

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0044

|   |  |
|---|--|
| <b>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</b> | <b>A Resolution</b> approving Right-of-Way Exhibit No. M-5042 for rehabilitation of St. Clair Avenue Bridge No. 04.44 over Doan Brook in the City of Cleveland; authorizing the County Executive through the Department of Public Works to acquire said necessary Right-of-Way; and declaring the necessity that this Resolution become immediately effective. |
| <b>Co-sponsored by: Councilmember Conwell</b>   |  |

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approving Right-of-Way Exhibit No. M-5042 for rehabilitation of St. Clair Avenue Bridge No. 04.44 over Doan Brook in the City of Cleveland; and

WHEREAS, the primary goal of this project is to obtain Council's review and approval of the right-of-way plans and approval of the required acquisition needed for the rehabilitation of the existing bridge on St. Clair Avenue over Doan Brook in the City of Cleveland; and

WHEREAS, the project is located in Council District 7; and

WHEREAS, the anticipated right-of-way acquisition cost is \$0 as the City of Cleveland is donating the one parcel associated with this improvement; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council hereby approves Right-of-Way Exhibit No. M-5042 for rehabilitation of St. Clair Avenue Bridge No. 04.44 over Doan Brook in the City of Cleveland.

**SECTION 2.** That the County Executive through the Department of Public Works is hereby authorized to acquire the Right-of-Way necessary for said improvement.

**SECTION 3.** That all proceedings relative to Right-of-Way Exhibit No. M-5042 are hereby ordered copied into the Road Record of the County by the Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** 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. Tuma, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

  
County Council President      2-26-20  
Date

  
County Executive      2-26-20  
Date

  
Clerk of Council      2/25/2020  
Date

First Reading/Referred to Committee: February 11, 2020  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: February 11, 2020

Journal CC037  
February 25, 2020

M-5042  
 CUYAHOGA COUNTY DEPARTMENT OF  
 PUBLIC WORKS

# RIGHT OF WAY CUY-ST. CLAIR AVENUE (C.R. 9) BRIDGE 04.44

CUYAHOGA COUNTY  
 CITY OF CLEVELAND  
 PART OF ORIGINAL 100 ACRE LOT 367



LOCATION MAP  
 LATITUDE:  $41^{\circ}31'56.83''$  LONGITUDE:  $81^{\circ}37'45.44''$   
 SCALE IN MILES  
 0 0.5 1 1.5

| UTILITY OWNERS   |  |
|--|--|
| AT&T<br>CITY OF CLEVELAND<br>CLEVELAND, OH 44111<br>ATTN: FRED ROBERTS<br>201 LAKESIDE AVE.<br>CLEVELAND, OH 44115<br>PHONE: 216-478-6842          | LEVEL 3 COMMUNICATIONS, LLC<br>10000 WILSON AVENUE<br>CLEVELAND, OH 44133<br>4000 CHESTER AVE.<br>CLEVELAND, OH 44103<br>PHONE: 216-506-5824 |
| CITY OF CLEVELAND<br>DIVISION OF PUBLIC POWER<br>CITY OF CLEVELAND<br>CLEVELAND, OH 44114<br>CLEVELAND, OH 44114<br>PHONE: 216-444-3922, EXT. 7016 | NORTHEAST DIED REGIONAL<br>CITY OF CLEVELAND<br>3800 EUCLID AVE.<br>CLEVELAND, OH 44115<br>PHONE: 855-641-6894, EXT. #468                    |
| CITY OF CLEVELAND<br>DIVISION OF TRAFFIC ENGINEERING<br>CITY OF CLEVELAND<br>CLEVELAND, OH 44114<br>CLEVELAND, OH 44114<br>PHONE: 216-664-5397     | CHARTER COMMUNICATIONS (SPECTRUM)<br>6178 DOOR CIRCLE<br>SPRINGVILLE, OH<br>PHONE: 937-976-6016, EXT. 5035                                   |
| CITY OF CLEVELAND<br>DIVISION OF WATER POLLUTION<br>CONTROL<br>12302 KIRBY ROAD<br>CLEVELAND, OH 44115<br>PHONE: 216-664-2789                      | DOMINION ENERGY OHIO CORPORATION<br>ATTN: MICHAEL R. ANTOUZE<br>SHARONVILLE, OH 45241<br>PHONE: 855-689-5788                                 |
| CITY OF CLEVELAND<br>DIVISION OF HIGHWAY (CED)<br>6839 MILLER ROAD<br>CLEVELAND, OH 44114<br>PHONE: 440-546-8708                                   | CITY OF CLEVELAND AND RECREATION<br>801 LAKESIDE AVE.<br>CLEVELAND, OH 44114<br>PHONE: 216-664-3550  |

