

RESOLUTION NO. 2006-50

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO A PURCHASE AGREEMENT TO ACQUIRE ALL OR A PORTION OF CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBERS 103-02-068 AND 103-02-010 IN FEE SIMPLE AND TO ACQUIRE A TEMPORARY EASEMENT ON A PORTION OF CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBERS 103-02-010, 103-02-011, and 103-02-012, WHICH ARE LOCATED AT 1601 BROWNELL COURT IN CLEVELAND, OHIO, FOR \$1,566,089.00 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT, PARCEL 78 (RTA DEVELOPMENT FUND – EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET.)

WHEREAS, the Greater Cleveland Regional Transit Authority requires property acquisition for roadway purposes and to better improve public transportation in Cleveland; and

WHEREAS, Victory Properties, Inc., an Ohio Corporation is the owner of Parcel 78 identified above and wishes to sell this property to the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Greater Cleveland Regional Transit Authority plans to construct the Euclid Corridor Transportation Project on a portion of this site; and

WHEREAS, the Greater Cleveland Regional Transit Authority wishes to enter into a Purchase Agreement for Parcel 78 with Victory Properties, Inc., an Ohio Corporation in the amount of One Million Five Hundred Sixty Six Thousand and Eighty Nine Dollars (\$1,566,089.00).

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 this property and all other documents required to acquire and transfer this real estate.

Section 2. That the total Purchase Price of \$1,566,089.00 is based upon the fair market value of the property as determined by the property appraisal report, 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 \$978,805.62 and Capital Grant OH-90-X484-01 in the amount of \$587,283.38 for a total amount of \$1,566,089.00 (\$1,252,871.20 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 the property is necessary to carry out the Euclid Corridor Transportation Project.

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

Attachments: Map and Legal Description (Attachment A)  
Property Interest spreadsheet (Attachment B)

Adopted: March 21, 2006

\_\_\_\_\_  
President

Attest: \_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<p><b>TITLE/DESCRIPTION:</b> AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO A PURCHASE AGREEMENT TO ACQUIRE ALL OR A PORTION OF CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBERS 103-02-068 AND 103-02-010 IN FEE SIMPLE AND TO ACQUIRE A TEMPORARY EASEMENT ON A PORTION OF CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBERS 103-02-010, 103-02-011, AND 103-02-012, WHICH ARE LOCATED AT 1601 BROWNELL COURT IN CLEVELAND, OHIO, FOR \$1,566,089.00 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT, PARCEL 78 (RTA DEVELOPMENT FUND – EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET.)</p>	<p>Resolution No.: 2006-50</p>
	<p>Date: March 16, 2006</p>
	<p>Initiator: Euclid Corridor Transportation Project</p>
<p><b>ACTION REQUEST:</b>  <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 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. This property is needed to construct the E.17th extension. Construction is anticipated to commence in 2nd Quarter 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 fee simple acquisitions. 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 \$978,805.62 line item 13.75.91 and Capital Grant OH-90-X484-01 in the amount of \$587,283.38, line item 13.75.91 for a total amount of \$1,566,089.00 (\$1,252,871.20 in Federal funds which represent 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 the 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. The Federal Transit Authority approved the appraised value of this property pursuant to the FTA Concurrence requirements for the ECTP project.

- 7.0 ALTERNATIVES: There are no viable alternatives to purchasing this property. The right-of-way needs for the project require the acquisition of this property.
- 8.0 RECOMMENDATION: This property acquisition was reviewed by the Board of Trustees Planning and Development Committee at their March 14, 2006 meeting. Staff recommends that the Board of Trustees approve the resolution to authorize the purchase of property.
- 9.0 ATTACHMENT: Purchase Agreement

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

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CEO, General Manager/Secretary-Treasurer