

RESOLUTION NO. 2009-53

AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO ENTER INTO PURCHASE AGREEMENTS TO ACQUIRE CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NUMBERS 213-08-002 THROUGH 213-08-007 WHICH ARE LOCATED AT THE EAST SIDE OF COLUMBIA ROAD AT FIRST STREET IN WESTLAKE, OHIO (COLLECTIVELY, THE "PROPERTY") FOR \$1,900,000.00 FOR THE WESTLAKE PARK-N-RIDE EXPANSION PROJECT (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires property acquisition for park and ride purposes and to better improve public transportation in Cleveland through the expansion of the Westlake Park-N-Ride facility; and

WHEREAS, Charles J. Hahn is the owner of approximately 0.96969 acres of land known for street numbering purposes as XXX Columbia Road, Permanent Parcel Number 213-08-002; and

WHEREAS, Charles J. Hahn and Carl A. Hahn are the owners of approximately 0.96629 acres of land known for street numbering purposes as 721 Columbia Road, Permanent Parcel Number 213-08-003; and

WHEREAS, Walter H. Paris, Robert C. Creter, Clark G. Winch, Executor of the Estate of Donald J. Winch, Christine M. Rednour, William H. Creter, Jeffrey T. Creter, James G. Creter, Robert J. Creter, and Thomas M. Creter are the owners of approximately 0.96459 acres of land known for street numbering purposes as XXX Columbia Road, Permanent Parcel Number 213-08-004; and

WHEREAS, Carl A. Hahn and Sue Hahn are the owners of approximately 1.44689 acres of land known for street numbering purposes as 751 Columbia Road, Permanent Parcel Number 213-08-005; and

WHEREAS, Interchange Properties is the owner of approximately 1.44689 acres of land known for street numbering purposes as 769 Columbia Road, Permanent Parcel Number 213-08-006; and

WHEREAS, Walter H. Paris, Robert C. Creter and Clark G. Winch, Executor of the Estate of Donald J. Winch are the owners of approximately 0.96459 acres of land known for street numbering purposes as XXX Columbia Road, Permanent Parcel Number 213-08-007; and

WHEREAS, the Property represents a total of 6.7 acres and is adjacent to the Greater Cleveland Regional Transit Authority's Westlake Park-N-Ride facility; and

WHEREAS, the Property has been jointly marketed for sale and all owners wish to sell their parcels to the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Greater Cleveland Regional Transit Authority wishes to enter into Purchase Agreements with the owners of each of the aforementioned parcels in the total purchase price of One Million Nine Hundred Thousand Dollars (\$1,900,000.00).

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 Purchase Agreements for the Property and all other documents required to acquire and to transfer this Property upon receiving approval of the appraisal from the Federal Transit Administration.

Section 2. That the total Purchase Price of One Million Nine Hundred Thousand Dollars (\$1,900,000.00) is the fair market value of the Property as determined by the property appraisal report and approved by a Review Appraiser.

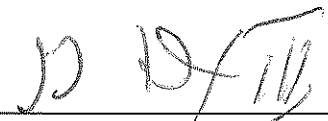
Section 3. That the Purchase Price is payable from the RTA Development Fund, Programming and Planning Department Budget, including but not limited to Federal Highway Administration funds obtained through ODOT Agreement No. 78840-21215 in the amount of \$1,231,450.00 and ARRA Capital Grant OH-96-X027 in the amount of \$668,550.00 for a total amount of \$1,900,000.00 (\$1,653,710.00 in Federal funds which represents 87% of the total cost). The ARRA funding will be based on initially using available 100% Local funds, \$668,550.00 of which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009. Execution of the Purchase Agreements is contingent upon FTA approval of the Purchase Price.


Section 4. That the execution of the Purchase Agreements and the acquisition of the Property are necessary to carry out the Westlake Park-N-Ride Expansion Project.

