

RESOLUTION NO. 2006-70

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO A PURCHASE AGREEMENTS TO PURCHASE PERMANENT AND TEMPORARY EASEMENTS FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCELS, DECLARING THE NECESSITY THEREFOR 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 \$117,150.00 (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 224 located at Euclid Avenue between E. 82<sup>nd</sup> and E.83rd, B.) Parcel 225 located at 8104 Euclid Avenue, C.) Parcel 227 located at 8200 Euclid Avenue, D.) Parcel 228 located at 8200 Euclid Avenue, E.) Parcel 230 located at Euclid Avenue between E. 83<sup>rd</sup> and E. 84<sup>th</sup> and F.) Parcel 238 located at 8913 Euclid Avenue; and

WHEREAS, A.) Beacon Place at Church Square Homeowner's Association, Inc. is the owner of Parcel 224, B.) Triple R. Associates is the owner of Parcel 225, C.) Liberty Hill Baptist Church is the owner of Parcel 227, D.) Liberty Hill Baptist is the owner of Parcel 228, E.) Beacon Place at Church Square Homeowner's Association, Inc is the owner of Parcel 230 and F.) The Euclid Avenue Church of God of Cleveland is the owner of Parcel 238, 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.) Beacon Place at Church Square Homeowner's Association, Inc. in the amount of \$15,450.00, B.) Triple R. Associates in the amount of \$16,600.00, C.) Liberty Hill Baptist Church in the amount of \$12,050.00, D.) Liberty Hill Baptist Church in the amount of \$29,000.00, E.) Beacon Place at Church Square Homeowner's Association, Inc in the amount of \$29,500.00 and F.) The Euclid Avenue Church of God of Cleveland in the amount of \$14,550.00.

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 \$117,150.00 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 \$73,218.75 and Capital Grant OH-90-X484-01 in the amount of \$43,931.25 for a total amount of \$117,150.00 (\$93,720.00 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-F)  
Property Interest spreadsheet (Attachment G)

Adopted: April 18, 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 AGREEMENTS TO PURCHASE PERMANENT AND TEMPORARY EASEMENTS FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCELS, DECLARING THE NECESSITY THEREFOR 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 \$117,150.00 (RTA DEVELOPMENT FUND – EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET).</p>	<p>Resolution No.: 2006-70</p>
	<p>Date: April 13, 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 these Purchase Agreements is to provide a legal right to acquire and transfer permanent and temporary easements from these properties to construct the Euclid Corridor Transportation Project – bid package C-04.
- 2.0 **DESCRIPTION/JUSTIFICATION:** These properties are vital for right-of-way needed for the third phase of construction of the Euclid Corridor Transportation Project. These sites 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 third 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 acquisition of permanent easements with a value in excess of \$2,500.00. 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 line item 13.75.91 in the amount of \$73,218.75 and Capital Grant OH-90-X484-01 line item 13.75.91 in the amount of \$43,931.25 for a total amount of \$117,150.00 (\$93,720.00 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 these properties as determined by the property appraisal reports. A Review Appraiser approved the Fair Market Value Estimate in the appraisal reports. The Federal Transit Administration approved the Greater Cleveland Regional Transit Authority’s settlement authority, within which each purchase price falls.

- 7.0 ALTERNATIVES: There are no viable alternatives to purchasing these properties. The right-of-way needs for the project require the acquisition of the permanent and temporary easements on these properties.
- 8.0 RECOMMENDATION: The Board of Trustees Planning and Development Committee reviewed these property acquisitions at the April 4, 2006 meeting and recommended approval by the Board of Trustees. Staff recommends that the Board of Trustees approve the resolution to authorize the purchase of these properties.
- 9.0 ATTACHMENTS: Purchase Agreements (Attachment A-F).

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