NOTE:  
 THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN  
 ON THE PLANS ARE OBTAINED FROM THE OWNER OF THE  
 UTILITIES AS REQUIRED BY SECTION 153.64 O.R.C.

| CONVENTIONAL SYMBOLS   |                       |
|------------------------|-----------------------|
| County Line            | Ditch / Creek (Ex)    |
| Township Line          | Ditch / Creek (Pr)    |
| Section Line           | Tree Line (Ex)        |
| Corporation Line       | Ownership Road Symbol |
| Fence Line (Ex)        | Property Line Symbol  |
| Center Line            | Break Line Symbol     |
| Right of Way (Ex)      | Tree (Pr)             |
| Right of Way (Pr)      | Tree (Ex)             |
| Temporary Right of Way | Tree (Remove)         |
| Channel Edge (Ex)      | Evergreen (Ex)        |
| Utility Edge (Ex)      | Evergreen (Remove)    |
| Sewer Edge (Ex)        | Wetland (Ex)          |
| General Edge (Ex)      | Post (Ex)             |
| Guardrail (Ex)         | Light (Ex)            |
| Construction Limits    | Fire Hydrant (Ex)     |
| Edge of Pavement (Ex)  | Water Valve (Ex)      |
| Edge of Pavement (Pr)  | Telephone Pole (Ex)   |
| Edge of Shoulder (Ex)  | Light Pole (Ex)       |
| Edge of Shoulder (Pr)  | Lg Rock (Ex)          |

PROJECT DESCRIPTION  
 REHABILITATION OF EXISTING BRIDGE NO. 04.44, COUNTY ROAD  
 9 (ST. CLAIR AVENUE) OVER DOAN BROOK, INCLUDING CHANNEL  
 WALL REHABILITATION AND NEW GUARDRAIL

OHIO STATE PLANE GRID, NORTH ZONE  
 NAD 83(2011)

MONUMENT LEGEND  
 O124. IRON PIN FOUND  
 O125. IRON PIN SET W/ ID CAP

TYPES OF TITLE LEGEND  
 W = WARRANTY DEED  
 T = TEMPORARY EASEMENT

STRUCTURE KEY  
 RESIDENTIAL  
 COMMERCIAL  
 OUT-BUILDING

PLANS PREPARED BY:  
 FIRM NAME - DLZ OHIO, INC.  
 R/W DESIGNER - JAN M. FOYE  
 R/W REVIEWER - MICHAEL J. HUDIK  
 FIELD REVIEWER - MICHAEL J. HUDIK  
 FIELD REVIEW DATE - 4-29-2019  
 OWNERSHIP UPDATED BY - MICHAEL J. HUDIK  
 DATE COMPLETED - 6-13-2019

INDEX OF SHEETS:  
 LEGEND SHEET 1  
 R/W PLAN SHEET/SUMMARY TABLE 2

I, MICHAEL J. HUDIK, S. S., HAVE CONDUCTED A SURVEY OF THE EXISTING CONDITIONS FOR THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS IN 2019. THE RESULTS OF THIS SURVEY ARE CONTAINED HEREIN. THE HORIZONTAL COORDINATES EXPRESSED HEREIN ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, THE NORTH AMERICAN DATUM OF 1983 AND THE 2011 ADJUSTMENT.