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

Attachment: Map and Legal Description (Attachment A)

Adopted: June 30, 2009

  
\_\_\_\_\_  
President

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

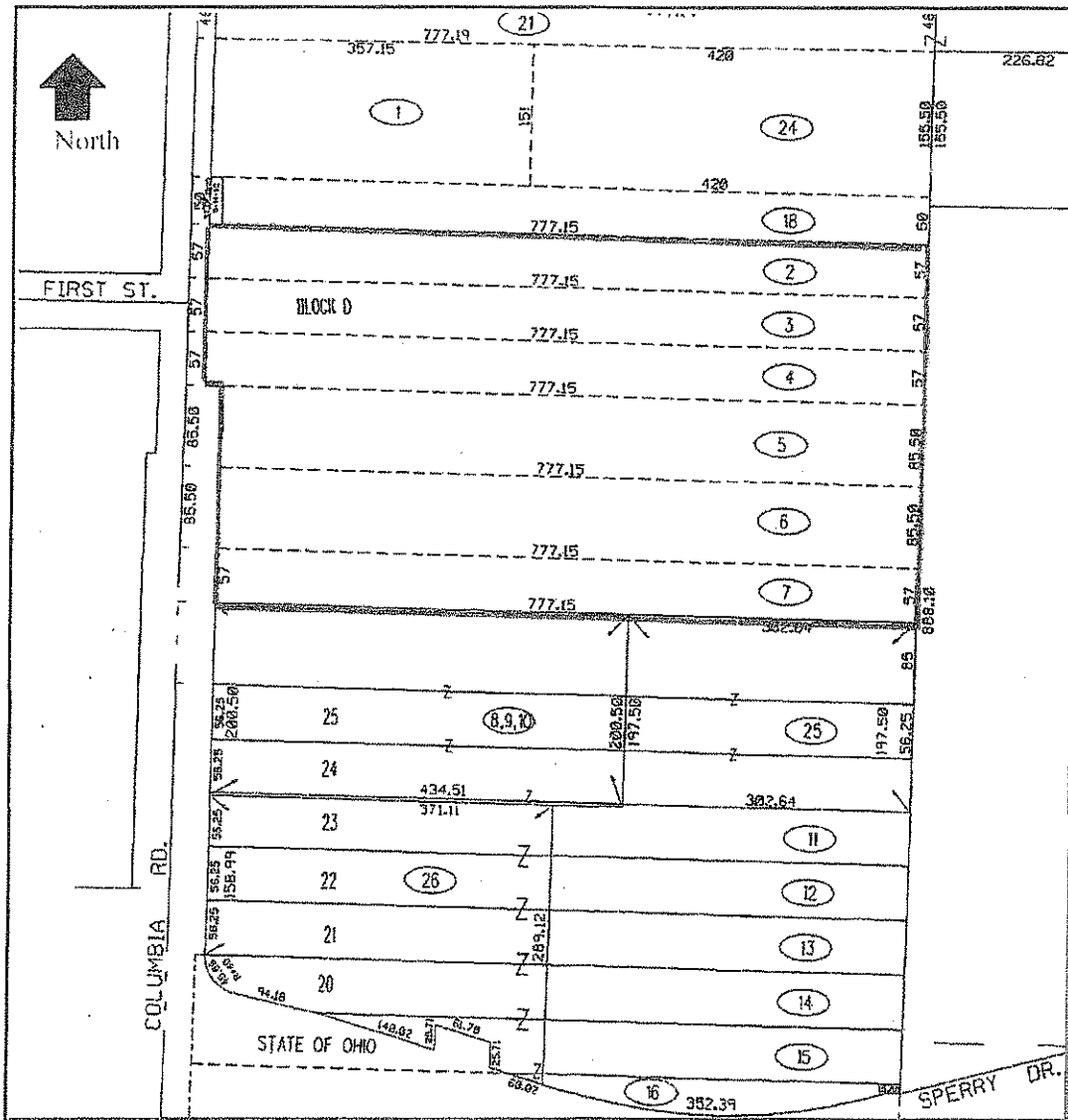
ATTACHMENT A

CHARLES P. BRAMAN & CO., INC.  
Real Estate Appraisals

SITE PLAN SKETCH

*Columbia Road Property  
East side of Columbia Road at First Street, Westlake, Ohio  
6.5 acres*

Note: Map not to scale. For exhibit purposes only.



