

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0230

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p> <p>Co-sponsored by: Councilmember Gallagher</p>	<p>A Resolution authorizing the appropriation of real property for reconstruction, with additional turning lanes, of Royalton Road from West 130th Street to York Road in the City of North Royalton; directing the County Executive, through the Department of Public Works, to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrants to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, on September 27, 2016, this Council adopted Resolution No. R2016-0184, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the reconstruction, with additional turning lanes, of Royalton Road from West 130th Street to York Road in the City of North Royalton; and,

WHEREAS, upon receiving the necessary authorization to proceed with acquisition of Right-of-Way, a fair market analysis was conducted and fee appraisals were made; and

WHEREAS, the County's agent, O.R. Colan Associates, endeavored to acquire the necessary parcels through voluntary negotiation and settlement efforts with the property owners, but has reported that equitable settlement agreements could not be reached on the properties set forth below; and,

WHEREAS, the Department of Public Works has requested that the County appropriate certain property rights required for highway purposes for the above described improvement, identified as the following parcels of land:

Parcel 35 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: North Royalton Storage, LLC
Address: 10717 Royalton Road, North Royalton, OH
Mailing Address: 38900 Arbor Court, Grafton, OH 44044
Fair Market Value Estimate: \$15,600.00

Parcel 64 SH, T (Standard Highway Easement & Temporary Easement)
Property Owners: S & H Properties, Inc., an Ohio corporation
Address: 13800 York Road, North Royalton, OH 44133
Mailing Address: (Agent) Harry Plataniotis, 8089 Royalview Drive, Parma, OH 44129
Fair Market Value Estimate: \$5,500.00

Parcel 50 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: Royalton Business Park Condominium Owners, Inc., an Ohio non-profit corporation
Address: Vacant Land, Royalton Road, North Royalton, OH 44133
Mailing Address: 10143 Royalton Road, Suite C, North Royalton, OH 44133
Fair Market Value Estimate: \$18,950.00

Parcel 59 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: EGZ Properties, LLC. an Ohio limited liability company
Address: 9925 Royalton Road, North Royalton, Ohio 44133
Mailing Address: 15929 York Road, North Royalton, OH 44133
Fair Market Value Estimate: \$15,600.00

Parcel 31 SH, SL, T1, T2 (Standard Highway Easement & Temporary Easement)
Property Owner: Beverly J. Sharkey
Address: 11023 Royalton Road, North Royalton, OH 44133
Mailing Address: 25531 Fretton Square, S. Riding, VA 20152
Attorney Contact: Clinton Stahler (Goldman & Braunstein), 500 S. Front Street, Suite 1200, Columbus, OH 43215
Fair Market Value Estimate: \$13,600.00

Parcel 61 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: Three-A SAC Self-Storage, Limited Partnership
Address: 9903 Royalton Road, North Royalton, OH 44133
Mailing Address: Amerco Real Estate Company, 2727 North Central Avenue 5N, Pheonix, AZ 85004
Fair Market Value Estimate: \$5,750.00

Parcel 10 SH, T (Standard Highway Easement & Temporary Easement)
Property Owners: TRMAG LLC, an Ohio limited liability company
Address: 11725 Royalton Rod, North Royalton, OH 44133
Mailing Address: 21016 Aberdeen Road, Rocky River, Ohio 44116
Fair Market Value Estimate: \$5,800.00

WHEREAS, the necessity for the immediate effectiveness of this Resolution is established because federal funds are being utilized for Right-of-Way acquisition on this project and the County is required to progress on schedule for the project in order to maintain project funding deadlines; and,

WHEREAS, the Right-of-Way cannot be certified to the Ohio Department of Transportation as being ready for construction unless and until all Right-of-Way parcels have been acquired either by agreement or by the filing of a petition for appropriation together with a check in the amount of the Fair Market Value Estimate made payable to the Cuyahoga County Probate Court, in the Cuyahoga County Probate Court.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That certain real property as required for the reconstruction, with additional turning lanes, of Royalton Road from West 130th Street to York Road in the City of North Royalton, as described below be, and the same is, hereby declared necessary to appropriate for public use, more specifically for the purpose of making or repairing roads which shall be open to the public, without charge. Such property is described as follows:

Parcel 35 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: North Royalton Storage, LLC
Address: 10717 Royalton Road, North Royalton, OH
Mailing Address: 38900 Arbor Court, Grafton, OH 44044
Fair Market Value Estimate: \$15,600.00

Parcel 64 SH, T (Standard Highway Easement & Temporary Easement)
Property Owners: S & H Properties, Inc., an Ohio corporation
Address: 13800 York Road, North Royalton, OH 44133
Mailing Address: (Agent) Harry Plataniotis, 8089 Royalview Drive, Parma, OH 44129
Fair Market Value Estimate: \$5,500.00

Parcel 50 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: Royalton Business Park Condominium Owners, Inc., an Ohio non-profit corporation
Address: Vacant Land, Royalton Road, North Royalton, OH 44133
Mailing Address: 10143 Royalton Road, Suite C, North Royalton, OH 44133
Fair Market Value Estimate: \$18,950.00

Parcel 59 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: EGZ Properties, LLC. an Ohio limited liability company
Address: 9925 Royalton Road, North Royalton, Ohio 44133
Mailing Address: 15929 York Road, North Royalton, OH 44133
Fair Market Value Estimate: \$15,600.00

Parcel 31 SH, SL, T1, T2 (Standard Highway Easement & Temporary Easement)
Property Owner: Beverly J. Sharkey
Address: 11023 Royalton Road, North Royalton, OH 44133
Mailing Address: 25531 Fretton Square, S. Riding, VA 20152
Attorney Contact: Clinton Stahler (Goldman & Braunstein), 500 S. Front Street,
Suite 1200, Columbus, OH 43215
Fair Market Value Estimate: \$13,600.00

Parcel 61 SH, T (Standard Highway Easement & Temporary Easement)
Property Owner: Three-A SAC Self-Storage, Limited Partnership
Address: 9903 Royalton Road, North Royalton, OH 44133
Mailing Address: Amerco Real Estate Company, 2727 North Central Avenue 5N,
Pheonix, AZ 85004
Fair Market Value Estimate: \$5,750.00

Parcel 10 SH, T (Standard Highway Easement & Temporary Easement)
Property Owners: TRMAG LLC, an Ohio limited liability company
Address: 11725 Royalton Rod, North Royalton, OH 44133
Mailing Address: 21016 Aberdeen Road, Rocky River, Ohio 44116
Fair Market Value Estimate: \$5,800.00

SECTION 2. That the County Executive, through the Department of Public Works, be, and is, hereby directed to proceed with filing the necessary action to acquire the property as described above.

SECTION 3. That the County Fiscal Officer be, and is, hereby authorized to issue monetary warrants in the amount of the Fair Market Value Estimates listed above, made payable to the Cuyahoga County Probate Court, said warrants to be deposited with the Probate Court at the time of filing the petitions to appropriate.

SECTION 4. That the Clerk of Council is hereby directed to transmit copies of this Resolution upon its approval by the County Executive to Michael Dever, Director of Public Works and to Dennis Kennedy, County Fiscal Officer.

SECTION 5. That it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to assure that work on the improvement can commence during the prime construction season. Otherwise, any delay in commencement of the work may cause delay to the work and result in significant cost increases to the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this

Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 6. That it is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Brady, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Simon and Brady

Nays: None

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: November 28, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: December 12, 2017

Journal CC028
December 12, 2017