

RESOLUTION NO. 2006-192

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO 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 \$189,630.00 (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 260 located at 10553-10601 Euclid Avenue, B.) Parcel 286 located at 1984 Ford Drive, C.) Parcel 288 located at South side of Euclid Avenue at East 115th Street, D.) Parcel 298 located at East 117th Street and Euclid Avenue, E.) Parcel 301 located at 11702 Euclid Avenue, F.) Parcel 303 located at East 118th Street and Euclid Avenue, G.) Parcel 305 located at South side of Euclid Avenue at East 118th Street and H.) Parcel 315 located at 12000 Euclid Avenue; and

WHEREAS, A.) University Circle Incorporated is the owner of Parcel 260, B.) University Circle Incorporated is the owner of Parcel B, C.) University Circle Development Foundation nka University Circle Incorporated is the owner of Parcel 288, D.) University Circle Development Foundation nka University Circle Incorporated is the owner of Parcel 298, E.) University Circle Incorporated is the owner of Parcel 301, F.) University Circle Development Foundation nka University Circle Incorporated is the owner of Parcel 303, G.) University Circle Development Foundation nka University Circle Incorporated is the owner of Parcel 305 and H.) University Circle Incorporated is the owner of Parcel 315, as identified above and is 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 these properties 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.) University Circle Incorporated in the amount of \$10,950.00, B.) University Circle Incorporated in the amount of \$109,080.00, C.) University Circle Development Foundation nka University Circle Incorporated in the amount of \$10,700.00, D.) University Circle Development Foundation nka University Circle Incorporated in the amount of \$2,735.00, E.) University Circle Incorporated in the amount of \$12,825.00, F.) University Circle Development Foundation nka University Circle Incorporated in the amount of \$18,900.00, G.) University Circle Development Foundation nka University Circle Incorporated in the amount of \$19,815.00 and H.) University Circle Incorporated in the amount of \$4,625.00.

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

Section 1. That the acquisition of the permanent and temporary easements from these owners is necessary to carry out the Euclid Corridor Transportation Project.

Section 2. That the Total Purchase Price of \$189,630.00 is based upon the fair market value of these properties 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 the Capital Grant OH-90-X530-03 in the amount of \$4,106.21 and Capital Grant OH-03-0247 in the amount of \$147,423.76 and Capital Grant OH-90-X484-01 in the amount of \$38,099.99 for a total amount of \$189,630.00 (\$151,703.97 in Federal funds which represents 80% of the total cost). Federal funds under Capital Grant OH-90-X484-01 and Capital Grant OH-90-X530-03 are made available through the Ohio Department of Transportation.

Section 4. That the General Manager/Secretary-Treasurer is hereby authorized to execute Purchase Agreements for permanent and temporary easements for these properties and all other documents required to acquire and transfer this real estate, however, this authority is contingent upon prior receipt of all necessary approvals from the property owners.

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

Attachments: Maps and legal descriptions (Attachment A-H)
Property Interest spreadsheet (Attachment I)

Adopted: October 17, 2006

President

Attest: _____
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO 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 \$189,630.00 (RTA DEVELOPMENT FUND-EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)	Resolution No.: 2006-192
	Date: October 12, 2006
	Initiator: Euclid Corridor Transportation Project
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: The purpose of entering into this Purchase Agreement 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 2007.
- 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-90-X530-03 in the amount of \$4,106.21, line item 13.75.91 and Capital Grant OH-03-0247 in the amount of \$147,423.76, line item 13.75.91 and Capital Grant OH-90-X484-01 in the amount of \$38,099.99, line item 13.75.91 for a total amount of \$189,630.00 (\$151,703.97 in Federal funds which represents 80% of the total cost). Federal funds under Capital Grant OH-90-X484-01 and Capital Grant OH-90-X530-03 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 the 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 October 3, 2006 meeting and recommended approval by the Board of Trustees contingent upon receiving all necessary approvals from the property owners. Staff recommends that the Board of Trustees approve the resolution to authorize the purchase of these properties.
- 9.0 ATTACHMENTS: None.

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

General Manager/Secretary-Treasurer