LEGAL DESCRIPTION

**Parcel No. 1**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Lot "D" in the Wulf Partition; of part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the centerline of Columbia Road, at a point distant Northerly, measured along said Easterly line 57.00 feet from the Southwesterly corner of a parcel of land conveyed to Marcella A. Hahn, by deed recorded in Volume 9027, Page 388 of Cuyahoga County Records of Deeds;

Thence Northerly along the centerline of Columbia Road, a distance of 57.00 feet to the Northwesterly corner of land conveyed to Marcella A. Hahn;

Thence Easterly along the Northerly line of land so conveyed to Marcella A. Hahn, a distance of 777.15 feet to the Northeasterly corner thereof;

Thence Southerly along the Easterly line of land so conveyed to Marcella A. Hahn, a distance of 57.00 feet;

Thence Westerly a distance of 777.15 feet to the place of beginning, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM the land conveyed to the State of Ohio by deed recorded in Volume 98-05423, Page 18 of Cuyahoga County Records and bounded and described as follows:

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Original Dover Township Lot No. 78, and bounded and described as follows:

Commencing at the intersection of the centerline of Columbia Road (60 feet wide) with the northerly corporation line of Westlake, Ohio; thence South 01° 35' 23" West 247.00 feet along the centerline of Columbia Road to a point; said point being the northwesterly corner of Grantor's land and the principal place of beginning;

Thence South 88° 24' 37" East for 34.81 feet along Grantor's northerly line to a point being 34.81 feet right of Station 301+36.23 of Columbia Road centerline;

Thence South 01° 00' 56" East for 57.06 feet to a point in Grantor's southerly line;

Thence North 88° 24' 37" West for 37.41 feet along Grantor's southerly line to a point in the centerline of Columbia Road;

Thence North 01° 35' 23" East for 57.00 feet along the centerline of Columbia Road to the point of beginning.

Description for the above parcel is based on a survey made by George R. Ericson, Registered Surveyor No. 6748.

It is understood that the strip of land above described contains 2,058 sq. feet (0.0472 acres) more or less, including the present road which occupies 1,710 sq. feet (0.0393 acres), more or less.

**Parcel No. 2**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Lot "D" in the Wulf Partition, of part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the centerline of Columbia Road, at the Southwesterly corner of a parcel of land conveyed to Marcella A. Hahn, by deed recorded in Volume 9027, Page 388 of Cuyahoga County Records of Deeds;

Thence Northerly along the centerline of Columbia Road, a distance of 57.00 feet;

Thence Easterly a distance of 777.15 feet to the line of land so conveyed to Marcella A. Hahn;

Thence Southerly along the Easterly line of land so conveyed to Marcella A. Hahn, a distance of 57.00 feet to the Southeasterly corner thereof;

Thence Westerly along the Southerly line of land so conveyed to Marcella A. Hahn, a distance of 777.15 feet to the place of beginning, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM the land conveyed to the State of Ohio by Judgment Entry filed for record as Cuyahoga County Recorder's AFN 199908040049 and bounded and described as follows:

Being a parcel of land lying on the centerline of survey, made by the Department of Transportation, and being located within the following points in the boundary thereof:

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Original Dover Township Lot No. 78, and bounded and described as follows:

Commencing at the intersection of the centerline of Columbia Road (60 feet wide) with the northerly corporation line of Westlake, Ohio;

Thence South 01° 35' 23" West 304.00 feet along the centerline of Columbia Road to a point; said point being the northwesterly corner of Owner's land and the principal place of beginning;

