

RESOLUTION NO. 2006-115

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO PURCHASE A PERMANENT EASEMENT FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCEL, 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 THIS PARCEL ACQUIRED, FOR A TOTAL PURCHASE PRICE OF \$15,936.00 (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-03 on a portion of this site and therefore must acquire a permanent easement from Parcel 162 located at Euclid Avenue and East 55th Street; and

WHEREAS, Pennsylvania Lines LLC, a Delaware Limited Liability Company is the owner of Parcel 162, as identified above and is willing to sell a permanent easement 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 report. A Review Appraiser approved the Fair Market Value Estimate in the appraisal report; and

WHEREAS, the Greater Cleveland Regional Transit Authority wishes to purchase of a permanent easement with Pennsylvania Lines LLC, a Delaware Limited Liability Company in the amount of \$15,936.00.

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 the necessary documents to purchase and transfer a permanent easement for this property.

Section 2. That the Total Purchase Price of \$15,936.00 is based upon the fair market value of this 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 \$9,960.00 and Capital Grant OH-90-X484-01 in the amount of \$5,976.00 for a total amount of \$15,936.00 (\$12,748.80 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 documents and acquisition of a permanent easement from this owner is necessary to carry out the Euclid Corridor Transportation Project.

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

Attachment: Map and legal description (Attachment A)
Property Interest spreadsheet (Attachment B)

Adopted: June 20, 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 PURCHASE A PERMANENT EASEMENT FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT IN THE HEREINAFTER-DESCRIBED PARCEL, 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 THIS PARCEL ACQUIRED, FOR A TOTAL PURCHASE PRICE OF \$15,936.00 (RTA DEVELOPMENT FUND-EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET).</p>	<p>Resolution No.: 2006-115</p>
	<p>Date: June 15, 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 agreement with the owner is to provide a legal right to acquire and transfer a permanent easement from this property to construct the Euclid Corridor Transportation Project – bid package C-03.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This property is vital for right-of-way needed for the first 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 commenced in the first quarter of 2006. Note that the property owner will not execute a purchase agreement with GCRTA, but will sell the property at the purchase price.
- 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 \$9,960.00 and Capital Grant OH-90-X484-01 line item 13.75.91 in the amount of \$5,976.00 for a total amount of \$15,936.00 (\$12,748.80 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 each purchase price falls.

- 7.0 ALTERNATIVES: There is no viable alternative to purchasing this property. The right-of-way needs for the project require the acquisition of the permanent easement on this property.
- 8.0 RECOMMENDATION: The Board of Trustees Planning and Development Committee reviewed this property acquisition at the June 6, 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 this property.
- 9.0 ATTACHMENT: Certificate of Incumbency showing purchase price and executed permanent easement (Attachment A).

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

CEO, General Manager/Secretary-Treasurer