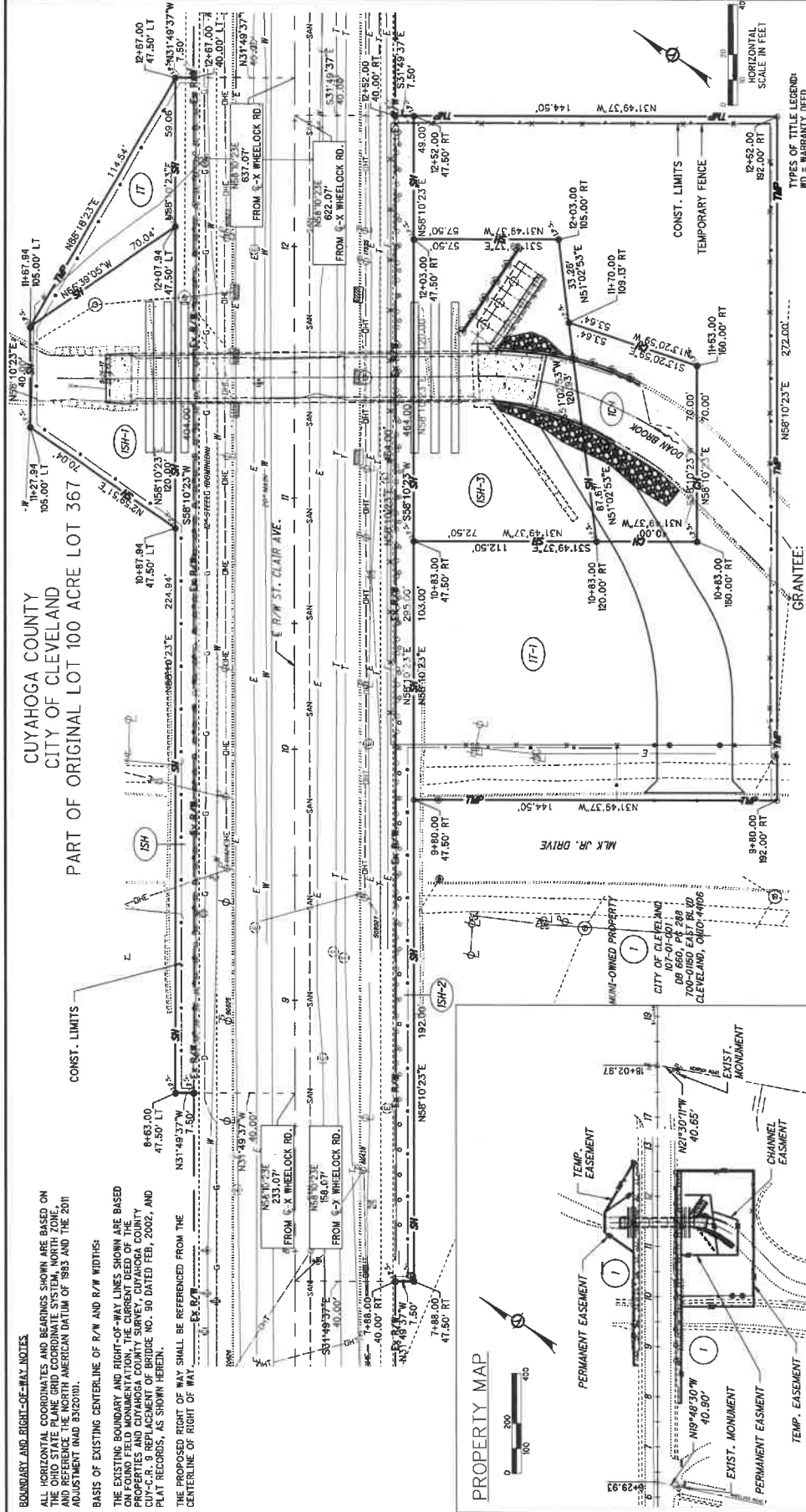
AS A PART OF THIS PROJECT I HAVE REESTABLISHED THE LOCATIONS OF THE EXISTING BOUNDARY AND RIGHT OF WAY MONUMENTS AND CORNERS. THE MONUMENTS AND CORNERS WERE FOUND TO BE IN GOOD CONDITION AND I HAVE CHECKED THE GROSS TAKE, PRESENT ROADWAY OCCUPY (PRO), NET TAKE AND NET RESIDUE. I HAVE ALSO PREPARED THE LEGAL DESCRIPTIONS NECESSARY TO ACQUIRE THE PARCELS AS SHOWN HEREIN.

AS A PART OF THIS WORK I WILL SET MONUMENTS AT THE PROPOSED PARCEL CORNERS AS SHOWN HEREIN. ALL RIGHT OF WAY MONUMENTS SET AS SHOWN ON PAGE 2 WITH THE SYMBOL "1, 2, 3," BEING 3/4" REBAR, 30" LONG AND BEAR A PLASTIC CAP INSCRIBED "OLZ OHIO, INC.". THIS WORK WILL BE DONE IN ACCORDANCE WITH OAC 4733-37 AS CITED BELOW.

ALL OF MY WORK CONTAINED HEREIN WAS CONDUCTED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE 4733-37 COMMONLY KNOWN AS "A MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO" UNLESS NOTED. THE WORDS "I" AND "MY" AS USED HEREIN ARE TO MEAN EITHER MYSELF OR SOMEONE WORKING UNDER MY DIRECT SUPERVISION.