Thence South 88° 24' 37" East for 37.41 feet along Owner's northerly line to a point being 37.41 feet right of Station 300+79.23 of Columbia Road centerline;

Thence South 01° 00' 56" East for 57.06 feet to a point in Owner's southerly line;

Thence North 88° 24' 37" West for 40.00 feet along Owner's southerly line to a point in the centerline of Columbia Road;

Thence North 01° 35' 23" East for 57.00 feet along the centerline of Columbia Road to the point of beginning, containing 2,206 sq. feet (0.0506 acres) more or less, including the present road which occupies 1,710 sq. feet (0.0393 acres), more or less.

**Parcel No. 3**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Lot "D" in the Wulf Partition of a part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the centerline of Hall Road, nka Columbia Road, which point is 228 feet North of the Northwest corner of land conveyed to Joseph P. Bohland by deed dated January 7, 1921, and recorded in Volume 2585, Page 401 of Cuyahoga County Records; thence Easterly on a line parallel to the Northerly line of land so conveyed to Bohland and 228 feet distant therefrom, 777.15 feet to the Easterly line of said Lot "D"; thence Northerly along the Easterly line of said Lot "D" 57 feet; thence Westerly and parallel to the Northerly line of land so conveyed to Bohland and 285 feet distant therefrom 777.15 feet to a point in the centerline of Columbia Road; thence Southerly along the centerline of Columbia Road, 57 feet to the place of beginning, and containing about 1 acre of land, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM: a parcel of land conveyed to the State of Ohio by deed recorded in Volume 98-02562, Page 29 of Cuyahoga County Records and bounded and described as follows:

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Original Dover Township Lot No. 78, and bounded and described as follows:

Commencing at the intersection of the centerline of Columbia Road (60 feet wide) with the northerly corporation line of Westlake, Ohio;

Thence South  $01^{\circ} 35' 23''$  West 361.00 feet along the centerline of Columbia Road to a point; said point being Grantor's northwesterly corner and the principal place of beginning;

Thence South  $88^{\circ} 24' 37''$  East for 40.00 feet along Grantor's northerly line to a point being 40.00 feet right of Station 300+22.23 of Columbia Road centerline;

Thence South  $01^{\circ} 35' 23''$  West for 57.00 feet to Grantor's southerly line;

Thence North  $88^{\circ} 24' 37''$  West for 40.00 feet along Grantor's southerly line to a point in the centerline of Columbia Road;

Thence North  $01^{\circ} 35' 23''$  East for 57.00 feet along the centerline of Columbia Road to the point of beginning.

Description for the above parcel is based on a survey made by George R. Ericson, Registered Surveyor No. 6748.

It is understood that the strip of land above contains 2,280 sq. feet (0.0523 acres) more or less, including the present road which occupies 1,710 sq. feet (0.0393 acres), more or less.

**Parcel No. 4**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being part of Lot "D" in the Wulf Partition of a part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the centerline of Columbia Road (fka Hall Road), which point is 142 feet and 6 in. North of the Northwest corner of land conveyed to Joseph P. Bohland by deed dated January 7, 1921, and recorded in Volume 2585, Page 401 of Cuyahoga County Records; thence Easterly on a line parallel to the Northerly line of land so conveyed to Bohland and 142 feet and 6 in. distant therefrom, 777.15 feet to the Easterly line of said Lot "D"; thence Northerly along the Easterly line of said Lot "D" 85 feet and 6 in.; thence Westerly and parallel to the Northerly line of land so conveyed to Bohland and 288 feet distant therefrom 777.15 feet to a point in the centerline of Columbia Road;

thence Southerly along the centerline of Columbia Road, 85 feet and 6 in. to the place of beginning, and containing about one and one-half acres of land, as appears by said plat, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM a parcel of land conveyed to the State of Ohio by Judgment Entry recorded in Volume 14212, Page 195 of Cuyahoga County Records and bounded and described as follows:

Situated in the City of Westlake, Town 7 North, Range 15 West, Outlot 78, Cuyahoga County, Ohio and being more fully described as follows:

Being a strip of land 40 feet in width off the Owner's west line of the Owner's parcel in the Henry Wulf Subdivision, Block "D" as shown by the recorded plat in Volume 38, Page 28 of the Cuyahoga County Records.

