

# County Council of Cuyahoga County, Ohio

## Resolution No. R2021-0173

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> approving Right-of-Way Exhibits as set forth in Plat No. M-5047 for pier repairs on West 150<sup>th</sup> Street Bridge No. 01.94 over Chatfield Avenue, Greater Cleveland Regional Transit Authority, Norfolk Southern Railroad and Emery Road Extension in the City of Cleveland; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; and declaring the necessity that this Resolution become immediately effective.</p>
<p>Co-sponsored by: <b>Councilmember Miller</b></p>	

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approving Right-of-Way Exhibits as set forth in Plat No. M-5047 for pier repairs on West 150<sup>th</sup> Street Bridge No. 01.94 over Chatfield Avenue, Greater Cleveland Regional Transit Authority, Norfolk Southern Railroad and Emery Road Extension 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 acquisitions needed for pier repairs on West 150<sup>th</sup> Street Bridge No. 01.94 over Chatfield Avenue, Greater Cleveland Regional Transit Authority, Norfolk Southern Railroad and Emery Road Extension; and

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

WHEREAS, the estimated right-of-way acquisition cost is \$1,000.00, which will be funded 100% by County Road and Bridge Funds; 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 Exhibits as set forth in Plat No. M-5047 for pier repairs on West 150<sup>th</sup> Street Bridge No. 01.94 over Chatfield Avenue, Greater Cleveland Regional Transit Authority, Norfolk Southern Railroad and Emery Road Extension 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 the Right-of-Way Exhibit as set forth in Plat No. M-5047 are hereby ordered copied into the Road Record of the County by the Department of Public Works are 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. Miller, seconded by Mr. Tuma, the foregoing Resolution was duly adopted.

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

Nays: None

\_\_\_\_\_  
County Council President                      Date

\_\_\_\_\_  
County Executive                                      Date

\_\_\_\_\_  
Clerk of Council                                      Date

First Reading/Referred to Committee: July 20, 2021  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC043  
August 3, 2021

**EXHIBIT A**

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Rev. 12/16

Ver. Date 9/9/20

PID N/A

**PARCEL 1-T  
WEST 150<sup>th</sup> STREET BRIDGE 01.94  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY FOR  
THE REPAIR OF BRIDGE PIERS  
FOR 24 MONTHS FROM DATE OF ENTRY BY THE  
COUNTY OF CUYAHOGA, OHIO**

**[Surveyor's description of the premises follows]**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 9 and being a 0.0113 acre (492 Sq. Ft.) temporary easement # 1T for the repair of bridge piers and being part of land conveyed to BFR Cleveland Office, LLC. by deed AFN: 201902220255 (PP# 027-17-012) of Cuyahoga County Deed Records bounded and described as follows:

Beginning at the centerline intersection of West 150<sup>th</sup> Street, varied width, and the Emery Avenue, 66.00 feet wide;

Thence North 89°29'13" East, along the centerline of said Emery Avenue, a distance of 290.57 feet to a stone monument found;

Thence North 87°02'16" East, continuing along said centerline, a distance of 51.60 feet to the centerline of Service Road, varied width;

Thence North 1°48'01" West, along the centerline of said Service Road, a distance of 282.38 feet to an iron pin monument found and a point of curve;

Thence continuing along said centerline on a curve deflecting to the left, and arc distance of 78.54 feet to an iron pin monument found. Said curve having a radius of 50.00 feet and a chord that bears North 46°48'01" West 70.71 feet.

Thence South 88°11'59" West, continuing along the centerline of said Service Road, a distance of 351.54 feet to a point;

Thence South 1°48'01" East a distance of 18.00 feet to a point witnessed by a hub in monument box found 0.40 feet south, 0.10 feet west;

**EXHIBIT A**

RX 286 T

Thence North 27°37'55" West a distance of 35.50 feet to the northeast corner of land conveyed to BFR Cleveland Office, LLC by deed AFN: 201902220255 and the Principal Place of Beginning of land herein described;

- Course I Thence southerly along the westerly line of said West 150<sup>th</sup> Street along a curve deflecting to the left, and arc distance of 14.61 feet to a point. Said curve having a radius of 35.50 feet and a chord that bears South 50°33'58" West 14.51 feet;
- Course II Thence North 51°13'22" West, along a temporary easement line, a distance of 13.68 feet to a point;
- Course III Thence South 88°18'00" West, continuing along a temporary easement line, a distance of 20.00 feet to a point;
- Course IV Thence North 31°37'06" East, continuing along a temporary easement line, a distance of 23.00 to the northeasterly line of land conveyed to said BFR Cleveland Office, LLC.
- Course V Thence South 58°22'54" East, along said northeasterly line, a distance of 35.00 feet to the principal place of beginning and containing 0.0113 acres (492 sq. ft.) of land more or less and being part of Cuyahoga County Auditor's Permanent Parcel No. 027-17-012.

