

RESOLUTION NO. 2006-30

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO A PURCHASE AGREEMENT TO PURCHASE PERMANENT AND TEMPORARY EASEMENTS FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCELS, DECLARING THE NECESSITY THEREFORE FOR THE PURPOSE OF MAKING AND REPAIRING ROADS THAT SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE, AND DECLARING THE VALUE OF THESE PARCELS ACQUIRED, FOR A TOTAL PURCHASE PRICE OF \$30,650.00 (RTA DEVELOPMENT FUND - EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires property acquisition for the purpose of making and repairing roads to better improve public transportation in Cleveland and the acquisition of right-of-way in conjunction therewith; and

WHEREAS, the Greater Cleveland Regional Transit Authority plans to construct the Euclid Corridor Transportation Project – bid package C-04 on a portion of this site and therefore must acquire permanent and temporary easements from the following parcels: A.) Parcel 223 located at 8129 Euclid Avenue, B.) Parcel 241 located at 8614 Euclid Avenue, C.) Parcel 292 located at 11601 Euclid Avenue and D.) Parcel 317 located at 12316 Euclid Avenue; and

WHEREAS, A.) August L. Fluker, Jr. and Jennifer E. Coleman are the owners of Parcel 223, B.) The Parish of the Church of the Transfiguration is the owner of Parcel 241, C.) Maximum Independent Living is the owner of Parcel 292 and D.) The Lakeview Cemetery Association is the owner of Parcel 317, as identified above and are willing to sell permanent and temporary easements to the Greater Cleveland Regional Transit Authority; and

WHEREAS, the purchase price is based upon the fair market value of the property as determined by the property appraisal reports. A Review Appraiser approved the Fair Market Value Estimate in the appraisal reports; and

WHEREAS, the Greater Cleveland Regional Transit Authority wishes to enter into a Purchase Agreement for the purchase of permanent and temporary easements with each of the following: A.) August L. Fluker, Jr. and Jennifer E. Coleman in the amount of \$3,050.00, B.) The Parish of the Church of the Transfiguration in the amount of \$19,550.00, C.) Maximum Independent Living in the amount of \$3,125.00 and D.) The Lakeview Cemetery Association in the amount of \$4,925.00.

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 a Purchase Agreement for permanent and temporary easements for these properties and all other documents required to acquire and transfer this real estate.

Section 2. That the Total Purchase Price of \$30,650.00 is based upon the fair market value of this property as determined by the property appraisal reports, as approved by a Review Appraiser, and is within the settlement authority approved by the Federal Transit Administration.

Section 3. That the Purchase Price is payable from the RTA Development Fund, Euclid Corridor Transportation Project Department Budget, including but not limited to Capital Grant OH-03-0247 in the amount of \$19,156.26 and Capital Grant OH-90-X484-01 in the amount of \$11,493.74 for a total amount of \$30,650.00 (\$24,520 in Federal funds which represents 80% of the total cost.). Federal funds under Capital Grant OH-90-X484-01 are made available through the Ohio Department of Transportation.

Section 4. That the execution of a purchase agreement and acquisition of permanent and temporary easements from these owners are necessary to carry out the Euclid Corridor Transportation Project.

Section 5. That this resolution shall become effective immediately upon its adoption.

Attachment: Maps and legal descriptions (Attachment A-D)
Property Interest spreadsheet (Attachment E)

Adopted: _____, 2006

President

Attest: _____
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

<p>AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO A PURCHASE AGREEMENT TO PURCHASE A PERMANENT AND TEMPORARY EASEMENT FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCEL, DECLARING THE NECESSITY THEREFORE FOR THE PURPOSE OF MAKING AND REPAIRING ROADS THAT SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE, AND DECLARING THE VALUE OF THIS PARCEL ACQUIRED, FOR A TOTAL PURCHASE PRICE OF \$27,500.00 (RTA DEVELOPMENT FUND - EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)</p>	<p>Resolution No.: 2006-30</p>
	<p>Date: February 16, 2006</p>
	<p>Initiator: Euclid Corridor Transportation Project</p>
<p>ACTION REQUEST: <input type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____</p>	

- 1.0 PURPOSE/SCOPE: The purpose of entering into this Purchase Agreement is to provide a legal right to acquire and transfer a permanent and temporary easement from this property to construct the Euclid Corridor Transportation Project – bid package C-02.
- 2.0 DESCRIPTION/JUSTIFICATION: This property is vital for right-of-way needed for the second phase of construction of the Euclid Corridor Transportation Project. This site must be acquired for the purpose of making and repairing roads to better improve public transportation in Cleveland and the acquisition of right-of-way in conjunction therewith. Construction is anticipated to commence in the second quarter of 2006.
- 3.0 PROCUREMENT BACKGROUND: Does Not Apply.
- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: Does Not Apply.
- 5.0 POLICY IMPACT: This is consistent with GCRTA's Real Estate Policy, which states that the Board must approve all acquisitions of a permanent easement with a value in excess of \$2,500.00, and a temporary easement with a value in excess of \$25,000.00. It also complies with the ECTP Real Estate Acquisition Policy Manual (RAMP) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
- 6.0 ECONOMIC IMPACT: The purchase price is payable from the RTA Development Fund, Euclid Corridor Transportation Project Department Budget, including but not limited to Capital Grant OH-03-0247 in the amount of \$17,187.50, line item 13.75.91 and Capital Grant OH-90-X484-01 in the amount of \$10,312.50, line item 13.75.91 for a total amount of \$27,500.00 (\$22,000 in Federal funds which represents 80% of the total cost). Federal funds under Capital Grant OH-90-X484-01 are made available through the Ohio Department of Transportation. The purchase price is based upon the fair market value of this property as determined by the property appraisal report. A Review Appraiser approved the Fair Market Value Estimate in the appraisal report. The Federal Transit Administration approved the Greater Cleveland Regional Transit Authority's settlement authority, within which the purchase price falls.

- 7.0 ALTERNATIVES: There are no viable alternatives to purchasing this property. The right-of-way needs for the project require the acquisition of the permanent and temporary easement on this property.
- 8.0 RECOMMENDATION: The Planning and Development Committee reviewed this property acquisition at the February 7, 2006 meeting. Staff recommends that the resolution be approved to authorize the purchase of this property.
- 9.0 ATTACHMENTS: Purchase Agreement (Attachments A)

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

CEO, General Manager/Secretary-Treasurer