Contains 855 sq. feet, more or less, excluding 2,565 sq. feet of right of way previously occupied by Columbia Road (S.R. 252).

**Parcel No. 5A**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being parts of Lot "D" in the Wulf Partition of a part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the centerline of Columbia Road (formerly Hall Road), which point is 57 feet North of the Northwest corner of land conveyed to Joseph P. Bohland by deed dated January 7, 1921, and recorded in Volume 2585, Page 401 of Cuyahoga County Records; thence Easterly on a line parallel to the Northerly line of land so conveyed to Bohland and 57 feet distant therefrom, 777.15 feet to the Easterly line of said Lot "D"; thence Northerly along the Easterly line of said Lot "D" 57 feet; thence Westerly and parallel to the Northerly line of land so conveyed to Bohland and 114 feet distant therefrom, 777.15 feet to a point in the centerline of Columbia Road; thence Southerly along the centerline of Columbia Road (formerly Hall Road) 57 feet to the place of beginning, and containing about one acre of land, be the same more or less, but subject to all legal highways.

**Parcel No. 5B**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being parts of Lot "D" in the Wulf Partition of a part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the centerline of Columbia Road (formerly Hall Road), which point is 114 feet North of the Northwest corner of land conveyed to Joseph P. Bohland by deed dated January 7, 1921, and recorded in Volume 2585, Page 401 of Cuyahoga County Records; thence Easterly on a line parallel to the Northerly line of land so conveyed to Bohland and 114 feet distant therefrom, 777.15 feet to the Easterly line of said Lot "D"; thence Northerly along the Easterly line of said Lot "D" 28 feet and 6 in.; thence Westerly and parallel to the Northerly line of land so conveyed to Bohland and 142 feet and 6 in. distant therefrom, 777.15 feet to a point in the centerline of Columbia Road (formerly Hall Road); thence Southerly along the centerline of Columbia Road (formerly Hall Road) 28 feet and 6 in. to the place of beginning, and containing about one-half acre of land, be the same more or less, but subject to all legal highways.

EXCEPTING FROM Parcels 5A and 5B land conveyed to the State of Ohio by deed recorded in Volume 12917, Page 437 and re-recorded in Volume 12970, Page 19 of Cuyahoga County Records and bounded and described as follows:

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and in Outlot 78, Town 7-N, Range 15-W, and bounded and described as follows:

Commencing at the Grantor's southwest corner of the Grantor's parcel in the Henry Wulf Subdivision, Block "D" as shown by the recorded plat in Volume 38, Page 28 of Cuyahoga County Records, said point being in the centerline of Columbia Road (SR-252) at Station 60+37.07; and the principal place of beginning;

Thence South 88° 23' 36" East, 40.00 feet along the Grantor's South line to a point;

Thence North 01° 36' 24" East, 85.50 feet to a point on the Grantor's North line 40 feet right of Station 61+22.57; centerline Columbia Road (SR-252);

Thence North 88° 23' 36" West 40.00 feet along the Grantor's North line to a point in the centerline of Columbia Road (SR-252);

Thence South 01° 36' 24" West, 85.50 feet along the centerline of Columbia Road to the principal place of beginning.

The above described strip of land contains 855 sq. feet, more or less, excluding 2.565 sq. feet of right of way previously occupied by Columbia Road (SR-252).



**Parcel No. 6**

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and known as being parts of Lot "D" in the Wulf Partition of a part of Original Dover Township Lot No. 78, as shown by the recorded plat in Volume 38 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the centerline of Columbia Road (formerly Hall Road), which point is the Northwest corner of land conveyed to Joseph P. Bohland by deed dated January 7, 1921, and recorded in Volume 2585, Page 401 of Cuyahoga County Records; thence Easterly on a line of land conveyed to Bohland, 777.15 feet to the Easterly line of said Lot "D"; thence Northerly along the Easterly line of said Lot "D", thence Northerly along the Easterly line of said Lot "D" 57 feet; thence Westerly and parallel to the Northerly line of land so conveyed to Bohland and 57 feet distant therefrom, 777.15 feet to a point in the centerline of Columbia Road; thence Southerly along the centerline of Columbia Road 57 feet to the place of beginning, and containing about one acre of land, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM that portion conveyed to the State of Ohio by deed recorded in Volume 13195, Page 471 of Cuyahoga County Records and bounded and described as follows:

Situated in the City of Westlake, County of Cuyahoga, State of Ohio and in Outlot 78, Town 7-N, Range 15-W, and bounded and described as follows:

Being a parcel of land 40 feet in width off the Grantor's west line of the Grantor's parcel in the Henry Wulf Subdivision, Block "D" as shown by the recorded plat in Volume 38, Page 28 of the Cuyahoga County Records.

Contains 570 sq. feet, more or less, excluding 1,710 sq. feet of right of way previously occupied by Columbia Road (S.R. 252).

ST 27340

November 20, 2007



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

<b>TITLE/DESCRIPTION:</b>  <b>CONTRACT:</b> Purchase 6.7 acres of land for Westlake Park-N-Ride  <b>VENDOR:</b> Various Property Owners  <b>AMOUNT:</b> \$1,900,000.00	<b>Resolution No.:</b> 2009-53
	<b>Date:</b> June 25, 2009
	<b>Initiator:</b> Programming and Planning
<b>ACTION REQUEST:</b> <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 these Purchase Agreements is to provide a legal right to acquire and transfer property needed to construct the Westlake Park-N-Ride facility expansion.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This property is vital for expanding the Westlake Park-N-Ride facility, which is needed in part to meet increased demand during ODOT's Innerbelt reconstruction project. The back portion of the land is needed for the 2009 project, which the owners agreed to sell at RTA's appraised value if RTA agreed to purchase the remainder of the land that abuts Columbia Road. This excess land will be available for future expansion for additional parking as required at this facility.
- 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 FTA Circular 5010.1D and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
- 6.0 **ECONOMIC IMPACT:** The purchase agreement will be funded through the RTA Development Fund, Programming and Planning Department Budget, including but not limited to Federal Highway Administration funds obtained through ODOT Agreement No. 78840-21215, Line Item 11.76.91 in the amount of \$1,231,450.00 and ARRA Capital Grant OH-96-X027, Line Item 11.76.91 in the amount of \$668,550.00 for a total amount of \$1,900,000.00 (\$1,653,710.00 in Federal funds which represents 87% of the total cost). The ARRA funding will be based on initially using available 100% Local funds, \$668,550.00 of which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

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 Authority is currently reviewing the appraised value of this property pursuant to the FTA Concurrence requirements outlined in Circular 5010.1D. Execution of the purchase agreements is contingent upon FTA approval of the purchase price.


**Staff Summary And Comments**  
**Westlake Property Acquisition**

Page 2

Execution of the purchase agreements is contingent upon FTA approval of the purchase price.

- 7.0 ALTERNATIVES: There is no other contiguous or adjacent property to the Westlake Park-N-Ride facility that is available for acquisition. Alternatives would be to construct a parking deck on existing property (too costly) or to cancel the expansion project.
- 8.0 RECOMMENDATION: Staff recommends that the Board of Trustees approve the resolution to authorize the purchase of property.
- 9.0 ATTACHMENT: Six Purchase Agreements

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

Due to size, the attachment to Staff Summary is not included herein.

It can be found with the record file copy.