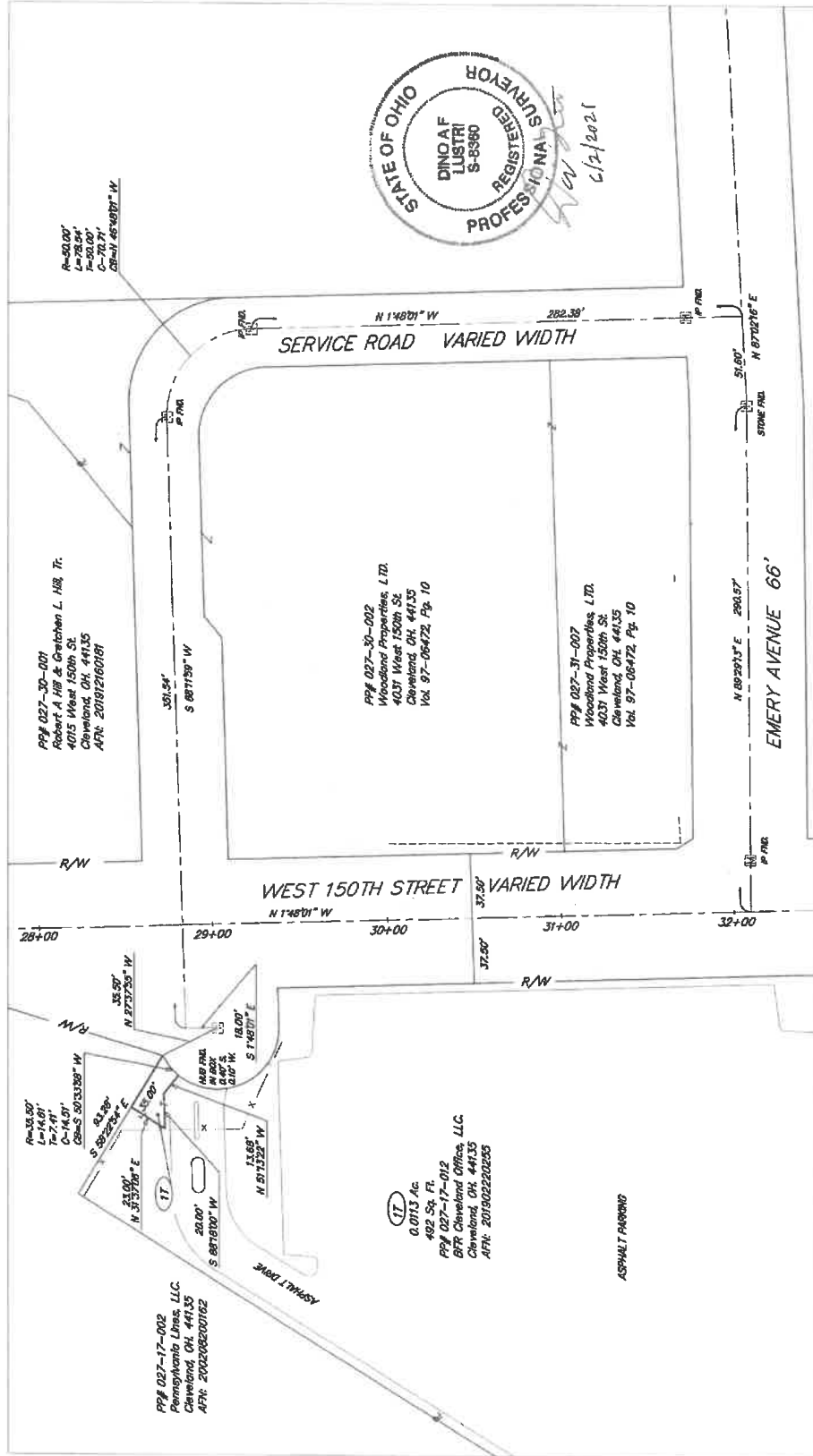
Bearings for this legal description are based on the Ohio State Plane Coordinate System (NAD 83), North Zone.

This legal description was prepared by Neil M. Juhnke P.S. and revised by Dino Lustrì P.E., P.S., now Chief Surveyor for the Cuyahoga County Department of Public Works.



**M-5047**  
**CUYAHOGA COUNTY**  
**WEST 150TH STREET BRIDGE NO. 01.94**

RIGHT OF WAY EXHIBIT  
 PART OF ORIGINAL ROCKPORT TOWNSHIP SECTION NO. 9  
 CLEVELAND, OHIO



WEST 150TH STREET BRIDGE NO. 01.94

(WEST 150TH STREET)  
 C.R. 66

