewal possibility. The second and best alternative is to authorize the General Manager / Secretary Treasurer to reimburse the City of North Olmsted for the roadway property interests.

8.0 RECOMMENDATION: It is recommended that the Board of Trustees authorize the General Manager / Secretary Treasurer to reimburse the City of North Olmsted.

9.0 ATTACHMENTS: Resolution No. 2002-75

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Real estate acquisition requirements.



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CEO, General Manager/Secretary-Treasurer

RESOLUTION 2002-75

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AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO AN AGREEMENT WITH THE CITY OF NORTH OLMSTED FOR ACQUISITION OF PROPERTIES AND THE CONSTRUCTION OF A ROADWAY REQUIRED FOR THE DEVELOPMENT OF THE NORTH OLMSTED PARK-N-RIDE. RTA DEVELOPMENT FUND – PROJECT DEVELOPMENT AND ENGINEERING DEPARTMENT BUDGET.

WHEREAS, plans for a Greater Cleveland Regional Transit Authority (RTA) Park-n-Ride in the City of North Olmsted (City) were approved by North Olmsted Planning Commission and the City Council in March 2002; and

WHEREAS, those plans include a roadway into the Park-n-Ride for which properties must be acquired and a roadway must be constructed; and

WHEREAS, RTA and the City entered into a Public Transportation Operating Agreement (Agreement) approved by the RTA Board of Trustees on November 23, 1999 which at Section 42 outlines cooperation between RTA and the City for the development of the Park-n-Ride in North Olmsted; and

WHEREAS, there is a need to further define the cooperation between the City and RTA concerning acquisition of properties and construction of a roadway to the Park-n-Ride on those properties; and

WHEREAS, the City's Council authorized the use of legal action to proceed with acquisition of the properties bearing the Cuyahoga County Permanent Parcel Numbers 236-11-017 and 236-12-004 ("Property") in December 2001; and

WHEREAS, pursuant to Resolutions 2002-73 and 2002-74, the RTA Board of Trustees has declared its intent to acquire portions of said Property by eminent domain; and

WHEREAS, the City is amenable to granting to RTA an interest in said Property, as required for the Park-n-Ride in the event that the City appropriates said Property prior to action by RTA to acquire them; and

WHEREAS, an Agreement is needed to cover the further definition of cooperation, the appropriation of said Property by the City, the transfer of an interest in said Property by the City to RTA, and the payment by RTA to the City for the interests; and

WHEREAS, the City's Council is scheduled to act on this Agreement on April 16, 2002.

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

Section 1. That the General Manager/Secretary-Treasurer is hereby authorized to execute, on behalf of the RTA, the Agreement with the City concerning further

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definition of cooperation, the appropriation of said Property by the City, the transfer of an interest in the said Property by the City to RTA, the payment by RTA to the City for the interests, the acquisition of the said Property and construction of a roadway.

Section 2. That the General Manager/Secretary-Treasurer is hereby authorized to execute, deliver and perform all such further agreements, instruments, and documents and acts in the name of and on behalf of the RTA as required to carry out the intent and purposes of this resolution.

Section 3. That this Agreement is necessary to complete the activities required for the development of the North Olmsted Park-n-Ride. It clarifies the roles and responsibilities of both RTA and the City of North Olmsted and also provides a mechanism through which the City can be compensated for costs incurred as a result of the project.

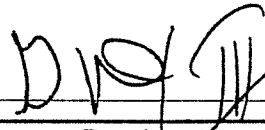
Section 4. That the RTA hereby approves and adopts the Agreement on April 16, 2002, which is attached hereto and fully incorporated as if written herein.

Section 5. That the RTA will acquire an interest in properties by paying the City an amount not to exceed the sum of all costs and fees associated with the City's acquisition of the properties, which will be payable from the RTA Development Fund, Project Development and Engineering Department budget - 100% local funds.

Section 6. That this resolution shall become effective immediately upon its adoption.

Attachments: Agreement dated April , 2002.

Adopted: April 16, 2002

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer