

RESOLUTION NO. 2014-114

AUTHORIZING THE GENERAL MANAGER/SECRETARY-TREASURER TO GRANT TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) TEMPORARY AND PERMANENT EASEMENTS FOR A BIORETENTION BASIN ON PARCEL 126-27-026, LOCATED AT 2900 EAST 79<sup>TH</sup> STREET, CLEVELAND OHIO, AT THE PRICE OF SIX THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$6,825.00)

WHEREAS, the Greater Cleveland Regional Transit Authority owns the property known as Cuyahoga County Permanent Parcel No. 126-27-026 at 2900 East 79<sup>th</sup> Street, adjacent to the Light Rail Station in Cleveland, Ohio; and

WHEREAS, NEORS wishes to construct a bioretention basin on said property; and

WHEREAS, NEORS will require entrance to the property for construction of the basin by way of a temporary and a permanent easement on said property; and

WHEREAS, the two (2) year temporary easement covers 0.1564 acres or 6,815 square feet and the permanent easement covers 0.1158 acres or 6,787 square feet of the property; and

WHEREAS, the easements will not interfere with GCRTA's present or future use of the property nor create any safety hazards; and

WHEREAS, the value of the easements, including acquisition of a portion of a fence, has been determined by a certified appraisal.

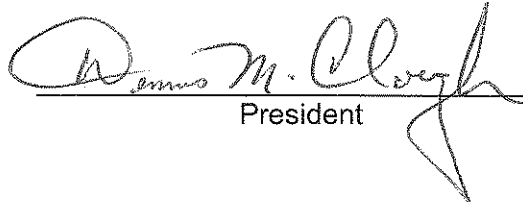
NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager/Secretary-Treasurer is hereby authorized to grant temporary and permanent easements to the Northeast Ohio Regional Sewer District (NEORS) within Permanent Parcel No. 126-17-026, located at 2900 East 79<sup>th</sup> Street for the price of Six Thousand Eight Hundred Twenty-Five Dollars (\$6,825.00), which price also includes acquisition of a portion of a fence.

Section 2. That the General Manager/Secretary-Treasurer be, and is hereby authorized to execute all documents required to grant the easements and allow access to said property.

Section 3. That this resolution shall become effective immediately upon its adoption.

Adopted: November 18, 2014

  
\_\_\_\_\_  
President

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




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

TITLE/DESCRIPTION:		Resolution No.: 2014-114
CONTRACT:	GRANT OF TEMPORARY AND PERMANENT EASEMENT FOR BIORETENTION BASIN	Date: November 13, 2014
VENDOR:	NORTHEAST OHIO REGIONAL SEWER DISTRICT	Initiator: Programming and Planning
AMOUNT:	\$6,825.00	
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: Authorize the General Manager/Secretary-Treasurer to grant temporary and permanent easements to the Northeast Ohio Regional Sewer District (NEORS) on Parcel Number 126-27-026, located at 2900 E. 79<sup>th</sup> Street, adjacent to the Light Rail Station in Cleveland, OH for the construction of a bioretention basin.
  
- 2.0 DESCRIPTION/JUSTIFICATION: Two easements are required by NEORS on this property. The temporary easement consists of a 15-foot strip across the property totaling 0.1564 acres or 6,815 square feet, at a value of \$1,075.00. The permanent easement consists of another 15-foot strip across the property totaling 0.1158 acres or 6,787 square feet at a value of \$5,300. NEORS will also acquire a portion of RTA's fence at value of \$450. The easements will allow NEORS to construct a bioretention basin next to GCRTA property. Neither of the easements will interfere with the present or future use of the RTA parcel or create any safety hazards.
  
- 3.0 PROCUREMENT BACKGROUND: Not Applicable.
  
- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: Not Applicable
  
- 5.0 POLICY IMPACT: This action is compliant with the Board of Trustees Real Estate Procedures that specify the Board of Trustees must approve any permanent easement.
  
- 6.0 ECONOMIC IMPACT: The value of the easements and the fence were determined by a certified appraisal and appraisal review.
  
- 7.0 ALTERNATIVES: Not grant the easement.
  
- 8.0 RECOMMENDATION: Staff recommends that the Board of Trustees approve the resolution to authorize granting the Permanent Easement to NEORS.
  
- 9.0 ATTACHMENTS: Easements

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

**PERMANENT WESTERLY BIORETENTION BASIN EASEMENT**

Page #1 of 3

**Owner:** Greater Cleveland Regional Transit Authority (RTA)  
**Municipality/County:** City of Cleveland, Cuyahoga County  
**Deed:** Vol 14450, Page 657 (Parcel #5)  
**Date:** March 22, 1977  
**Permanent Parcel No.:** 126-27-026  
**Location:** Between E. 79<sup>th</sup> & E. 81<sup>st</sup> Street

**Description:**

**LEGAL DESCRIPTION  
PERMANENT WESTERLY BIORETENTION BASIN EASEMENT  
WITHIN GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY'S LAND  
PP #126-27-026  
FOR THE NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BETWEEN E. 79<sup>TH</sup> & E. 81<sup>ST</sup> STREET  
CITY OF CLEVELAND  
COUNTY OF CUYAHOGA, OHIO**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a **0.1558 acres (6,787 sq.ft.) 15 Foot Wide Permanent Westerly Bioretention Basin Easement** located within a 0.878 acres parcel of land (Auditor's record - PP #126-27-026) being part of Sublots #100 thru 103, inclusively, & 106 of Thomas Beckwith's Resubdivision of part of Original One Hundred Acre Lot #423 as recorded in Volume 13, Page 7 of Cuyahoga County Map Records and as conveyed to the Greater Cleveland Regional Transit Authority (RTA) by deed dated March 22, 1977 as recorded in Volume 14450, Page 657 of Cuyahoga County Deed Records and further bounded and described as follows;

Beginning on the Easterly sideline of E. 79<sup>th</sup> Street (60 feet wide) at the intersection of the Southwesterly corner of said RTA's land (PP #126-27-026), said point being North 06°44'15" West, distant 90.00 feet from the Southwesterly corner of said Sublot #106 and the Southwesterly corner of land as conveyed to Sidackco-E79, L.L.C. by deed dated January 10, 2012 as recorded in Document #201201100398 (Parcel #4 - PP #126-27-027) of Cuyahoga County Deed Records and the Place of Beginning of the Premises herein intended to be described;

**COURSE I** Thence North 06°44'15" West, along said Easterly sideline of E. 79<sup>th</sup> Street, a distance of **15.09 feet** to a point;

**COURSE II** Thence North 77°04'55" East, parallel with and at a perpendicular distance of 15.00 feet North of the Southerly line of said RTA's land (PP #126-27-026), a distance of **453.47 feet** to a point on the Westerly sideline of E. 81<sup>st</sup> Street (50 feet wide);

**PERMANENT NORTHERLY BIORETENTION BASIN EASEMENT**

Page #2 of 3

**COURSE III** Thence **South 00°24'30" West**, along said Westerly sideline of E. 81<sup>st</sup> Street, a distance of **15.42 feet** to the Southeasterly corner of said RTA's land (PP #126-27-026);

**COURSE IV** Thence **South 77°04'55" West**, along said Southerly line of RTA's land (PP #126-27-026), a distance of **451.54 feet** to the Place of Beginning and containing **0.1558 acres (6,787 sq.ft.)** of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in November, 2013, be the same more or less;

**Basis of Bearing** for this legal description is **North 06°44'15" West** as the Easterly sideline of E. 79<sup>th</sup> Street (50 feet wide) as shown on the deed as conveyed to Sidakco-E79, L.L.C. dated January 10, 2012 as recorded in Document #201201100398 (PP #126-27-027) of Cuyahoga County Deed Records;

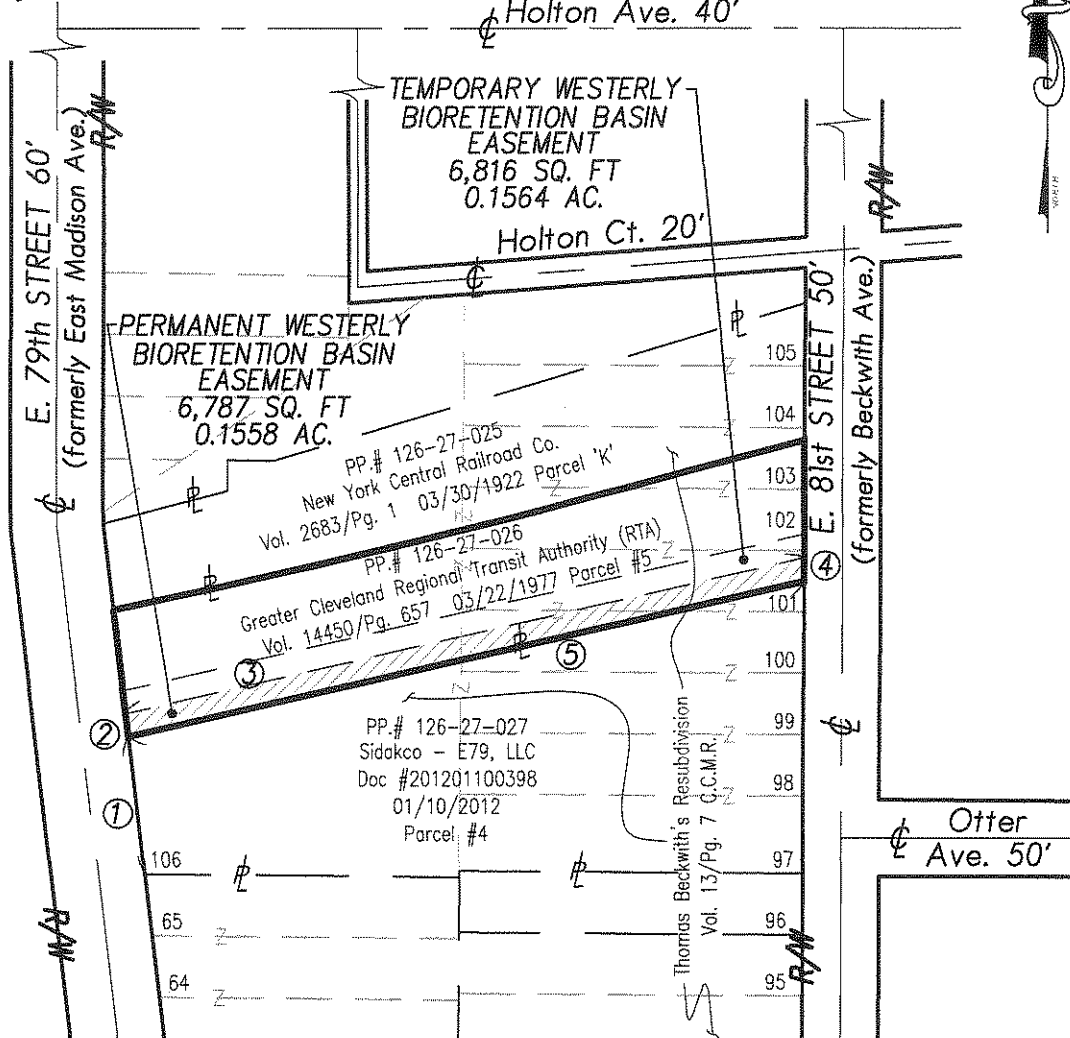
File #12133 NEORS D WO#12-21  
Permanent Westerly Bioretention Basin Easement  
August 18, 2014 (bas)

Basis of Bearing:

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- ① 90.00' N 06°44'15" W
- ② 15.09' N 06°44'15" W
- ③ 453.47' N 77°04'55" E
- ④ 15.42" S 00°24'30" W
- ⑤ 451.54' S 77°04'55" W

Scale: 1" = 120'  
Page #3 of 3



### PERMANENT WESTERLY BIORETENTION BASIN EASEMENT

Urban Agriculture Zone - E. 79th / E. 81st Street  
Green Infrastructure Project

City of Cleveland, County of Cuyahoga, Ohio

From: Greater Cleveland Regional Transit Authority (RTA)  
To: Northeast Ohio Regional Sewer District

Exhibit 'A'

**CVE** CHAGRIN VALLEY ENGINEERING, LTD.  
Creative Engineers. Intelligent Solutions.  
2299 Forbes Road, Suite B, Cleveland, Ohio 44144-8547  
Phone • 440.437.1191 Fax • 440.437.1192 www.cveintd.com

TEMPORARY WESTERLY BIORETENTION BASIN EASEMENT

Page #1 of 3

Owner: Greater Cleveland Regional Transit Authority (RTA)  
Municipality/County: City of Cleveland, Cuyahoga County  
Deed: Vol 14450, Page 657 (Parcel #5)  
Date: March 22, 1977  
Permanent Parcel No.: 126-27-026  
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Description:

**LEGAL DESCRIPTION**  
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**WITHIN GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY'S LAND**  
**PP #126-27-026**  
**FOR THE NORTHEAST OHIO REGIONAL SEWER DISTRICT**  
**BETWEEN E. 79<sup>TH</sup> & E. 81<sup>ST</sup> STREET**  
**CITY OF CLEVELAND**  
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**COURSE II** Thence North 77°04'55" East, parallel with and at a perpendicular distance of 30.00 feet North of the Southerly line of said RTA's land (PP #126-27-026), a distance of **455.40 feet** to a point on the Westerly sideline of E. 81<sup>st</sup> Street (50 feet wide);

**TEMPORARY NORTHERLY BIORETENTION BASIN EASEMENT**

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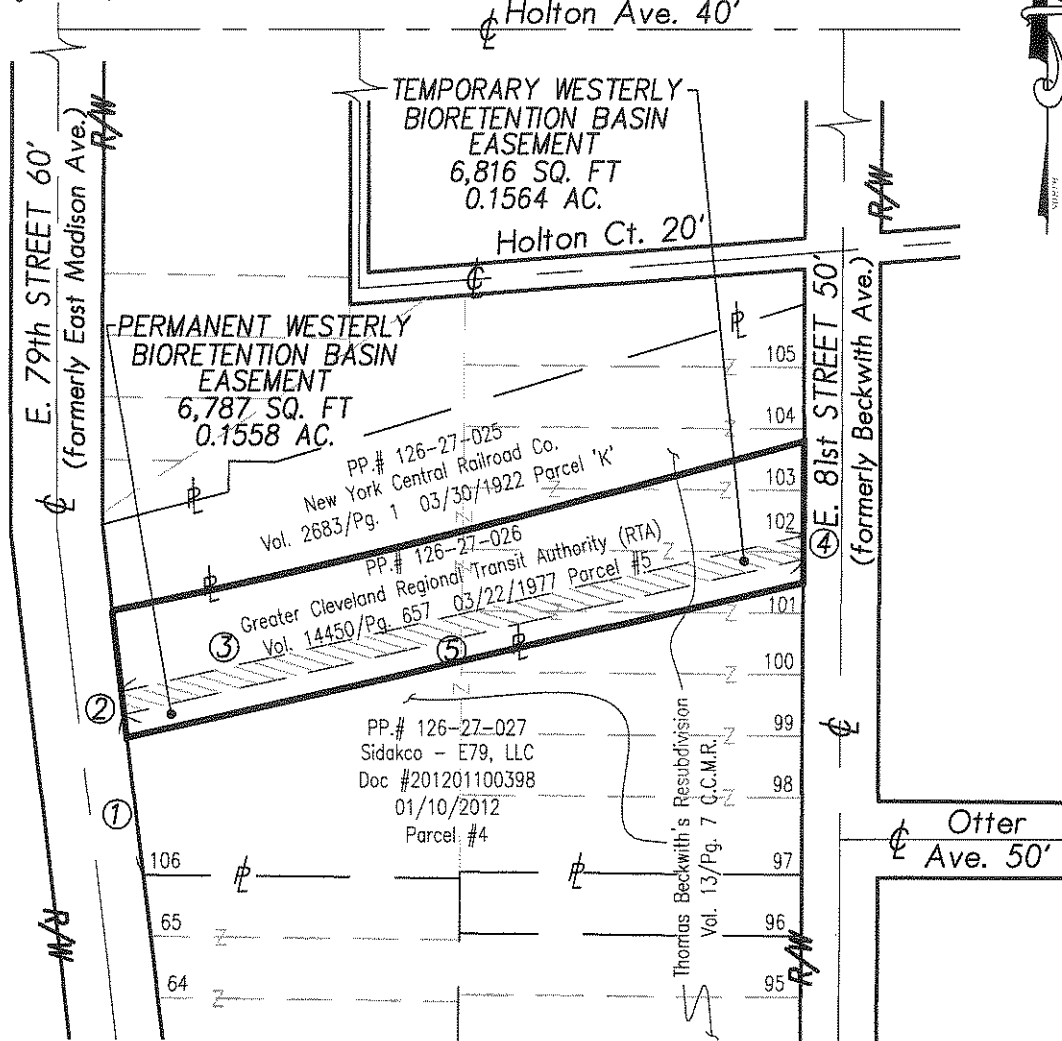


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