

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0158

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution authorizing the appropriation of real property for reconstruction and widening of Sprague Road from Webster Road to York Road in the Cities of Middleburg Heights, Parma, North Royalton and Strongsville; 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>
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WHEREAS, on September 24, 2019, this Council adopted Resolution No. R2019-0203, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the reconstruction and widening of Sprague Road from Webster Road to York Road in the Cities of Middleburg Heights, Parma, North Royalton and Strongsville; 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, KMJM Land Services, 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 1 T (Temporary Easement)
Property Owner: Hetmet Ullah Abdual Fatah
Address: 12972 Sprague Road, Parma, OH 44130
Mailing Address: 12972 Sprague Road, Parma, OH 44130

Fair Market Value Estimate: \$300.00

Parcel 6 T (Temporary Easement)

Property Owners: Roman & Natalia Sheychuk

Address: 12781 Sprague Road, North Royalton, OH 44133

Mailing Address: 12781 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$300.00

Parcel 8 T (Temporary Easement)

Property Owner: Joshua, Ronnie & Judith Payne

Address: 12954 Sprague Road, Parma, OH 44130

Mailing Address: 12954 Sprague Road, Parma, OH 44130

Fair Market Value Estimate: \$300.00

Parcel 35 T (Temporary Easement)

Property Owner: Niska Samardizja

Address: 12187 Sprague Road, North Royalton, OH 44133

Mailing Address: 12187 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$300.00

Parcel 37 T (Temporary Easement)

Property Owner: Jesse & Tara Garling

Address: 12147 Sprague Road, North Royalton, OH 44133

Mailing Address: 12147 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$450.00

Parcel 49 T (Temporary Easement)

Property Owner: Robert Togliatti

Address: 11603 Sprague Road, North Royalton, OH 44133

Mailing Address: 11603 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$400.00

Parcel 62 T (Temporary Easement)

Property Owner: Joanna Kannenberg

Address: 11591 Sprague Road, North Royalton, OH 44133

Mailing Address: 11591 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$1,250.00

Parcel 65 T (Temporary Easement)

Property Owner: Isaiah Miklowski

Address: 11447 Sprague Road, North Royalton, OH 44133

Mailing Address: 11447 Sprague Road, North Royalton, OH 44133

Fair Market Value Estimate: \$1,900.00

Parcel 68 WD, T (Warranty Deed and Temporary Easement)

Property Owner: Velibor & Jecto Lovre

Address: 12020 Sprague Road, Parma, OH 44130
Mailing Address: 12020 Sprague Road, Parma, OH 44130
Fair Market Value Estimate: \$800.00

Parcel 72 T (Temporary Easement)
Property Owner: Frank Lindow
Address: 11335 Sprague Road, North Royalton, OH 44133
Mailing Address: 11335 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$700.00

Parcel 74 T (Temporary Easement)
Property Owner: Arthur Klein
Address: 11301 Sprague Road, North Royalton, OH 44133
Mailing Address: 11301 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$850.00

Parcel 82/84 T (Temporary Easement)
Property Owner: Timothy Graydon & Peter Suc, Trustees
Address: 11181 Sprague Road, North Royalton, OH 44133
Mailing Address: 11181 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$500.00

Parcel 94 T (Temporary Easement)
Property Owner: Jobie & Joyce Dotson
Address: 11099 Sprague Road, North Royalton, OH 44133
Mailing Address: 11099 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$350.00

Parcel 98 T (Temporary Easement)
Property Owner: Edward & Lisa Neiner
Address: 10897 Sprague Road, North Royalton, OH 44133
Mailing Address: 10897 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$300.00

Parcel 118 T (Temporary Easement)
Property Owner: Alexander Orabovich
Address: 11224 Sprague Road, Parma, OH 44130
Mailing Address: 11224 Sprague Road, Parma, OH 44130
Fair Market Value Estimate: \$300.00

Parcel 130 T (Temporary Easement)
Property Owner: Michael Wohar Jr. & Leigh Kaminski
Address: 11030 Sprague Road, Parma, OH 44130
Mailing Address: 11030 Sprague Road, Parma, OH 44130
Fair Market Value Estimate: \$300.00

Parcel 131 T (Temporary Easement)
Property Owner: Anthony Daniele
Address: 10321 Sprague Road, North Royalton, OH 44133
Mailing Address: 10321 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$300.00

Parcel 132 WD, T (Warranty Deed and Temporary Easement)
Property Owner Dusanka Tomasic
Address: 11000 Sprague Road, Parma, OH 44130
Mailing Address: 11000 Sprague Road, Parma, OH 44130
Fair Market Value Estimate: \$300.00

Parcel 143 T (Temporary Easement)
Property Owner: Joanna Kannenberg
Address: 10137 Sprague Road, North Royalton, OH 44133
Mailing Address: 10137 Sprague Road, North Royalton, OH 44133
Fair Market Value Estimate: \$1,350.00

Parcel 149 T (Temporary Easement)
Property Owner: Essmine LLC
Address: 7888 York Road, Parma, OH 44130
Mailing Address: 147-24 75th Avenue, Flushing, NY 11367
Fair Market Value Estimate: \$4,000.00

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 reconstruction and widening of Sprague Road from Webster Road to York Road in the Cities of Middleburg Heights, Parma, North Royalton and Strongsville; 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:

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Fair Market Value Estimate: \$4,000.00

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 Michael Chambers, 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. Tuma, seconded by Mr. Sweeney, the foregoing Resolution was duly adopted.

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

Nays: None



County Council President

7/8/21
Date



County Executive

7-8-21
Date



Clerk of Council

7/8/21
Date

First Reading/Referred to Committee: June 22, 2021

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC043

July 6, 2021