MICHAEL J. HUDIK, OHIO REGISTERED PROFESSIONAL SURVEYOR, S-6786  
 DATE: 6-13-2019

SURVEYOR'S SEAL



**BOUNDARY AND RIGHT-OF-WAY NOTES**  
 ALL HORIZONTAL COORDINATES AND BEARINGS SHOWN ARE BASED ON THE OHIO STATE PLANE GRID COORDINATE SYSTEM, NORTH ZONE, WITH A MERIDIAN ADJUSTMENT (NAD 83/2011).  
 BASIS OF EXISTING CENTERLINE OF R/W AND R/W WIDTHS:  
 THE EXISTING BOUNDARY AND RIGHT-OF-WAY LINES SHOWN ARE BASED ON FOUND FIELD MONUMENTATION, THE CURRENT DEED OF THE PROPERTIES AND CUYAHOGA COUNTY SURVEY, CUYAHOGA COUNTY CUY-C.R. 9 REPLACEMENT OF BRIDGE NO. 90 DATED FEB, 2002, AND PLAT RECORDS, AS SHOWN HEREBY.  
 THE PROPOSED RIGHT OF WAY SHALL BE REFERENCED FROM THE CENTERLINE OF RIGHT OF WAY.

**PROPERTY MAP**  
 0 100 200 400  
 HORIZONTAL SCALE IN FEET

**GRANTEE:**  
 ALL RIGHT OF WAY ACQUIRED IN THE NAME OF CUYAHOGA COUNTY UNLESS OTHERWISE SHOWN.

| TOTAL NUMBER OF: |                   | ALL AREAS IN ACRES |             | RECORD AREA - TOTAL PRO - NET TAKE = NET RESIDUE |           | RECORD AREA - TOTAL PRO - NET TAKE = NET RESIDUE |          | RECORD AREA - TOTAL PRO - NET TAKE = NET RESIDUE |                                   | RECORD AREA - TOTAL PRO - NET TAKE = NET RESIDUE |  |
|------------------|-------------------|--------------------|-------------|--|-----------|--|----------|--|-----------------------------------|--|--|
| PARCEL NO        | OWNER             | GROSS TAKE         | PRO IN TAKE | NET TAKE   | STRUCTURE | NET RES  | NET RES  | TYPE FUND  | REMARKS AND PERSONALITY           | AS ACQUIRED RECORD                               |  |
| 1                | CITY OF CLEVELAND | 0.070              | 0           | 0  | 0         | 0  | 0        | LOCAL  | LEFT GUARDRAIL                    |  |  |
| 2                | CITY OF CLEVELAND | 0.006              | 0           | 0  | 0         | 0  | 0        | LOCAL  | EXISTING STRUCTURE WINGWALLS      |  |  |
| 3                | CITY OF CLEVELAND | 0.080              | 0           | 0  | 0         | 0  | 0        | LOCAL  | RIGHT GUARDRAIL                   |  |  |
| 4                | CITY OF CLEVELAND | 0.179              | 0           | 0  | 0         | 0  | 0        | LOCAL  | EXISTING STRUCTURE WINGWALLS      |  |  |
| 5                | CITY OF CLEVELAND | 0.435              | 0           | 0  | 0         | 0  | 0        | LOCAL  | EXISTING STRUCTURE WINGWALLS      |  |  |
| 6                | CITY OF CLEVELAND | 0.081              | 0           | 0  | 0         | 0  | 0        | LOCAL  | CHANNEL WALLS, EROSION PROTECTION |  |  |
| 7                | CITY OF CLEVELAND | 0.059              | 0           | 0  | 0         | 0  | 0        | LOCAL  | GRADING AND SLOPE REPAIR ACCESS   |  |  |
| 8                | CITY OF CLEVELAND | 0.642              | 0           | 0  | 0         | 0  | 0        | LOCAL  | ACCESS DRIVE, STORAGE STAGING     |  |  |
| 9                | CITY OF CLEVELAND | 0.681              | 0           | 0  | 0         | 0  | 0        | LOCAL  | ACCESS DRIVE, STORAGE STAGING     |  |  |
| <b>TOTAL</b>     |                   | <b>1.681</b>       | <b>0</b>    | <b>0</b>   | <b>0</b>  | <b>0</b>   | <b>0</b> |  |                                   |  |  |

**REVISIONS:**  
 REV. BY DATE DESCRIPTION  
 DATE COMPLETED